

ASSEMBLY BILL NO. 509—COMMITTEE ON  
LEGISLATIVE OPERATIONS AND ELECTIONS

(ON BEHALF OF THE LEGISLATIVE COMMISSION)

MAY 31, 2013

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions relating to the Legislative Department of the State Government. (BDR 17-570)

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 legislative affairs; revising certain provisions to account for the new constitutional power allowing members of the Legislature to convene a special session; revising certain provisions relating to legislative committees, investigations, hearings and subpoenas; revising certain provisions relating to punishment for acts of contempt committed before legislative bodies; providing penalties; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

1 Under previous law, only the Governor was granted express power under the  
2 Nevada Constitution to convene a special session of the Legislature. (Nev. Const.  
3 Art. 5, § 9) In 2012, the voters approved a constitutional amendment that granted  
4 the members of the Legislature express power to convene a special session. To  
5 exercise that power, the members of the Legislature must transmit to the Secretary  
6 of State one or more substantially similar petitions signed, in the aggregate, by two-  
7 thirds of the members elected to each House of the Legislature. (Nev. Const. Art. 4,  
8 § 2A) This bill amends existing law to account for this newly authorized legislative  
9 power to convene a special session. (NRS 218A.090, 218D.800, 218H.930,  
10 223.210, 239C.260, 294A.300, 294A.310)

11 Under existing law, the Legislative Counsel is required to keep the  
12 organizational structure of the Nevada Revised Statutes current, and the Legislative  
13 Counsel may make recommendations to the Legislature regarding the clarification  
14 of statutory provisions, the elimination of redundant or repetitive statutory  
15 provisions and any other matters of statutory revision as the Legislative Counsel



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deems necessary. (NRS 220.080, 220.120) This bill revises, clarifies and eliminates certain provisions relating to the Legislative Department of the State Government.

Under existing law, the Houses of the Legislature, legislative committees and their members and staff are granted certain investigative powers, such as the power to administer oaths, depose witnesses and issue legislative subpoenas to compel the attendance and testimony of witnesses and the production of certain documents. Existing law also provides for the enforcement of those investigative powers, including through punishment for acts of contempt committed before legislative bodies. (Nev. Const. Art. 4, § 7; NRS 218E.010-218E.095) This bill revises and moves certain provisions governing those investigative powers and their enforcement into chapter 218E of NRS, and this bill also eliminates various redundant and repetitive provisions regarding those investigative powers and their enforcement from other provisions of NRS.

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

**Section 1.** NRS 218A.090 is hereby amended to read as follows:

218A.090 “Special session” means a special session of the Legislature convened *by*:

*1. The members of the Legislature pursuant to Section 2A of Article 4 of the Nevada Constitution; or*

*2. The Governor* pursuant to Section 9 of Article 5 of the Nevada Constitution.

**Sec. 2.** NRS 218D.800 is hereby amended to read as follows:

218D.800 1. After its first approval by the Legislature, an enrolled joint resolution proposing an amendment to the Constitution of the State of Nevada must be delivered with the official engrossed copy to the Secretary of State or such deputy or clerk as the Secretary of State designates in writing.

2. The Secretary of State shall cause the enrolled joint resolution and engrossed copy to be filed in the Secretary of State’s office and shall deliver them to the presiding officer of the House in which the proposed amendment originated at the next regular session of the Legislature unless, before that regular session, the Governor ~~makes~~ *or the members of the Legislature make* the proposed amendment a matter of legislative business at a special session.

3. After they have been returned by the Secretary of State, the enrolled joint resolution and engrossed copy must be laid before the House of origin for action, and if approved by the Legislature a second time pursuant to Section 1 of Article 16 of the Nevada Constitution, the enrolled joint resolution and engrossed copy must again be deposited with and filed by the Secretary of State so that the proposed amendment may be placed upon the ballot at the next



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1 general election or at a special election authorized by the Legislature  
2 for that purpose.

