

Amendment No. 707

Senate Amendment to Assembly Bill No. 535 First Reprint (BDR 17-957)

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 dashed underlining* is newly added transitory language.

LJM/BJE



Date: 5/21/2009

A.B. No. 535—Makes various changes relating to the Legislature and the
Legislative Counsel Bureau. (BDR 17-957)



ASSEMBLY BILL NO. 535—COMMITTEE ON ELECTIONS, PROCEDURES, ETHICS, AND
CONSTITUTIONAL AMENDMENTS

(ON BEHALF OF THE LEGISLATIVE COMMISSION)

APRIL 9, 2009

Referred to Committee on Elections, Procedures, Ethics,
and Constitutional AmendmentsSUMMARY—Makes various changes relating to the Legislature and the
Legislative Counsel Bureau. (BDR 17-957)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.**Legislative Counsel's Digest:**

Section 1 of this bill provides that reports made to the Legislature or the Legislative Counsel Bureau may be submitted electronically. Sections 2 and 3 of this bill allow a Legislator to purchase and use letterhead and business cards after leaving office if the letterhead or business card clearly identifies the person as a former Legislator or retired Legislator. Sections 4, 5, 7, 8, 12, 13 and 14 of this bill revise certain statutes concerning a Legislator who does not seek reelection or who is defeated for reelection. Such a Legislator continues to serve on legislative committees after the general election until the next regular or special session of the Legislature convenes. Sections 9.5 and 10 of this bill revise the statutes concerning the membership of the Legislative Commission and the Interim Finance Committee to provide that the membership of a Legislator who does not seek reelection or who is defeated for reelection terminates on the day after the general election. Sections 5 and 6 of this bill expand the membership of the Legislative Committee on Public Lands and authorize the Legislative Commission to appoint alternate members. Section 11 of this bill revises the description of the Administrative Division of the Legislative Counsel Bureau to reflect its duties more accurately. Sections 11.2, 11.4 and 11.6 of this bill expand the authority of the Legislative Counsel to represent the Legislature's official interests in various actions and proceedings. Section 13.5 of this bill repeals the prospective expiration of provisions that require the prefiling of measures proposed by certain nonlegislative requesters and that make various other changes relating to bill draft requests.

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:

If a law or resolution requires or directs that a report be made to the Legislature, the Legislative Counsel Bureau, or any person or entity within the Legislature or the Legislative Counsel Bureau, submitting the report in electronic format satisfies the law or resolution.

Sec. 2. NRS 218.048 is hereby amended to read as follows:

218.048 1. After he leaves office and a successor has been elected or appointed, it is unlawful for any Legislator to:

(a) Use any official stationery or business card acquired pursuant to NRS 218.225 *and unless the stationery or business card clearly identifies the person as a former Legislator or retired Legislator;*

(b) Maintain deliberately a listing in any directory, published after that date, which in any manner indicates that he is presently a Legislator; or

(c) Except as otherwise provided in a special act, use on his vehicle a special legislative license plate furnished pursuant to NRS 482.374.

2. Any person who violates any of the provisions of subsection 1 is guilty of a misdemeanor.

Sec. 3. NRS 218.225 is hereby amended to read as follows:

218.225 1. At each regular session of the Legislature, each Legislator is entitled to receive at the expense of the Legislative Fund:

(a) Not to exceed 2,000 letterheads, 8 1/2 inches x 11 inches, and 2,000 half size, or 4,000 of either variety;

(b) Not to exceed 2,000 No. 10 envelopes and 2,000 No. 6 3/4 envelopes, or 4,000 of either variety; and

(c) Not to exceed 2,000 business cards and 1,000 memorandum sheets, 500 each of the small and large type or 1,000 of either type.

2. Each female member of the Assembly is entitled to have the word "Assemblywoman" precede the inscription of her name on her official stationery and business cards.

3. All orders for the printing specified in subsection 1 must be placed by Legislators with the Director of the Legislative Counsel Bureau, who shall approve those claims which comply with the provisions of this section and shall pay the claims from the Legislative Fund.

4. A Legislator may purchase official stationery, cards and other material appropriate to his official duties in excess of that specified in subsection 1 at his own expense *and may purchase stationery, cards or other material for use after he leaves office if the stationery, cards or other material clearly identifies the person as a former Legislator or retired Legislator.*

Sec. 4. NRS 218.5352 is hereby amended to read as follows:

218.5352 1. The Legislative Committee on Education, consisting of eight legislative members, is hereby created. The membership of the Committee consists of:

(a) Four members appointed by the Majority Leader of the Senate, at least one of whom must be a member of the minority political party.

