

ASSEMBLY BILL NO. 575—COMMITTEE ON
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE LEGISLATIVE COMMISSION)

MAY 31, 2011

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to the Legislature and the Legislative Counsel Bureau. (BDR 17-233)

FISCAL NOTE: Effect on Local Government: Increases or Newly Provides for Term of Imprisonment in County or City Jail or Detention Facility.
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; authorizing the Legislative Commission to adopt reasonable regulations governing vehicle and pedestrian traffic on certain property within the supervision and control of the Legislature; providing that a violation of such regulations is a misdemeanor; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill makes miscellaneous changes relating to the Legislature and the
2 Legislative Counsel Bureau. **Section 1** of this bill recognizes that the Legislature
3 occupies more than one building and provides that money in the Legislative Fund
4 does not revert to the State General Fund unless specifically provided by law,
5 which codifies the current practice. **Section 2** of this bill requires that reports to the
6 Legislature or the Legislative Counsel Bureau be submitted in electronic format, if
7 practicable. **Section 3** of this bill eliminates an obsolete provision concerning the
8 priority of certain requests for legislative measures. **Sections 4-9** of this bill change
9 the dates for requesting certain measures and prefiling other measures to avoid
10 requiring both activities to be completed on the same day. **Section 10** of this bill
11 provides that dues may be paid to certain national organizations only to the extent
12 of legislative appropriation. **Section 11** of this bill eliminates an inconsistency
13 concerning the members of the Interim Retirement and Benefits Committee.
14 **Sections 12 and 13** of this bill provide additional flexibility with respect to the
15 appointment of division chiefs and a Deputy Director of the Legislative Counsel



* A B 5 7 5 *

Bureau. **Section 14** of this bill revises the provision ensuring the confidentiality of the work product of the Legal Division and the Fiscal Analysis Division of the Legislative Counsel Bureau.

Existing law provides that, whenever a person who is detained by a peace officer for any violation of a county, city or town ordinance or a state law which is punishable as a misdemeanor and the person is not required to be taken before a magistrate under existing law, the peace officer has discretion to either issue a misdemeanor citation to the person or take the person without unnecessary delay before the proper magistrate. (NRS 171.1771) Existing law governs the form of such a citation and the manner in which a peace officer must prepare the citation. (NRS 171.1773, 171.1775) Under existing law, the peace officer issuing a misdemeanor citation must file the original or a copy of such misdemeanor citation with a court having jurisdiction over the alleged offense and, upon the filing of the misdemeanor citation with that court, the citation may be disposed of only by trial in such court or other official action by a judge of such court. (NRS 171.1776) Under existing law, an officer of the Legislative Police has the powers of a peace officer when carrying out duties prescribed by the Legislative Commission and thus is authorized to issue misdemeanor citations when carrying out such duties. (NRS 289.210)

Section 15 of this bill enacts provisions similar to existing law which authorizes the Board of Regents of the University of Nevada to adopt reasonable regulations governing vehicular and pedestrian traffic on certain property and provides that a violation of such regulations is a misdemeanor. Under this bill: (1) the Legislative Commission is authorized to adopt reasonable regulations governing vehicular and pedestrian traffic on certain property which is within the supervision and control of the Legislature; and (2) the violation of such regulations is a misdemeanor. Thus, under this bill, an officer of the Legislative Police may issue misdemeanor citations to persons who allegedly violate the regulations adopted by the Legislative Commission to govern vehicular and pedestrian traffic on property within the supervision and control of the Legislature. **Sections 16 and 17** of this bill require the badges issued to lobbyists to include a different colored background for each type of registration and limit the amount which may be charged for the registration of a lobbyist who represents only nonprofit organizations that are recognized as exempt under section 501(c)(3) of the Internal Revenue Code. **Section 19** of this bill clarifies that both regular members and alternate members of the Legislative Commission may serve on the Legislative Commission's Subcommittee to Review Regulations.

