

Amendment No. 889

Assembly Amendment to Assembly Bill No. 577	(BDR 17-943)
Proposed by: Assembly Committee on Legislative Operations and Elections	
Amends: Summary: No Title: Yes 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 underlining is newly added transitory language.

KCP



Date: 6/4/2011

A.B. No. 577—Makes various changes concerning bill draft requests.
(BDR 17-943)



ASSEMBLY BILL NO. 577—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 concerning bill draft requests.
(BDR 17-943)

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 Legislature; establishing deadlines by which sufficient detail must be submitted concerning bill draft requests submitted by Legislators and legislative committees; providing that bill draft requests submitted by Legislators who will not be returning to the Legislature count against limitations on requests for Legislators or standing committees that become primary sponsors of the requests; restricting bill draft requests of nonreturning Legislators; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law establishes various deadlines for Legislators and legislative committees to submit bill draft requests. (NRS 218D.150, 218D.155, 218D.160, 218E.205) **Sections 4-7** of this bill establish deadlines by which Legislators must submit sufficient detail to allow complete drafting of the requests. **Section 2** of this bill requires the Legislative Counsel to give priority to bill draft requests for which sufficient detail was submitted in a timely manner.

Existing law provides that a Legislator or standing committee may become the primary sponsor of measures requested by a Legislator who will not be returning to the Legislature, but does not specify whether such measures count against limitations on bill draft requests. (NRS 218D.130) **Section 3** of this bill provides that such measures count against limitations on requests for the Legislator or standing committee that becomes the primary sponsor of the measure.

Section 4 of this bill restricts a Legislator in the final year of his or her term from submitting individual bill draft requests on or after the date on which he or she becomes a nonreturning Legislator.

1
2
3
4
5
6
7
8
9
10
11
12
13
14

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

1 **Section 1.** NRS 218D.100 is hereby amended to read as follows:

2 218D.100 1. Except as otherwise provided by specific statute, joint rule or
3 concurrent resolution of the Legislature, the Legislative Counsel shall honor:

4 (a) The number of requests for the drafting of a bill or resolution for a regular
5 session of the Legislature only as provided in NRS 218D.050 to 218D.215,
6 inclusive.

7 (b) A request for the drafting of a bill or resolution for any session of the
8 Legislature which is submitted by a state agency, board or department, a local
9 government, the judiciary or another authorized nonlegislative requester only if the
10 request is in a subject related to the function of the requester.

11 2. The Legislative Counsel shall not:

12 (a) ~~Assign~~ *Except as otherwise provided in NRS 218D.150, 218D.155, ~~17~~*
13 *and 218D.160, ~~and 218E.205,~~ assign* a number to a request for the drafting of a
14 request until sufficient detail has been received to allow complete drafting of the
15 legislative measure.

16 (b) Honor a request to change the subject matter of a request for the drafting of
17 a bill or resolution for any session of the Legislature after it has been submitted for
18 drafting.

19 (c) Honor a request for the drafting of a bill or resolution for any session of the
20 Legislature which has been combined in violation of Section 17 of Article 4 of the
21 Nevada Constitution.

22 **Sec. 2.** NRS 218D.110 is hereby amended to read as follows:

23 218D.110 1. Upon request, within the limits established pursuant to NRS
24 218D.050 to 218D.215, inclusive, or by the Legislature by concurrent resolution,
25 the Legislative Counsel shall assist any Legislator in the preparation of bills and
26 resolutions, drafting them in proper form, and furnishing the Legislator the fullest
27 information upon all matters within the scope of the Legislative Counsel's duties.

28 2. ~~The~~ *Except as otherwise provided in this section, the* Legislative
29 Counsel shall, insofar as is possible, act upon all Legislators' requests for
30 legislative measures in the order in which they are received.

31 3. To assure the greatest possible equity in the handling of requests, drafting
32 must proceed as follows:

33 (a) If a Legislator so desires, the Legislator may designate a different priority
34 for his or her bills and resolutions which the Legislative Counsel shall observe,
35 insofar as is possible.

36 (b) The drafting of requests for legislative measures from chairs or members of
37 standing committees or special committees, on behalf of those committees, must
38 not, except where urgency is recognized, take precedence over the priority
39 established or designated for individual Legislators' bills and resolutions.

40 (c) *The Legislative Counsel shall give priority to the drafting of bills and*
41 *resolutions for which sufficient detail to allow complete drafting of the legislative*
42 *measure was submitted within the period required by statute.*

43 **Sec. 3.** NRS 218D.130 is hereby amended to read as follows:

44 218D.130 1. On July 1 preceding each regular session of the Legislature,
45 and each week thereafter until the adjournment of the Legislature sine die, the
46 Legislative Counsel shall prepare a list of all requests received by the Legislative
47 Counsel, for the preparation of measures to be submitted to the Legislature. The
48 requests must be listed numerically by a unique serial number which must be
49

1 assigned to the measures by the Legislative Counsel for the purposes of
2 identification in the order that the Legislative Counsel received the requests. Except
3 as otherwise provided in subsections 3 and 4, the list must only contain the name of
4 each requester, the date and a brief summary of the request.