(b) Four members appointed by the Speaker of the Assembly, at least one of whom must be a member of the minority political party.

2. After the initial selection, the Legislative Commission shall select the Chairman and Vice Chairman of the Committee from among the members of the

Committee. After the initial selection of those officers, each of those officers holds the position for a term of 2 years commencing on July 1 of each odd-numbered year. The Chairmanship of the Committee must alternate each biennium between the houses of the Legislature. If a vacancy occurs in the Chairmanship or Vice Chairmanship, the vacancy must be filled in the same manner as the original selection for the remainder of the unexpired term.

3. A member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve *after the general election* until the ~~convening of the~~ next regular *or special* session of the Legislature ~~it~~ *convenes*.

4. A vacancy on the Committee must be filled in the same manner as the original appointment.

Sec. 5. NRS 218.5363 is hereby amended to read as follows:

218.5363 1. There is hereby established a Legislative Committee on Public Lands consisting of ~~three~~ *four* members of the Senate, ~~three~~ *four* members of the Assembly and one elected officer representing the governing body of a local political subdivision, appointed by the Legislative Commission with appropriate regard for their experience with and knowledge of matters relating to public lands. The members who are State Legislators must be appointed to provide representation from the various geographical regions of the State.

2. The members of the Committee shall select a Chairman from one House of the Legislature and a Vice Chairman from the other. After the initial selection of a Chairman and a Vice Chairman, each such officer shall hold office for a term of 2 years commencing on July 1 of each odd-numbered year. If a vacancy occurs in the Chairmanship or Vice Chairmanship, the members of the Committee shall select a replacement for the remainder of the unexpired term.

3. Any member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve *after the general election* until the ~~convening of the~~ next *regular or special* session of the Legislature ~~it~~ *convenes*.

4. *The Legislative Commission may appoint alternates for members of the Committee.* Vacancies on the Committee must be filled in the same manner as original appointments. *The Chairman of the Committee may designate an alternate appointed by the Legislative Commission to serve in place of a regular member who is unable to attend a meeting. The Chairman shall appoint an alternate who is a member of the same House and political party as the regular member to serve in place of the regular member if one is available.*

Sec. 6. NRS 218.5365 is hereby amended to read as follows:

218.5365 1. The members of the Committee shall meet throughout each year at the times and places specified by a call of the Chairman or a majority of the Committee. The Research Director of the Legislative Counsel Bureau or a person he has designated shall act as the nonvoting recording Secretary. The Committee shall prescribe regulations for its own management and government. ~~Four~~ *Five* members of the Committee constitute a quorum, and a quorum may exercise all the power and authority conferred on the Committee.

2. Except during a regular or special session of the Legislature, the members of the Committee who are State Legislators are entitled to receive the compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding session, the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to NRS 218.2207 for each day of attendance at a meeting of the Committee and while engaged in the business of the Committee. Per diem allowances, compensation and travel expenses of the legislative members of the Committee must be paid from the Legislative Fund.

3. The member of the Committee who represents a local political subdivision is entitled to receive the subsistence allowances and travel expenses provided by law for his position for each day of attendance at a meeting of the Committee and while engaged in the business of the Committee, to be paid by his local political subdivision.

Sec. 7. NRS 218.5382 is hereby amended to read as follows:

218.5382 1. If:

(a) The Legislature, by concurrent resolution, during a regular legislative session; or

(b) The Interim Finance Committee, by resolution, while the Legislature is not in regular session,

↪ determines that the performance of a fundamental review of the base budget of a particular agency is necessary, the Interim Finance Committee shall create a legislative committee for the fundamental review of the base budgets of state agencies. The Interim Finance Committee may create more than one such committee if the number of agencies designated for review warrants additional committees. If more than one such committee is created, the Interim Finance Committee shall determine which agencies are to be reviewed by the respective committees.

2. Each such committee must consist of an equal number of members of the Senate and the Assembly. The Interim Finance Committee shall appoint the members of a committee. At least a majority of the members of a committee must be members of the Interim Finance Committee. The Interim Finance Committee shall designate the chairman of a committee.