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

Section 1. NRS 218A.150 is hereby amended to read as follows:

218A.150 1. The Legislative Fund is hereby created as a special revenue fund for the use of the Legislature, and where specifically authorized by law, for the use of the Legislative Counsel Bureau.

2. Support for the Legislative Fund must be provided by legislative appropriation from the State General Fund. *Money in the Legislative Fund does not revert to the State General Fund at the*



end of the fiscal year, and the balance in the Legislative Fund must be carried forward to the next fiscal year.

3. Expenditures from the Legislative Fund may be made for:

(a) The payment of necessary expenses of the Senate;

(b) The payment of necessary expenses of the Assembly;

(c) The payment of necessary improvements to the Legislative Building, *other buildings used by the Legislature* and ~~its~~ *all legislative* grounds;

(d) The payment of expenses for the interim operation of the Legislature; and

(e) The payment of necessary expenses of, but not limited to:

(1) The Legislative Commission;

(2) The Legal Division;

(3) The Research Division;

(4) The Audit Division;

(5) The Fiscal Analysis Division; and

(6) The Administrative Division,

↳ of the Legislative Counsel Bureau.

4. Expenditures from the Legislative Fund for purposes other than those specified in subsection 3 or authorized specifically by another statute may be made only upon the authority of a concurrent resolution. ~~regularly adopted by the Senate and Assembly.~~

5. All money in the Legislative Fund must be paid out on claims approved by the Director of the Legislative Counsel Bureau or his or her designee.

Sec. 2. NRS 218A.750 is hereby amended to read as follows:

218A.750 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~~:

1. The person or entity shall, if practicable, submit the report in electronic format.

2. Submitting the report in electronic format satisfies the law or resolution.

Sec. 3. NRS 218D.115 is hereby amended to read as follows:

218D.115 1. Upon request made within the time allowed and limits established pursuant to NRS 218D.050 to 218D.215, inclusive, the Legislative Counsel shall advise any agency or officer of the Executive Branch of the State Government, and any county, school district or city, as to the preparation of measures to be submitted to the Legislature.

2. To ensure the greatest possible equity in the handling of requests, drafting must proceed as follows:

(a) Requests for legislative measures from each agency or officer of the Executive Branch of the State Government or from a



1 county, school district or city must, insofar as is possible, be acted
2 upon in the order in which they are received, unless a different
3 priority is designated by the requester.

4 (b) As soon as an agency or officer of the Executive Branch of
5 the State Government has requested 10 legislative measures for any
6 session, the Legislative Counsel may request the agency or officer to
7 designate the priority for each succeeding request.

8 ~~[(c) Not later than 2 weeks before the commencement of a~~
9 ~~regular session of the Legislature, any county, school district or city~~
10 ~~which has requested the preparation of more than one legislative~~
11 ~~measure for that session shall submit to the Legislative Counsel a~~
12 ~~list which designates the order of priority for each request.]~~

13 ➔ The priority designated pursuant to this subsection must guide the
14 Legislative Counsel in acting upon the requests of the respective
15 agencies and officers of the Executive Branch of the State
16 Government and the counties, school districts and cities to ensure
17 each agency and officer, and each county, school district and city, as
18 nearly as is possible, an equal rank.

19 **Sec. 4.** NRS 218D.150 is hereby amended to read as follows:

20 218D.150 1. Each:

21 (a) Incumbent member of the Assembly may request the
22 drafting of not more than 6 legislative measures submitted to
23 the Legislative Counsel on or before September 1 preceding the
24 commencement of a regular session of the Legislature and not more
25 than 5 legislative measures submitted to the Legislative Counsel
26 after September 1 but on or before December ~~[(5)]~~ 10 preceding the
27 commencement of a regular session of the Legislature.

28 (b) Incumbent member of the Senate may request the drafting of
29 not more than 12 legislative measures submitted to the Legislative
30 Counsel on or before September 1 preceding the commencement of
31 a regular session of the Legislature and not more than 10 legislative
32 measures submitted to the Legislative Counsel after September 1 but
33 on or before December ~~[(5)]~~ 10 preceding the commencement of a
34 regular session of the Legislature.