5 2. The Legislative Counsel Bureau shall make copies of the list available to
6 the public for a reasonable sum fixed by the Director of the Legislative Counsel
7 Bureau.

8 3. In preparing the list, the Legislative Counsel shall, if a standing or special
9 committee of the Legislature requests a measure on behalf of a Legislator or
10 organization, include the name of the standing or special committee and the name
11 of the Legislator or organization on whose behalf the measure was originally
12 requested.

13 4. Upon the request of a Legislator who has requested the preparation of a
14 measure, the Legislative Counsel shall add the name of one or more Legislators
15 from either or both Houses of the Legislature as joint requesters. The Legislative
16 Counsel shall not add the name of a joint requester to the list until the Legislative
17 Counsel has received confirmation of the joint request from the primary requester
18 of the measure and from the Legislator to be added as a joint requester. The
19 Legislative Counsel shall remove the name of a joint requester upon receipt of a
20 request to do so made by the primary requester or the joint requester. The names
21 must appear on the list in the order in which the names were received by the
22 Legislative Counsel beginning with the primary requester. The Legislative Counsel
23 shall not act upon the direction of a joint requester to withdraw the requested
24 measure or modify its substance until the Legislative Counsel has received
25 confirmation of the withdrawal or modification from the primary requester.

26 5. If the primary requester of a measure will not be returning to the
27 Legislature for the ~~Legislative~~ session *of the Legislature* in which the measure is
28 to be considered, the primary requester may authorize a Legislator who will be
29 serving during that session to become the primary sponsor of the measure, either
30 individually or as the chair on behalf of a standing committee. If the Legislator who
31 will be serving during that session agrees to become or have the committee become
32 the primary sponsor of the measure, that Legislator shall notify the Legislative
33 Counsel of that fact. Upon receipt of such notification, the Legislative Counsel shall
34 list the name of that Legislator or the name of the committee as the primary
35 requester of the measure on the list.

36 6. For the purposes of all limitations on the number of legislative measures
37 that may be requested by a Legislator ~~[, a]~~:

38 (a) A legislative measure with joint requesters must only be counted as a
39 request of the primary requester.

40 (b) *A legislative measure for which a Legislator or standing committee*
41 *becomes the primary sponsor pursuant to subsection 5 must be counted as a*
42 *request of that Legislator or committee.*

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

44 218D.150 1. ~~Each~~ *Except as otherwise provided in subsection 2, each:*

45 (a) Incumbent member of the Assembly may request the drafting of not more
46 than 6 legislative measures submitted to the Legislative Counsel on or before
47 September 1 preceding the commencement of a regular session of the Legislature
48 and not more than 5 legislative measures submitted to the Legislative Counsel after
49 September 1 but on or before December 15 preceding the commencement of a
50 regular session of the Legislature.

51 (b) Incumbent member of the Senate may request the drafting of not more than
52 12 legislative measures submitted to the Legislative Counsel on or before
53 September 1 preceding the commencement of a regular session of the Legislature

1 and not more than 10 legislative measures submitted to the Legislative Counsel
2 after September 1 but on or before December 15 preceding the commencement of a
3 regular session of the Legislature.

4 (c) Newly elected member of the Assembly may request the drafting of not
5 more than 5 legislative measures submitted to the Legislative Counsel on or before
6 December 15 preceding the commencement of a regular session of the Legislature.

7 (d) Newly elected member of the Senate may request the drafting of not more
8 than 10 legislative measures submitted to the Legislative Counsel on or before
9 December 15 preceding the commencement of a regular session of the Legislature.

10 2. A Legislator may not request the drafting of a legislative measure
11 pursuant to subsection 1 on or after the date on which the Legislator becomes a
12 nonreturning Legislator. For the purposes of this subsection, "nonreturning
13 Legislator" means a Legislator who, in the year that the Legislator's term of
14 office expires:

15 (a) Has not filed a declaration or an acceptance of candidacy within the time
16 allowed for filing for election as a member of the Senate or the Assembly;

17 (b) Has failed to win nomination as a candidate for the Senate or the
18 Assembly at the primary election; or

19 (c) Has withdrawn as a candidate for the Senate or the Assembly.

20 3. If a request made pursuant to subsection 1 is submitted:

21 (a) On or before September 1 preceding the commencement of a regular
22 session of the Legislature, sufficient detail to allow complete drafting of the
23 legislative measure must be submitted on or before December 1 preceding the
24 commencement of the regular session of the Legislature.

