

## ASSEMBLY BILL NO. 412—ASSEMBLYWOMAN KIRKPATRICK

MARCH 18, 2013

Referred to Committee on Legislative Operations and Elections

SUMMARY—Makes various changes relating to the Legislature.  
(BDR 17-528)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; revising provisions relating to the training required for newly elected Legislators; changing certain deadlines applicable to the submission of legislative measures; prohibiting certain Legislators from requesting the drafting of legislative measures; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires newly elected Legislators to attend certain training before the beginning of their first legislative session. (NRS 218A.285) **Section 1** of this bill requires such training to include discussion of major policy issues that are likely to be considered during the ensuing regular session of the Legislature. **Section 1** also requires the Director of the Legislative Counsel Bureau to communicate in writing the dates for training to candidates for election to the Assembly and the Senate for the ensuing regular session of the Legislature.

Existing law requires the Director to provide an electronic copy of a training session to any Legislator who was unable to attend the training session. (NRS 218A.285) **Section 1** authorizes the Director to provide an alternate means of recording the information provided during certain training sessions and requires a Legislator who was unable to attend a training session to complete that session in the manner prescribed by the Director.

Existing law: (1) allows a Legislator to request a certain number of legislative measures on or before September 1 preceding a regular session and allows him or her to request a certain number of additional legislative measures between that date and December 10 preceding that session; and (2) requires sufficient detail to allow complete drafting of the legislative measures to be submitted on or before December 1 preceding a regular session. (NRS 218D.150) **Section 2** of this bill changes from September 1 to July 1 the deadline for the request of a certain number of legislative measures and provides that a Legislator may submit his or her remaining requests between July 1 and December 10. **Section 2** also changes from December 1 to November 1 the deadline for providing sufficient detail to allow



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complete drafting of a legislative measure. **Section 2** further: (1) prohibits a Legislator who has filed a declaration or an acceptance of candidacy for election to the House in which he or she is not currently sitting from requesting the drafting of legislative measures; and (2) provides that, if the Legislator is elected to the other House, any request that he or she submits before filing a declaration or an acceptance of candidacy for election counts against the applicable limitation for the House to which the Legislator was elected to serve.

Existing law allows each statutory legislative committee to request a certain number of legislative measures on or before September 1 preceding a regular session. (NRS 218D.160) **Section 3** of this bill changes that deadline to August 1.

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

**Section 1.** NRS 218A.285 is hereby amended to read as follows:

218A.285 1. A Legislator who is elected to the Assembly or the Senate and who has not previously served in either House shall attend the training required pursuant to this section unless his or her attendance is excused pursuant to subsection 6.

2. A member of the Assembly who is required to attend training pursuant to this section shall attend each training session designated as mandatory by the Speaker of the Assembly. A member of the Senate who is required to attend training pursuant to this section shall attend each training session designated as mandatory by the Majority Leader of the Senate.

3. The training required pursuant to this section must ~~be recorded electronically and~~ include:

(a) Legislative procedure and protocol;

(b) Overviews of the state budget and the budgetary process;

(c) ~~Briefings on~~ *Discussion of major* policy issues ~~irrelevant to the State;~~ *that are likely to be considered during the ensuing regular session;* and

(d) Such other matters as are deemed appropriate by the Speaker of the Assembly, the Majority Leader of the Senate, the Minority Leader of the Assembly and the Minority Leader of the Senate for their respective Houses.

4. The Director shall provide staff support for the training required pursuant to this section.

5. The training required pursuant to this section must not exceed a total of 10 days and must be conducted between the day next after the general election and the commencement of the ensuing regular session. The dates for the training must be ~~determined~~ :

(a) *Determined* by the Speaker of the Assembly and the Majority Leader of the Senate ~~and posted~~ ;



1       (b) *Posted* on the public website of the Legislature on ~~the~~ *the*  
2 Internet ~~website~~ ; and

3       (c) *Communicated in writing by the Director to the candidates*  
4 *for election to the Assembly and the Senate for the ensuing*  
5 *regular session,*

6       ↪ not later than 90 days before the first day on which training will  
7 be conducted.

8       6. The Speaker of the Assembly or the Majority Leader of the  
9 Senate may excuse a Legislator from attending a training session  
10 otherwise required pursuant to this section in case of illness, injury,  
11 emergency, employment or other good cause as determined by the  
12 Speaker or Majority Leader.

13       7. ~~The~~ *Except as otherwise provided in this subsection, the*  
14 Director shall provide an electronic copy of a training session and a  
15 form for attesting completion of the training session to any  
16 Legislator who was unable to attend the training session. *If any*  
17 *training session is conducted in a manner that the Director*  
18 *determines cannot reasonably be recorded in an electronic format,*  
19 *the Director may provide for an alternate means of recording the*  
20 *information provided during that training session.* To successfully  
21 complete the training required pursuant to this section, ~~such~~ a  
22 Legislator ~~must view the~~ *who was unable to attend a* training  
23 session ~~electronically~~ *shall complete that session in the manner*  
24 *prescribed by the Director* and submit the attestation to the Director.

25       8. The Director shall issue a “Certificate of Graduation from  
26 the Legislative Training Academy” to each Legislator who  
27 successfully completes the training required pursuant to this section.