35 (c) Newly elected member of the Assembly may request the
36 drafting of not more than 5 legislative measures submitted to the
37 Legislative Counsel on or before December ~~[(5)]~~ 10 preceding
38 the commencement of a regular session of the Legislature.

39 (d) Newly elected member of the Senate may request the
40 drafting of not more than 10 legislative measures submitted to the
41 Legislative Counsel on or before December ~~[(5)]~~ 10 preceding
42 the commencement of a regular session of the Legislature.

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



1 (a) The chair of each standing committee of the immediately
2 preceding regular legislative session, or a person designated in the
3 place of the chair by the Speaker of the Assembly or the Majority
4 Leader of the Senate, as the case may be, may request before the
5 date of the general election preceding the commencement of the
6 next regular legislative session the drafting of not more than 1
7 legislative measure for introduction by the committee in a subject
8 within the jurisdiction of the committee for every 15 legislative
9 measures that were referred to the respective standing committee
10 during the immediately preceding regular legislative session.

11 (b) A person designated after a general election as a chair of a
12 standing committee for the next regular legislative session, or a
13 person designated in the place of a chair by the person designated as
14 the Speaker of the Assembly or the Majority Leader of the Senate
15 for the next regular legislative session, may request on or before
16 December ~~H~~^S 10 preceding the commencement of the next regular
17 legislative session the drafting of the remaining number of the
18 legislative measures allowed for the respective standing committee
19 that were not requested by the previous chair or designee.

20 3. Each request made pursuant to this section must be on a
21 form prescribed by the Legislative Counsel.

22 **Sec. 5.** NRS 218D.175 is hereby amended to read as follows:

23 218D.175 1. The Governor or the Governor's designated
24 representative may transmit to the Legislative Counsel on or before
25 September 1 preceding a regular legislative session not more than
26 100 requests for the drafting of legislative measures approved on
27 behalf of state agencies, boards and departments of the Executive
28 Branch of the State Government pursuant to subsection 1 of
29 NRS 218D.105.

30 2. The Department of Administration may request on or before
31 the 19th day of the legislative session, without limitation, the
32 drafting of as many legislative measures as are necessary to
33 implement the budget proposed by the Governor and to provide for
34 the fiscal management of the State. In addition to the requests
35 otherwise authorized pursuant to this section, the Governor may
36 request the drafting of not more than 5 legislative measures on or
37 before the 19th day of the legislative session to propose the
38 Governor's legislative agenda.

39 3. The following constitutional officers may request the
40 drafting of not more than the following numbers of legislative
41 measures on or before September 1 preceding a regular legislative
42 session:

43
44 Lieutenant Governor1
45 Secretary of State5



1	State Treasurer	2
2	State Controller	2
3	Attorney General.....	15

4
5 4. Each request made pursuant to this section must be on a
6 form prescribed by the Legislative Counsel. The measures requested
7 pursuant to subsections 1 and 3 must be prefiled on or before
8 December ~~H5~~ 20 preceding the regular session. A measure that is
9 not prefiled on or before that date shall be deemed withdrawn.

10 **Sec. 6.** NRS 218D.190 is hereby amended to read as follows:

11 218D.190 1. The Legislative Counsel and the Legal Division
12 of the Legislative Counsel Bureau shall prepare and assist in the
13 preparation of legislative measures at the request of the Supreme
14 Court if the legislative measures are transmitted to the Legislative
15 Counsel on or before September 1 preceding the commencement of
16 the next regular session of the Legislature. The Supreme Court may
17 transmit to the Legislative Counsel pursuant to this section not more
18 than 10 legislative measures on behalf of the Supreme Court.

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

22 3. Each request made pursuant to this section must be on a
23 form prescribed by the Legislative Counsel. The measures requested
24 pursuant to this section must be prefiled on or before December ~~H5~~
25 20 preceding the regular session. A measure that is not prefiled on
26 or before that date shall be deemed withdrawn.