25 (b) After September 1 but on or before December 15 preceding the
26 commencement of a regular session of the Legislature, sufficient detail to allow
27 complete drafting of the legislative measure must be submitted on or before
28 January 15 preceding the commencement of the regular session of the
29 Legislature.

30 4. In addition to the number of requests authorized pursuant to subsection 1:

31 (a) The chair of each standing committee of the immediately preceding regular
32 ~~Legislative session.~~ session of the Legislature, or a person designated in the place
33 of the chair by the Speaker of the Assembly or the Majority Leader of the Senate,
34 as the case may be, may request before the date of the general election preceding
35 the commencement of ~~the next regular legislative~~ a regular session of the
36 Legislature the drafting of not more than 1 legislative measure for introduction by
37 the committee in a subject within the jurisdiction of the committee for every 15
38 legislative measures that were referred to the respective standing committee during
39 the immediately preceding regular ~~Legislative session.~~ session of the Legislature.

40 (b) A person designated after a general election as a chair of a standing
41 committee for the next regular ~~Legislative session.~~ session of the Legislature, or a
42 person designated in the place of a chair by the person designated as the Speaker of
43 the Assembly or the Majority Leader of the Senate for the next regular ~~Legislative~~
44 ~~session.~~ session of the Legislature, may request on or before December 15
45 preceding the commencement of the ~~next regular legislative~~ regular session of
46 the Legislature the drafting of the remaining number of the legislative measures
47 allowed for the respective standing committee that were not requested by the
48 previous chair or designee.

49 ~~3.~~ 5. If a request ~~is required~~ made pursuant to ~~this section to be~~
50 subsection 4 is submitted:

51 (a) ~~On or before September 1 preceding the commencement of a regular~~
52 ~~session of the Legislature, sufficient detail to allow complete drafting of the~~

~~legislative measure must be submitted on or before December 1 preceding the commencement of the regular session of the Legislature.~~

~~(b)~~ *Before the date of the general election preceding the commencement of a regular session of the Legislature, sufficient detail to allow complete drafting of the legislative measure must be submitted on or before December 10 preceding the commencement of the regular session of the Legislature.*

~~(c) On~~

(b) After the date of the general election but on or before December 15 preceding the commencement of a regular session of the Legislature, sufficient detail to allow complete drafting of the legislative measure must be submitted on or before January 15 preceding the commencement of the regular session of the Legislature.

~~4~~ 6. Each request made pursuant to this section must be on a form prescribed by the Legislative Counsel.

Sec. 5. NRS 218D.155 is hereby amended to read as follows:

218D.155 1. In addition to the number of requests authorized pursuant to NRS 218D.150:

(a) The Speaker of the Assembly and the Majority Leader of the Senate may each request before the date of the general election preceding the commencement of ~~the next regular legislative session,~~ *a regular session of the Legislature*, without limitation, the drafting of not more than 15 legislative measures for that session.

(b) The Minority Leader of the Assembly and the Minority Leader of the Senate may each request before the date of the general election preceding the commencement of ~~the next regular legislative session,~~ *a regular session of the Legislature*, without limitation, the drafting of not more than 10 legislative measures for that session.

(c) A person designated after a general election as the Speaker of the Assembly, the Majority Leader of the Senate, the Minority Leader of the Assembly or the Minority Leader of the Senate for the next regular ~~legislative~~ *session of the Legislature* may request before the commencement of the ~~next regular legislative~~ *regular session of the Legislature* the drafting of the remaining number of the legislative measures allowed for the respective officer that were not requested by the previous officer.

2. ~~If a request is required,~~ made pursuant to subsection 1 ~~to be~~ is submitted:

(a) Before the date of the general election preceding the commencement of a regular session of the Legislature, sufficient detail to allow complete drafting of the legislative measure must be submitted on or before December 10 preceding the commencement of the regular session of the Legislature.

~~Before~~ After the date of the general election but before the commencement of a regular session of the Legislature, sufficient detail to allow complete drafting of the legislative measure must be submitted on or before March 1 following the commencement of the regular session of the Legislature.

3. The Legislative Counsel, the Secretary of the Senate and the Chief Clerk of the Assembly may request before or during a regular ~~legislative session,~~ *session of the Legislature*, without limitation, the drafting of as many legislative measures as are necessary or convenient for the proper exercise of their duties.

Sec. 6. NRS 218D.160 is hereby amended to read as follows:

218D.160 1. The Chair of the Legislative Commission may request the drafting of not more than 15 legislative measures before the commencement of a regular ~~legislative session,~~ *session of the Legislature*, with the approval of the Commission, which relate to the affairs of the Legislature or its employees, including measures requested by the legislative staff.