3. Any member of a committee who is not a candidate for reelection or who is defeated for reelection continues to serve *after the general election* until the next *regular or special* session of the Legislature ~~is convened.~~ *convenes.*

4. Vacancies on a committee must be filled in the same manner as original appointments.

5. A majority of the members appointed to a committee constitutes a quorum.

6. The Director of the Legislative Counsel Bureau shall assign employees of the Legislative Counsel Bureau to provide such technical, clerical and operational assistance to a committee as the functions and operations of the committee may require.

Sec. 8. NRS 218.53871 is hereby amended to read as follows:

218.53871 1. There is hereby created the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System consisting of three members of the Senate and three members of the Assembly, appointed by the Legislative Commission with appropriate regard for their experience with and knowledge of matters relating to the management of natural resources. The members must be appointed to provide representation from the various geographical regions of the State.

2. The members of the Committee shall elect a Chairman from one house of the Legislature and a Vice Chairman from the other house. Each Chairman and Vice Chairman holds office for a term of 2 years commencing on July 1 of each odd-numbered year.

3. Any member of the Committee who is not a candidate for reelection or who is defeated for reelection continues to serve *after the general election* until the next *regular or special* session of the Legislature convenes.

4. Vacancies on the Committee must be filled in the same manner as original appointments.

5. The Committee shall report annually to the Legislative Commission concerning its activities and any recommendations.

1 **Sec. 9.** NRS 218.610 is hereby amended to read as follows:

2 218.610 As used in NRS 218.610 to 218.735, inclusive, *and section 1 of this*
3 *act*, “agency of the State” includes all offices, departments, boards, commissions
4 and institutions of the State.

5 **Sec. 9.5.** NRS 218.660 is hereby amended to read as follows:

6 218.660 1. There is hereby created in the Legislative Counsel Bureau a
7 Legislative Commission consisting of 12 members.

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

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

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

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

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

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

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

21 4. *The members of the Legislative Commission serve until their successors*
22 *are appointed by resolution as provided in this section, except that the*
23 *membership of any member who does not become a candidate for reelection or*
24 *who is defeated for reelection terminates on the day next after the election and*
25 *the vacancy must be filled as provided by the joint rule adopted pursuant to*
26 *subsection 3.*

27 **Sec. 10.** NRS 218.6825 is hereby amended to read as follows:

28 218.6825 1. There is hereby created in the Legislative Counsel Bureau an
29 Interim Finance Committee . *Except as otherwise provided in this section, the*
30 *Interim Finance Committee is* composed of the members of the Assembly
31 Standing Committee on Ways and Means and the Senate Standing Committee on
32 Finance during the current or immediately preceding session of the Legislature.

33 ~~{The}~~

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

41 ~~{2-}~~ *The term of the Chairman of the Interim Finance Committee*
42 *terminates if a new Chairman of the Assembly Standing Committee on Ways and*
43 *Means or the Senate Standing Committee on Finance, as the case may be, is*
44 *designated for the next regular session of the Legislature, in which case that*
45 *person so designated serves as the Chairman of the Committee until the*
46 *convening of that regular session.*

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

52 ~~{3-}~~ 4. *Except as otherwise provided in subsection 5, the term of a member*
53 *of the Interim Finance Committee expires upon the convening of the next regular*

1 *session of the Legislature unless the member is replaced by the appointing*
2 *authority. If the Speaker designate of the Assembly or the Majority Leader*
3 *designate of the Senate designates members of the Assembly Standing Committee*
4 *on Ways and Means or the Senate Standing Committee on Finance, as*
5 *applicable, for the next ensuing regular session of the Legislature, the designated*
6 *members become members of the Interim Finance Committee. A member may be*
7 *reappointed.*

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

11 ~~—4—~~ *terminates on the day next after the general election. The Speaker*
12 *designate of the Assembly or the Majority Leader designate of the Senate, as the*
13 *case may be, shall appoint an alternate to fill the vacancy on the Interim Finance*
14 *Committee. Except as otherwise provided in this subsection, each alternate serves*
15 *on the Committee:*

16 (a) *If he is a member of the Assembly, until the Speaker designate of the*
17 *Assembly designates the members of the Assembly Standing Committee on Ways*
18 *and Means for the next ensuing regular session of the Legislature or appoints a*
19 *different alternate.*

20 (b) *If he is a member of the Senate, until the Majority Leader designate of*
21 *the Senate designates the members of the Senate Standing Committee on Finance*
22 *for the next ensuing regular session of the Legislature or appoints a different*
23 *alternate.*

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

26 ~~5-7~~ 7. A majority of the members of the Assembly Standing Committee on
27 Ways and Means and a majority of the members of the Senate Standing Committee
28 on Finance, jointly, may call a meeting of the Interim Finance Committee if the
29 Chairman does not do so.