27 **Sec. 7.** NRS 218D.205 is hereby amended to read as follows:

28 218D.205 1. Except as otherwise provided in subsections 3, 4
29 and 5, each board of county commissioners, board of trustees of a
30 school district and city council may request the Legislative Counsel
31 and the Legal Division of the Legislative Counsel Bureau to prepare
32 any legislative measure which has been approved by the governing
33 body of the county, school district or city at a public hearing before
34 its submission to the Legislative Counsel Bureau.

35 2. The Legislative Counsel shall notify the requesting county,
36 school district or city if its request substantially duplicates a request
37 previously submitted by another county, school district or city.

38 3. The board of county commissioners of a county whose
39 population:

40 (a) Is 400,000 or more shall not request the preparation of more
41 than 4 legislative measures pursuant to subsection 1 for a regular
42 legislative session.

43 (b) Is 100,000 or more but less than 400,000 shall not request
44 the preparation of more than 2 legislative measures pursuant to
45 subsection 1 for a regular legislative session.



(c) Is less than 100,000 shall not request the preparation of more than 1 legislative measure pursuant to subsection 1 for a regular legislative session.

4. The board of trustees of a school district in a county whose population:

(a) Is 400,000 or more shall not request the preparation of more than 2 legislative measures pursuant to subsection 1 for a regular legislative session.

(b) Is less than 400,000 shall not request the preparation of more than 1 legislative measure pursuant to subsection 1 for a regular legislative session.

5. The city council of a city whose population:

(a) Is 100,000 or more shall not request the preparation of more than 3 legislative measures pursuant to subsection 1 for a regular legislative session.

(b) Is less than 100,000 shall not request the preparation of more than 1 legislative measure pursuant to subsection 1 for a regular legislative session.

6. Each request made pursuant to this section must be on a form prescribed by the Legislative Counsel. The measures requested pursuant to this section must be prefiled on or before December ~~15~~ 20 preceding the regular session. A measure that is not prefiled on or before that date shall be deemed withdrawn.

7. As used in this section, "population" means the current population estimate for that city or county as determined and published by the Department of Taxation and the demographer employed pursuant to NRS 360.283.

Sec. 8. NRS 218D.210 is hereby amended to read as follows:

218D.210 1. An association of counties or cities may directly request the Legislative Counsel and the Legal Division of the Legislative Counsel Bureau to prepare no more than 5 legislative measures for a regular legislative session.

2. A request for the drafting of a legislative measure pursuant to this section must be submitted to the Legislative Counsel on or before September 1 preceding the commencement of a regular session of the Legislature.

3. Each request made pursuant to this section must be on a form prescribed by the Legislative Counsel. The measures requested pursuant to this section must be prefiled on or before December ~~15~~ 20 preceding the regular session. A measure that is not prefiled on or before that date shall be deemed withdrawn.

Sec. 9. NRS 218D.215 is hereby amended to read as follows:

218D.215 1. Each mental health consortium established pursuant to NRS 433B.333 may directly request the Legislative Counsel and the Legal Division of the Legislative Counsel Bureau



1 to prepare not more than one legislative measure for a regular
2 legislative session.

3 2. A request for the drafting of a legislative measure pursuant
4 to this section must be submitted to the Legislative Counsel on or
5 before September 1 preceding the commencement of a regular
6 session of the Legislature.

7 3. Each request made pursuant to this section must be on a
8 form prescribed by the Legislative Counsel. The measures requested
9 pursuant to this section must be prefiled on or before December ~~15~~
10 20 preceding the regular session. A measure that is not prefiled on
11 or before that date shall be deemed withdrawn.

12 **Sec. 10.** NRS 218E.180 is hereby amended to read as follows:

13 218E.180 The Legislative Commission may:

14 1. Carry forward the participation of the State of Nevada as a
15 member of the Council of State Governments and the National
16 Conference of State Legislatures, and may pay annual dues to those
17 organizations ~~{out of the Legislative Fund.}~~ *to the extent of*
18 *legislative appropriation.* The Legislative Commission is
19 designated as Nevada's Commission on Interstate Cooperation.