2. The Chair of the Interim Finance Committee may request the drafting of not more than 10 legislative measures before the commencement of a regular ~~Legislative session.~~ *session of the Legislature*, with the approval of the Committee, which relate to matters within the scope of the Committee.

3. *If a request made pursuant to subsection 1 or 2 is submitted before the commencement of a regular session of the Legislature, sufficient detail to allow complete drafting of the legislative measure must be submitted on or before March 1 following the commencement of the regular session of the Legislature.*

4. Except as otherwise provided by a specific statute, joint rule or concurrent resolution of the Legislature:

(a) Any ~~other~~ legislative committee created by a statute, other than an interim legislative committee, may request the drafting of not more than 10 legislative measures which relate to matters within the scope of the committee.

(b) ~~An interim committee which conducts a study or investigation.~~ Any committee or subcommittee established by an order of the Legislative Commission pursuant to NRS 218E.200 may request the drafting of not more than 5 legislative measures which relate to matters within the scope of the study or investigation, except that such a committee or subcommittee may request the drafting of additional legislative measures if the Legislative Commission approves each additional request by a majority vote.

(c) Any other committee established by the Legislature which conducts an interim legislative study or investigation may request the drafting of not more than 5 legislative measures which relate to matters within the scope of the study ~~or investigation.~~

~~Except as otherwise provided in NRS 218E.205, measures.~~ The requests authorized to be requested pursuant to this subsection must be submitted to the Legislative Counsel on or before September 1 preceding the commencement of a regular session of the Legislature unless the Legislative Commission authorizes submitting a request after that date.

~~5. If a request is required made pursuant to this section to be subsection 4 is submitted.~~

~~(a) On or before September 1 preceding the commencement of a regular session of the Legislature, sufficient detail to allow complete drafting of the legislative measure must be submitted on or before December 1 preceding the commencement of the regular session of the Legislature.~~

~~(b) Before the commencement of a regular session of the Legislature, sufficient detail to allow complete drafting of the legislative measure must be submitted on or before March 1 following the commencement of the regular session of the Legislature.~~

~~5.7~~ 6. Each request made pursuant to this section must be on a form prescribed by the Legislative Counsel.

Sec. 7. NRS 218E.205 is hereby amended to read as follows:

218E.205 1. The Legislative Commission shall, between sessions of the Legislature, fix the work priority of all studies and investigations assigned to it by concurrent resolutions of the Legislature, or directed by an order of the Legislative Commission, within the limits of available time, money and staff. The Legislative Commission shall not make studies or investigations directed by resolutions of only one House of the Legislature or studies or investigations proposed but not approved during the preceding ~~Legislative session.~~ *session of the Legislature*.

2. All requests for the drafting of ~~legislation~~ legislative measures to be recommended as the result of a study or investigation ~~or except a study or investigation directed by an order of the Legislative Commission.~~ must be made ~~before July 1 of the year preceding a legislative session.~~ ~~preceding the~~

1 ~~commencement of a regular session of the Legislature. Sufficient detail to allow~~
2 ~~complete drafting of each legislative measure must be submitted on or before~~
3 ~~December 1 preceding the commencement of the regular session of the~~
4 ~~L Legislature.] in accordance with NRS 218D.160.~~

5 3. Except as otherwise provided by NRS 218E.210, between sessions of the
6 Legislature no study or investigation may be initiated or continued by the Fiscal
7 Analysts, the Legislative Auditor, the Legislative Counsel or the Research Director
8 and their staffs except studies and investigations which have been specifically
9 authorized by concurrent resolutions of the Legislature or by an order of the
10 Legislative Commission.

11 4. No study or investigation may be carried over from one session of the
12 Legislature to the next without additional authorization by a concurrent resolution
13 of the Legislature, except audits in progress, whose carryover has been approved by
14 the Legislative Commission.

15 5. Except as otherwise provided by specific statute, the staff of the Legislative
16 Counsel Bureau shall not serve as primary administrative or professional staff for a
17 committee unless the chair of the committee is required by statute or resolution to
18 be a Legislator.

19 6. The Legislative Commission shall review and approve the budget and work
20 program and any changes to the budget or work program for each study or
21 investigation conducted by the Legislative Commission or a committee or
22 subcommittee established by the Legislative Commission.

23 7. A committee or subcommittee established to conduct a study or
24 investigation assigned to the Legislative Commission by concurrent resolution of
25 the Legislature or directed by order of the Legislative Commission must, unless
26 otherwise ordered by the Legislative Commission, meet not earlier than January 1
27 of the even-numbered year and not later than June 30 of that year.

28 **Sec. 8. This act becomes effective on July 1, 2011.**