30 ~~6-7~~ 8. In all matters requiring action by the Interim Finance Committee, the
31 vote of the Assembly and Senate members must be taken separately. No action may
32 be taken unless it receives the affirmative vote of a majority of the Assembly
33 members and a majority of the Senate members.

34 ~~7-7~~ 9. Except during a regular or special session of the Legislature, each
35 member of the Interim Finance Committee and appointed alternate is entitled to
36 receive the compensation provided for a majority of the members of the Legislature
37 during the first 60 days of the preceding regular session for each day or portion of a
38 day during which he attends a Committee meeting or is otherwise engaged in
39 Committee work plus the per diem allowance provided for state officers and
40 employees generally and the travel expenses provided pursuant to NRS 218.2207.
41 All such compensation must be paid from the Contingency Fund in the State
42 Treasury.

43 **Sec. 11.** NRS 218.6851 is hereby amended to read as follows:

44 218.6851 1. The Administrative Division consists of the Chief of the
45 Division and such staff as he may require.

46 2. The Administrative Division is responsible for:

47 (a) Accounting ~~and~~ *and human resources;*

48 (b) *Audio and video services;*

49 (c) Communication equipment;

50 ~~(d)~~ (d) Control of inventory;

51 ~~(e)~~ (e) *Information technology services;*

52 (f) Janitorial services;

53 ~~(g)~~ (g) Maintenance of buildings, grounds and vehicles;

~~(f)~~ (h) Purchasing;
~~(g)~~ (i) Security;
~~(h)~~ (j) Shipping and receiving;
~~(i)~~ (k) Utilities;
~~(j)~~ and
 (l) Warehousing operations. ~~f~~
~~(k) Data processing; and~~
~~(l) Reproduction of documents.~~

3. The Legislative Commission may assign any other appropriate function to the Administrative Division.

Sec. 11.2. NRS 218.697 is hereby amended to read as follows:

218.697 1. When deemed necessary or advisable to protect the official interests of the Legislature, one or more houses of the Legislature or one or more ~~Legislative committees,~~ agencies, members, officers or employees of the Legislature, the Legislative Counsel Bureau or the Legislative Department of State Government, 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 ~~to~~ or proceeding ~~in~~ before any court ~~or~~ or ~~agency or officer of this State or of~~ the United States ~~or~~ this State or any other jurisdiction, or any political subdivision thereof. In any such action or proceeding, the Legislature, the houses of the Legislature and the agencies, members, officers and employees of the Legislature, the Legislative Counsel Bureau and the Legislative Department of State Government may not be assessed or held liable for:

(a) Any filing or other court fees; or

(b) The attorney's fees or other fees, costs or expenses of any other parties.

2. If a party to any action or proceeding before any court, agency or officer:

(a) Alleges that the Legislature, by its actions or failure to act, has violated the Constitution, treaties or laws of the United States or the Constitution or laws of this State; or

(b) Challenges, contests or raises as an issue, either in law or in equity, in whole or in part, or facially or as applied, the meaning, intent, purpose, scope, applicability, validity, enforceability or constitutionality of any law, resolution, initiative, referendum or other legislative or constitutional measure, including, without limitation, on grounds that the law, resolution, initiative, referendum or other legislative or constitutional measure is ambiguous, unclear, uncertain, imprecise, indefinite or vague, is preempted by federal law or is otherwise inapplicable, invalid, unenforceable or unconstitutional,

the Legislature may elect to intervene in the action or proceeding by filing a motion or request to intervene in the form required by the rules, laws or regulations applicable to the action or proceeding. The motion or request to intervene must be accompanied by an appropriate pleading, brief or dispositive motion setting forth the Legislature's arguments, claims, objections or defenses, in law or fact, or by a motion or request to file such a pleading, brief or dispositive motion at a later time.