20 2. Encourage and assist the government of this State to
21 develop and maintain friendly contact by correspondence, by
22 conference, and otherwise, with the other states, with the Federal
23 Government and with local units of government.

24 3. Establish such delegations and committees as official
25 agencies of the Legislative Counsel Bureau as may be deemed
26 advisable to confer with similar delegations and committees from
27 other states concerning problems of mutual interest. The
28 membership of those delegations and committees must be
29 designated by the Legislative Commission and may consist of
30 Legislators and employees of the State other than members of the
31 Commission. Members of those delegations and committees shall
32 serve without salary, but they are entitled to receive out of the
33 Legislative Fund the per diem expense allowance provided for state
34 officers and employees generally and the travel expenses provided
35 pursuant to NRS 218A.655.

36 4. Endeavor to advance cooperation between this State and
37 other units of government whenever it seems advisable to do so by
38 formulating proposals for interstate compacts and reciprocal or
39 uniform legislation, and by facilitating the adoption of uniform or
40 reciprocal administrative rules and regulations, informal cooperation
41 of governmental offices, personal cooperation among governmental
42 officials and employees, interchange and clearance of research and
43 information and any other suitable process.

44 5. Supervise the functions assigned to the Divisions of the
45 Bureau in chapters 218A to 218H, inclusive, of NRS.



6. Authorize the Director of the Legislative Counsel Bureau to enter into agreements for the acquisition of property it deems necessary to support the Legislature and its staff. The Director may expend money from the Legislative Fund for this purpose.

Sec. 11. NRS 218E.420 is hereby amended to read as follows:

218E.420 1. There is hereby created an Interim Retirement and Benefits Committee of the Legislature to review the operation of the Public Employees' Retirement System, the Judicial Retirement System established pursuant to chapter 1A of NRS and the Public Employees' Benefits Program and to make recommendations to the Public Employees' Retirement Board and the Board of the Public Employees' Benefits Program, the Legislative Commission and the Legislature. The Interim Retirement and Benefits Committee consists of six members appointed as follows:

(a) Three members of the Senate, one of whom is the Chair of the Committee on Finance during the preceding session and two of whom are appointed by the Majority Leader of the Senate.

(b) Three members of the Assembly, one of whom is the Chair of the Committee on Ways and Means *during the preceding session* and two of whom are appointed by the Speaker of the Assembly.

2. The Legislative Commission shall review and approve the budget and work program for the Committee and any changes to the budget or work program.

3. The immediate past Chair of the Senate Standing Committee on Finance is the Chair of the Interim Retirement and Benefits Committee for the period ending with the convening of each odd-numbered session of the Legislature. The immediate past Chair of the Assembly Standing Committee on Ways and Means is the Chair of the Interim Retirement and Benefits Committee during the next legislative interim, and the position of Chair alternates between the Houses of the Legislature according to this pattern.

4. The Interim Retirement and Benefits Committee may exercise the powers conferred on it by law only when the Legislature is not in regular or special session and shall meet at the call of the Chair.

5. The Director of the Legislative Counsel Bureau shall provide a Secretary for the Interim Retirement and Benefits Committee.

6. The members of the Interim Retirement and Benefits Committee 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 by NRS 218A.655 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 members of the Committee must be paid from the Legislative Fund.

Sec. 12. NRS 218F.100 is hereby amended to read as follows:

218F.100 1. There is hereby created the Legislative Counsel Bureau, which consists of a Legislative Commission, an Interim Finance Committee, a Director, an Audit Division, a Fiscal Analysis Division, a Legal Division, a Research Division and an Administrative Division.

2. The Legislative Auditor is chief of the Audit Division. The Legislative Counsel is chief of the Legal Division. The Research Director is chief of the Research Division. The Director shall designate from time to time one of the Fiscal Analysts *or another employee of the Fiscal Analysis Division* to be responsible for the administration of the Fiscal Analysis Division.