28       **Sec. 2.** NRS 218D.150 is hereby amended to read as follows:

29       218D.150 1. Except as otherwise provided in subsection 2,  
30 each:

31       (a) Incumbent member of the Assembly may request the  
32 drafting of not more than 6 legislative measures submitted to the  
33 Legislative Counsel on or before ~~September~~ *July* 1 preceding a  
34 regular session and not more than 5 legislative measures submitted  
35 to the Legislative Counsel after ~~September~~ *July* 1 but on or before  
36 December 10 preceding a regular session.

37       (b) Incumbent member of the Senate may request the drafting of  
38 not more than 12 legislative measures submitted to the Legislative  
39 Counsel on or before ~~September~~ *July* 1 preceding a regular session  
40 and not more than 10 legislative measures submitted to the  
41 Legislative Counsel after ~~September~~ *July* 1 but on or before  
42 December 10 preceding a regular session.

43       (c) Newly elected member of the Assembly may request the  
44 drafting of not more than 5 legislative measures submitted to the



1 Legislative Counsel on or before December 10 preceding a regular  
2 session.

3 (d) Newly elected member of the Senate may request the  
4 drafting of not more than 10 legislative measures submitted to the  
5 Legislative Counsel on or before December 10 preceding a regular  
6 session.

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

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

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

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

19 3. *A Legislator may not request the drafting of a legislative*  
20 *measure pursuant to paragraph (a) or (b) of subsection 1 on or*  
21 *after the date on which the Legislator files a declaration or an*  
22 *acceptance of candidacy for election to the House in which he or*  
23 *she is not currently sitting. If the Legislator is elected to the other*  
24 *House, any request that he or she submitted pursuant to*  
25 *paragraph (a) or (b) of subsection 1 before filing his or her*  
26 *declaration or acceptance of candidacy for election counts against*  
27 *the applicable limitation set forth in paragraph (c) or (d) of*  
28 *subsection 1 for the House in which the Legislator is a newly*  
29 *elected member.*

30 4. If a request made pursuant to subsection 1 is submitted:

31 (a) On or before ~~September~~ *July* 1 preceding a regular session,  
32 sufficient detail to allow complete drafting of the legislative  
33 measure must be submitted on or before ~~December~~ *November* 1  
34 preceding the regular session.

35 (b) After ~~September~~ *July* 1 but on or before December 10  
36 preceding a regular session, sufficient detail to allow complete  
37 drafting of the legislative measure must be submitted on or before  
38 January ~~15~~ *1* preceding the regular session.

39 ~~14~~ 5. In addition to the number of requests authorized  
40 pursuant to subsection 1:

41 (a) The chair of each standing committee of the immediately  
42 preceding regular session, or a person designated in the place of the  
43 chair by the Speaker of the Assembly or the Majority Leader of the  
44 Senate, may request before the date of the general election  
45 preceding a regular session the drafting of not more than 1



1 legislative measure for introduction by the committee in a subject  
2 within the jurisdiction of the committee for every 15 legislative  
3 measures that were referred to the respective standing committee  
4 during the immediately preceding regular session.

5 (b) A person designated after the general election as a chair of a  
6 standing committee for the next regular session, or a person  
7 designated in the place of a chair by the person designated as the  
8 Speaker of the Assembly or the Majority Leader of the Senate for  
9 the next regular session, may request on or before December 10  
10 preceding that regular session the drafting of the remaining number  
11 of the legislative measures allowed for the respective standing  
12 committee that were not requested by the previous chair or designee.

13 ~~15~~ 6. If a request made pursuant to subsection ~~14~~ 5 is  
14 submitted:

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

19 (b) After the date of the general election but on or before  
20 December 10 preceding a regular session, sufficient detail to allow  
21 complete drafting of the legislative measure must be submitted on or  
22 before January ~~15~~ 1 preceding the regular session.

23 ~~16~~ 7. Each request made pursuant to this section must be on a  
24 form prescribed by the Legislative Counsel.

25 **Sec. 3.** NRS 218D.160 is hereby amended to read as follows:

26 218D.160 1. The Chair of the Legislative Commission may  
27 request the drafting of not more than 15 legislative measures before  
28 the first day of a regular session, with the approval of the Legislative  
29 Commission, which relate to the affairs of the Legislature or its  
30 employees, including legislative measures requested by the  
31 legislative staff.

32 2. The Chair of the Interim Finance Committee may request  
33 the drafting of not more than 10 legislative measures before the first  
34 day of a regular session, with the approval of the Committee, which  
35 relate to matters within the scope of the Committee.

36 3. If a request made pursuant to subsection 1 or 2 is submitted  
37 before the first day of a regular session, sufficient detail to allow  
38 complete drafting of the legislative measure must be submitted on or  
39 before March 1 of the regular session.

40 4. Except as otherwise provided by a specific statute, joint rule  
41 or concurrent resolution:

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



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

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

12 ➤ The requests authorized pursuant to this subsection must be  
13 submitted to the Legislative Counsel on or before ~~September~~  
14 ~~August~~ 1 preceding a regular session unless the Legislative  
15 Commission authorizes submitting a request after that date.

16 5. If a request made pursuant to subsection 4 is submitted on or  
17 before ~~September~~ ~~August~~ 1 preceding a regular session, sufficient  
18 detail to allow complete drafting of the legislative measure must be  
19 submitted on or before ~~December~~ ~~November~~ 1 preceding the  
20 regular session.

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

23 **Sec. 4.** This act becomes effective on July 1, 2013.