3. Notwithstanding any other law to the contrary, upon the filing of a motion or request to intervene pursuant to subsection 2, the Legislature has an unconditional right and standing to intervene in the action or proceeding and to present its arguments, claims, objections or defenses, in law or fact, whether or not the Legislature's interests are adequately represented by existing parties and whether or not the State or any agency, officer or employee of the State is an

existing party. If the Legislature intervenes in the action or proceeding, the Legislature has all the rights of a party.

4. The provisions of this section do not make the Legislature a necessary or indispensable party to any action or proceeding unless the Legislature intervenes in the action or proceeding, and no party to any action or proceeding may name the Legislature as a party or move to join the Legislature as a party based on the provisions of this section.

~~2~~ 5. The Legislative Commission may authorize payment of the expenses and costs incurred pursuant to this section from the Legislative Fund.

6. As used in this section:

(a) "Action or proceeding" means any action, suit, matter, cause, hearing, appeal or proceeding.

(b) "Agency" means any agency, office, department, division, board, commission, authority, committee, subcommittee or other similar body or entity, including, without limitation, any body or entity created by an interstate, cooperative, joint or interlocal agreement or compact.

Sec. 11.4. NRS 12.130 is hereby amended to read as follows:

12.130 1. Except as otherwise provided in subsection 2:

(a) Before the trial, any person may intervene in an action or proceeding, who has an interest in the matter in litigation, in the success of either of the parties, or an interest against both.

~~2~~ (b) An intervention takes place when a third person is permitted to become a party to an action or proceeding between other persons, either by joining the plaintiff in claiming what is sought by the complaint, or by uniting with the defendant in resisting the claims of the plaintiff, or by demanding anything adversely to both the plaintiff and the defendant.

~~2~~ (c) Intervention is made as provided by the Nevada Rules of Civil Procedure.

~~4~~ (d) The court shall determine upon the intervention at the same time that the action is decided. If the claim of the party intervening is not sustained, he shall pay all costs incurred by the intervention.

2. The provisions of this section do not apply to intervention in an action or proceeding by the Legislature pursuant to NRS 218.697.

Sec. 11.6. NRS 65.030 is hereby amended to read as follows:

65.030 1. Except as otherwise provided in subsection 2:

(a) Before the trial, any person may intervene in an action or proceeding, who has an interest in the matter in litigation, in the success of either of the parties, or an interest against both.

~~2~~ (b) An intervention takes place when a third person is permitted to become a party to an action or proceeding between other persons, either by joining the plaintiff in claiming what is sought by the complaint, or by uniting with the defendant in resisting the claims of the plaintiff, or by demanding anything adversely to both the plaintiff and the defendant; and is made by complaint, setting forth the grounds upon which the intervention rests, filed by leave of the court and served upon the parties to the action or proceeding who have not appeared, and upon the attorneys of the parties who have appeared, who may answer or demur to it as if it were an original complaint.

~~2~~ (c) The court shall determine upon the intervention at the same time that the action is decided. If the claim of the party intervening is not sustained he shall pay all costs incurred by the intervention.

2. The provisions of this section do not apply to intervention in an action or proceeding by the Legislature pursuant to NRS 218.697.

1 **Sec. 12.** NRS 417.230 is hereby amended to read as follows:

2 417.230 1. There are hereby created the Advisory Committee for a
3 Veterans' Cemetery in Northern Nevada and the Advisory Committee for a
4 Veterans' Cemetery in Southern Nevada, each consisting of seven members as
5 follows:

6 (a) One member of the Senate, appointed by the Majority Leader of the Senate.

7 (b) One member of the Assembly, appointed by the Speaker of the Assembly.

8 (c) Five members of veterans' organizations in this State, appointed by the
9 Governor.

10 2. The members of the Committees shall serve terms of 2 years.

11 3. Each Committee shall annually elect a Chairman and a Vice Chairman
12 from among its members.

13 4. Each Committee shall meet at least 4 times a year.

14 5. Any legislative member of a Committee who is not a candidate for
15 reelection or who is defeated for reelection continues to serve *after the general*
16 *election* until the ~~convening of the~~ next *regular or special* session of the
17 Legislature ~~+~~ *convenes*.

18 6. While engaged in the work of the Committee, each member of each
19 Committee is entitled to receive the per diem allowances and travel expenses
20 provided for state officers and employees generally.

21 7. The Executive Director shall consult with each Committee regarding the
22 establishment, maintenance and operation of the veterans' cemetery for which the
23 Committee was created.