3. The Legislative Commission shall appoint the Director. The Director shall appoint the Fiscal Analysts and the chiefs of the ~~[other]~~ divisions with the approval of the Legislative Commission, and may serve as the chief of any division.

4. The Director may, with the consent of the Legislative Commission, designate one of the other division chiefs or an employee of the Legislative Counsel Bureau as Deputy Director. ~~[- who shall serve as Deputy Director without additional compensation.]~~

Sec. 13. NRS 218F.110 is hereby amended to read as follows:

218F.110 1. The Director of the Legislative Counsel Bureau, as executive head of the Legislative Counsel Bureau, shall direct and supervise all its administrative and technical activities. The ~~[Fiscal Analysts, Legislative Auditor, Research Director and]~~ *chiefs of the divisions of the* Legislative Counsel *Bureau* shall perform the respective duties assigned to them by law under the administrative supervision of the Director.

2. The Director of the Legislative Counsel Bureau shall, consistent with the budget approved by the Legislative Commission and within the limits of legislative appropriations and other available funds, employ and fix the salaries of or contract for the services of such professional, technical, clerical and operational personnel and consultants as the execution of the Director's duties and the operation of the Legislative Counsel Bureau may require.

3. All of the personnel of the Legislative Counsel Bureau are ~~[exempt]~~ :

(a) *Exempt* from the provisions of chapter 284 of NRS. ~~[They are entitled]~~

(b) *Entitled* to such leaves of absence as the Legislative Commission shall prescribe.



Sec. 14. NRS 218F.150 is hereby amended to read as follows:

218F.150 1. The Director ~~[]~~ *and* other officers and employees of the Legislative Counsel Bureau shall not:

(a) Oppose or urge legislation, except as the duties of the Director, the Legislative Auditor, the Legislative Counsel, the Research Director and the Fiscal Analysts require them to make recommendations to the Legislature.

(b) Except as otherwise provided in this section, NRS 218D.130, 218D.135, 218D.250 and 353.211, disclose to any person outside the Legislative Counsel Bureau the ~~[contents or]~~ nature *or content* of any matter ~~[]~~ *entrusted to the Legislative Counsel Bureau, and such matter is confidential and privileged and is not subject to subpoena,* unless the person entrusting the matter to the Legislative Counsel Bureau ~~[so]~~ requests or consents ~~[]~~ *to the disclosure.*

2. The nature or content of any work previously done by the ~~[personnel]~~ *officers and employees* of the Research Division of the Legislative Counsel Bureau may be disclosed if or to the extent that the disclosure does not reveal the identity of the person who requested it or include any material submitted by the requester which has not been published or publicly disclosed.

3. The *nature and* content of the work product of the *officers and employees of the Legal Division and the Fiscal Analysis* ~~[Divisions is]~~ *Division of the Legislative Counsel Bureau are* confidential *and privileged* and *are* not subject to subpoena . ~~[only if at the time of creation a representation of confidentiality is made.~~

~~—3.]~~ 4. When a statute has been enacted or a resolution adopted, the Legislative Counsel shall upon request disclose to any person the state or other jurisdiction from whose law it appears to have been adopted.

~~[4.]~~ 5. The records of the travel expenses of Legislators and officers and employees of the Legislative Counsel Bureau are available for public inspection at such reasonable hours and under such other conditions as the Legislative Commission prescribes.

Sec. 15. NRS 218F.520 is hereby amended to read as follows:

218F.520 1. The Administrative Division shall preserve order and security on the grounds surrounding the Legislative Building and within the Legislative Building.

2. When the Legislature is in session the Administrative Division shall assist the Sergeant at Arms of either House, upon request, in preserving order in the chambers and private lounges of the respective Houses.

3. *The Legislative Commission may by affirmative vote of a majority of its members adopt, amend, repeal and enforce reasonable regulations governing vehicular and pedestrian traffic*



1 *on all property within the supervision and control of the*
2 *Legislature pursuant to subsection 1 of NRS 331.135.*

3 *4. The regulations have the force and effect of law.*

4 *5. A copy of every such regulation, giving the date that it*
5 *takes effect, must be filed with the Secretary of State, and copies of*
6 *the regulations must be published immediately after adoption and*
7 *issued in pamphlet form for distribution to the general public.*

8 *6. A person who violates any regulation adopted pursuant to*
9 *this section is guilty of a misdemeanor.*

10 **Sec. 16.** NRS 218H.300 is hereby amended to read as follows:

11 218H.300 1. The Director shall furnish an appropriate
12 identification badge to each lobbyist who files a registration
13 statement under this chapter. *The identification badge for each*
14 *classification of lobbyist set forth in NRS 218H.500 must be a*
15 *different color.*

16 2. The identification badge must be worn by the lobbyist
17 whenever the lobbyist appears in the Legislative Building.

18 **Sec. 17.** NRS 218H.500 is hereby amended to read as follows:

19 218H.500 1. The Legislative Commission shall adopt
20 regulations to carry out the provisions of this chapter. ~~{ }~~

21 *2. The Legislative Commission* may, except as otherwise
22 provided in this subsection, require fees for registration, payable
23 into the Legislative Fund . ~~{, and may classify lobbyists for this~~
24 ~~purpose.}~~ *For the purposes of fees for registration, the Legislative*
25 *Commission shall classify lobbyists as follows:*

26 *(a) Except as otherwise provided in paragraph (c), a lobbyist*
27 *who receives any compensation for his or her lobbying activities.*

28 *(b) Except as otherwise provided in paragraph (c) or (d), a*
29 *lobbyist who does not receive any compensation for his or her*
30 *lobbying activities.*

31 *(c) Except as otherwise provided in paragraph (d), a lobbyist*
32 *whose lobbying activities are only on behalf of one or more*
33 *nonprofit organizations that are recognized as exempt under*
34 *section 501(c)(3) of the Internal Revenue Code, 26 U.S.C. §*
35 *501(c)(3). Such a lobbyist is not required to pay a fee of more than*
36 *\$100 for registration pursuant to this subsection.*

37 *(d) A veteran who does not receive compensation for the*
38 *veteran's lobbying activities* ~~{is not required to pay any fee~~
39 ~~established for registration if the veteran}~~ *and who* provides proof of
40 ~~{the veteran's}~~ *his or her* discharge or release from the Armed
41 Forces of the United States, a reserve component thereof or the
42 National Guard under honorable conditions. *Such a lobbyist is not*
43 *required to pay any fee for registration pursuant to this*
44 *subsection.*

45 ~~{2-}~~ 3. The Director shall:



1 (a) Prepare and furnish forms for the statements and reports
2 required to be filed.

3 (b) Prepare and publish uniform methods of accounting and
4 reporting to be used by persons required to file such statements and
5 reports, including guidelines for complying with the reporting
6 requirements of this chapter.

7 (c) Accept and file any information voluntarily supplied that
8 exceeds the requirements of this chapter.

9 (d) Develop a filing, coding and cross-indexing system
10 consistent with the purposes of this chapter.

11 (e) Make the statements and reports available for public
12 inspection during regular office hours.

13 (f) Preserve the statements and reports for a period of 5 years
14 from the date of filing.

15 (g) Compile and keep current an alphabetical list of registrants,
16 including their address, the name and address of each person for
17 whom the registrant is lobbying and the principal areas of interest on
18 which the registrant expects to lobby. A copy of the list must be
19 furnished to each Legislator, to the clerks of the respective counties
20 for preservation and public inspection, and to any person who
21 requests a copy and pays the cost of reproduction.

22 **Sec. 18.** NRS 219.020 is hereby amended to read as follows:

23 219.020 1. Except as otherwise provided in this section and
24 NRS 219.025, the Commissioners are:

25 (a) The Legislative Counsel;

26 (b) Two members of the faculty of the William S. Boyd School
27 of Law of the University of Nevada, Las Vegas; and

28 (c) Not more than four attorneys licensed to practice law in the
29 State of Nevada appointed by the Legislative Commission.