24 **Sec. 13.** NRS 439B.200 is hereby amended to read as follows:

25 439B.200 1. There is hereby established a Legislative Committee on Health
26 Care consisting of three members of the Senate and three members of the
27 Assembly, appointed by the Legislative Commission. The members must be
28 appointed with appropriate regard for their experience with and knowledge of
29 matters relating to health care.

30 2. No member of the Committee may:

31 (a) Have a financial interest in a health facility in this State;

32 (b) Be a member of a board of directors or trustees of a health facility in this
33 State;

34 (c) Hold a position with a health facility in this State in which the Legislator
35 exercises control over any policies established for the health facility; or

36 (d) Receive a salary or other compensation from a health facility in this State.

37 3. The provisions of subsection 2 do not:

38 (a) Prohibit a member of the Committee from selling goods which are not
39 unique to the provision of health care to a health facility if the member primarily
40 sells such goods to persons who are not involved in the provision of health care.

41 (b) Prohibit a member of the Legislature from serving as a member of the
42 Committee if:

43 (1) The financial interest, membership on the board of directors or trustees,
44 position held with the health facility or salary or other compensation received
45 would not materially affect the independence of judgment of a reasonable person;
46 and

47 (2) Serving on the Committee would not materially affect any financial
48 interest he has in a health facility in a manner greater than that accruing to any other
49 person who has a similar interest.

50 4. The Legislative Commission shall select the Chairman and Vice Chairman
51 of the Committee from among the members of the Committee. Each such officer
52 shall hold office for a term of 2 years commencing on July 1 of each odd-numbered

1 year. The chairmanship of the Committee must alternate each biennium between
2 the houses of the Legislature.

3 5. Any member of the Committee who does not ~~return to the Legislature~~
4 *become a candidate for reelection or who is defeated for reelection* continues to
5 serve *after the general election* until the next *regular or special* session of the
6 Legislature convenes.

7 6. Vacancies on the Committee must be filled in the same manner as original
8 appointments.

9 7. The Committee shall report annually to the Legislative Commission
10 concerning its activities and any recommendations.

11 **Sec. 13.5. Section 16 of chapter 524, Statutes of Nevada 2007, at page**
12 **3170, is hereby amended to read as follows:**

13 Sec. 16. ~~[[1]]~~ This act becomes effective upon passage and approval.

14 ~~[[2. Sections 3 to 10, inclusive, and 15 of this act expire by limitation~~
15 ~~on June 30, 2011.]]~~

16 **Sec. 14.** Section 56 of chapter 531, Statutes of Nevada 2007, at page 3302, is
17 hereby amended to read as follows:

18 Sec. 56. 1. There is hereby created the Legislative Committee to
19 Oversee the Western Regional Water Commission created pursuant to
20 section 23 of this act. The Committee must:

21 (a) Consist of six Legislators as follows:

22 (1) One member of the Senate appointed by the Chairman of the
23 Senate Committee on Natural Resources;

24 (2) One member of the Assembly appointed by the Chairman of
25 the Assembly Committee on Natural Resources, Agriculture, and Mining;

26 (3) One member of the Senate appointed by the Majority Leader of
27 the Senate;

28 (4) One member of the Senate appointed by the Minority Leader of
29 the Senate;

30 (5) One member of the Assembly appointed by the Speaker of the
31 Assembly; and

32 (6) One member of the Assembly appointed by the Minority
33 Leader of the Assembly.

34 (b) Insofar as practicable, represent the various areas within the
35 planning area.

36 (c) Elect a Chairman and a Vice Chairman from among its members.
37 The Chairman must be elected from one House of the Legislature and the
38 Vice Chairman from the other House. After the initial selection of a
39 Chairman and a Vice Chairman, each of those officers holds office for
40 a term of 2 years commencing on July 1 of each odd-numbered year. If a
41 vacancy occurs in the chairmanship or vice chairmanship, the members of
42 the Committee shall select a replacement for the remainder of the unexpired
43 term.

44 2. Any member of the Committee who is not a candidate for
45 reelection or who is defeated for reelection continues to serve *after the*
46 *general election* until the next *regular or special* session of the Legislature
47 convenes.

48 3. Vacancies on the Committee must be filled in the same manner as
49 original appointments.

50 4. The members of the Committee shall meet throughout each year at
51 the times and places specified by a call of the Chairman or a majority of the
52 Committee.

1 5. The Director of the Legislative Counsel Bureau or his designee
2 shall act as the nonvoting recording Secretary.

3 6. The Committee shall prescribe regulations for its own management
4 and government.

5 7. Except as otherwise provided in subsection 8, four members of the
6 Committee constitute a quorum, and a quorum may exercise all the powers
7 conferred on the Committee.

8 8. Any recommended legislation proposed by the Committee must be
9 approved by a majority of the members of the Senate and by a majority of
10 the members of the Assembly appointed to the Committee.

11 9. Except during a regular or special session of the Legislature, the
12 members of the Committee are entitled to receive the compensation
13 provided for a majority of the members of the Legislature during the first
14 60 days of the preceding regular session, the per diem allowance provided
15 for state officers and employees generally and the travel expenses provided
16 pursuant to NRS 218.2207 for each day or portion of a day of attendance at
17 a meeting of the Committee and while engaged in the business of the
18 Committee. The salaries and expenses paid pursuant to this subsection and
19 the expenses of the Committee must be paid from the Legislative Fund.

20 10. The Committee shall review the programs and activities of the
21 Western Regional Water Commission. The review must include an analysis
22 of potential consolidation of the retail distribution systems and facilities of
23 all public purveyors in the planning area, which is described in section 22
24 of this act.

25 11. The Committee may:

26 (a) Conduct investigations and hold hearings in connection with its
27 powers pursuant to this section.

28 (b) Direct the Legislative Counsel Bureau to assist in the study of
29 issues related to oversight of the Western Regional Water Commission.

30 12. In conducting the investigations and hearings of the Committee:

31 (a) The Secretary of the Committee or, in his absence, any member of
32 the Committee may administer oaths.

33 (b) The Secretary or Chairman of the Committee may cause the
34 deposition of witnesses, residing either within or outside of the State, to be
35 taken in the manner prescribed by rule of court for taking depositions in
36 civil actions in the district courts.

37 (c) The Chairman of the Committee may issue subpoenas to compel
38 the attendance of witnesses and the production of books and papers.

39 13. If any witness refuses to attend or testify or produce any books
40 and papers as required by the subpoena issued pursuant to this section, the
41 Chairman of the Committee may report to the district court by petition,
42 setting forth that:

43 (a) Due notice has been given of the time and place of attendance of
44 the witness or the production of the books and papers;

45 (b) The witness has been subpoenaed by the Committee pursuant to
46 this section; and

47 (c) The witness has failed or refused to attend or produce the books
48 and papers required by the subpoena before the Committee which is named
49 in the subpoena, or has refused to answer questions propounded to him,
50 and asking for an order of the court compelling the witness to attend and
51 testify or produce the books and papers before the Committee.

52 14. Upon a petition pursuant to subsection 13, the court shall enter an
53 order directing the witness to appear before the court at a time and place to

1 be fixed by the court in its order, the time to be not more than 10 days after
2 the date of the order, and to show cause why he has not attended or testified
3 or produced the books or papers before the Committee. A certified copy of
4 the order must be served upon the witness.

5 15. If it appears to the court that the subpoena was regularly issued by
6 the Committee, the court shall enter an order that the witness appear before
7 the Committee at the time and place fixed in the order and testify or
8 produce the required books or papers. Failure to obey the order constitutes
9 contempt of court.

10 16. Each witness who appears before the Committee by its order,
11 except a state officer or employee, is entitled to receive for his attendance
12 the fees and mileage provided for witnesses in civil cases in the courts of
13 record of this State. The fees and mileage must be audited and paid upon
14 the presentation of proper claims sworn to by the witness and approved by
15 the Secretary and Chairman of the Committee.

16 17. On or before January 15 of each odd-numbered year, the
17 Committee shall submit to the Director of the Legislative Counsel Bureau
18 for transmittal to the Legislature a report concerning the review conducted
19 pursuant to subsection 10 and any recommendations for legislation.

20 **Sec. 15. 1. This ~~act becomes~~ section and sections 11.2, 11.4, 11.6 and
21 13.5 of this act become effective upon passage and approval.
22 2. Sections 1 to 11, inclusive, and 12, 13 and 14 of this act become
23 effective on July 1, 2009.**

24 ~~2. 3.~~ Section 14 of this act expires by limitation on July 1, 2013.