30 2. The Legislative Commission shall appoint:

31 (a) Attorneys who are members of the Legislature to fill the
32 appointive positions created pursuant to paragraph (c) of subsection
33 1 if attorneys are available in the Legislature to fill those positions.

34 (b) Two members of the faculty of the William S. Boyd School
35 of Law of the University of Nevada, Las Vegas, from a list
36 submitted to the Legislative Commission by the Dean of the Law
37 School. Each member so appointed serves for a term of 4 years.

38 3. The Legislative Counsel may appoint not more than two
39 additional Commissioners from the attorneys employed by the
40 Legislative Counsel Bureau, upon approval of the Legislative
41 Commission.

42 4. The National Conference of Commissioners on Uniform
43 State Laws is hereby declared to be a joint governmental agency of
44 this State.



5. It is a function of the Commissioners to carry forward the participation of the State of Nevada in the National Conference of Commissioners on Uniform State Laws. Annual dues must be paid to that organization ~~[out of the Legislative Fund.]~~ *to the extent of legislative appropriation.*

6. The Legislative Counsel shall notify the National Conference of Commissioners on Uniform State Laws whenever a Commissioner is appointed pursuant to this section.

Sec. 19. NRS 233B.067 is hereby amended to read as follows:

233B.067 1. After adopting a permanent regulation, the agency shall submit the informational statement prepared pursuant to NRS 233B.066 and one copy of each regulation adopted to the Legislative Counsel for review by the Legislative Commission to determine whether the regulation conforms to the statutory authority pursuant to which it was adopted and whether the regulation carries out the intent of the Legislature in granting that authority. The Legislative Counsel shall endorse on the original and the copy of each adopted regulation the date of their receipt. The Legislative Counsel shall maintain the copy of the regulation in a file and make the copy available for public inspection for 2 years.

2. If an agency submits an adopted regulation to the Legislative Counsel pursuant to subsection 1 that:

(a) The agency is required to adopt pursuant to a federal statute or regulation; and

(b) Exceeds the specific statutory authority of the agency or sets forth requirements that are more stringent than a statute of this State, ➤ it shall include a statement that adoption of the regulation is required by a federal statute or regulation. The statement must include the specific citation of the federal statute or regulation requiring such adoption.

3. Except as otherwise provided in subsection 4, the Legislative Commission shall:

(a) Review the regulation at its next regularly scheduled meeting if the regulation is received more than 10 working days before the meeting; or

(b) Refer the regulation for review to the Subcommittee to Review Regulations appointed pursuant to subsection 6.

4. If an agency determines that an emergency exists which requires a regulation of the agency submitted pursuant to subsection 1 to become effective before the next meeting of the Legislative Commission is scheduled to be held, the agency may notify the Legislative Counsel in writing of the emergency. Upon receipt of such a notice, the Legislative Counsel shall refer the regulation for review by the Subcommittee to Review Regulations. The



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1 Subcommittee shall meet to review the regulation as soon as
2 practicable.

3 5. If the Legislative Commission, or the Subcommittee to
4 Review Regulations if the regulation was referred, approves the
5 regulation, the Legislative Counsel shall promptly file the regulation
6 with the Secretary of State and notify the agency of the filing. If the
7 Commission or Subcommittee objects to the regulation after
8 determining that:

9 (a) If subsection 2 is applicable, the regulation is not required
10 pursuant to a federal statute or regulation;

11 (b) The regulation does not conform to statutory authority; or

12 (c) The regulation does not carry out legislative intent,

13 ↳ the Legislative Counsel shall attach to the regulation a written
14 notice of the objection, including, if practicable, a statement of the
15 reasons for the objection, and shall promptly return the regulation to
16 the agency.

17 6. As soon as practicable after each regular legislative session,
18 the Legislative Commission shall appoint a Subcommittee to
19 Review Regulations consisting of at least three members *or*
20 *alternate members* of the Legislative Commission.

21 **Sec. 20.** This act becomes effective on July 1, 2011.