3 4. The history of the joint resolution, including a notation that  
4 it has been returned to the House of origin by the Secretary of State,  
5 must be noted on both the enrolled copy and engrossed copy.

6 5. The enrolled copy must bear the original signatures of the  
7 presiding officers of the Houses and the Secretary of the Senate and  
8 Chief Clerk of the Assembly, or an authorized assistant, for both  
9 sessions of the Legislature at which the proposed amendment to the  
10 Constitution was considered.

11 6. The Secretary of State shall cause all proposed amendments  
12 to the Constitution to be published in the printed volume of the  
13 statutes for each session at which the proposed amendments have  
14 been considered by the Legislature.

15 **Sec. 3.** Chapter 218E of NRS is hereby amended by adding  
16 thereto the provisions set forth as sections 4 to 13, inclusive, of this  
17 act.

18 **Sec. 4.** *As used in NRS 218E.010 to 218E.095, inclusive, and*  
19 *section 5 of this act, unless the context otherwise requires, the*  
20 *words and terms defined in NRS 218E.010 and section 5 of this*  
21 *act have the meanings ascribed to them in those sections.*

22 **Sec. 5.** *“Documentary evidence” means any account, book,*  
23 *correspondence, file, message, paper, record or other type of*  
24 *document in any form, including, without limitation, in any*  
25 *written, audio, visual, digital or electronic form.*

26 **Sec. 6.** *As used in sections 6 to 13, inclusive, of this act,*  
27 *unless the context otherwise requires, the words and terms defined*  
28 *in sections 7, 8 and 9 of this act have the meanings ascribed to*  
29 *them in those sections.*

30 **Sec. 7. 1.** *“Committee” means the Legislative Commission*  
31 *and any other legislative committee or subcommittee created by a*  
32 *specific statute, concurrent resolution or order of the Legislative*  
33 *Commission to conduct studies or investigations or perform any*  
34 *other legislative business during the legislative interim.*

35 **2.** *The term does not include any legislative committee or*  
36 *subcommittee appointed by the Legislature or either House to*  
37 *conduct or perform legislative business during a regular or special*  
38 *session, including, without limitation, any joint, standing,*  
39 *temporary, special or select committee or committee of the whole.*

40 **Sec. 8.** *“Documentary evidence” has the meaning ascribed to*  
41 *it in section 5 of this act.*

42 **Sec. 9.** *“Secretary of the committee” means the Director or*  
43 *any other person designated or authorized to serve as a secretary*  
44 *of the committee.*



1     **Sec. 10.** 1. *The provisions of sections 6 to 13, inclusive, of*  
2 *this act are intended to supplement the other provisions of this*  
3 *chapter and any other law governing the legislative proceedings of*  
4 *a committee, and the provisions of sections 6 to 13, inclusive, of*  
5 *this act do not limit the application of such other provisions.*

6     2. *The powers, privileges and immunities granted by the*  
7 *provisions of sections 6 to 13, inclusive, of this act are in addition*  
8 *to any other powers, privileges and immunities recognized by law,*  
9 *and all such powers, privileges and immunities are cumulative, so*  
10 *that the application or attempted application of any one does not*  
11 *bar the application or attempted application of any other.*

12     **Sec. 11.** 1. *A committee may conduct investigations and*  
13 *hold hearings regarding any matter which is pertinent to its*  
14 *legislative business or possible future legislative action and may*  
15 *exercise any of the investigative powers set forth in sections 6 to*  
16 *13, inclusive, of this act.*

17     2. *The secretary of the committee or any member of the*  
18 *committee may administer oaths to witnesses who appear before*  
19 *the committee.*

20     3. *The chair of the committee, or the secretary of the*  
21 *committee on behalf of the chair, may cause the deposition of*  
22 *witnesses to be taken, whether the witnesses reside within or*  
23 *without the State, in the manner prescribed by court rules for*  
24 *taking depositions in civil actions in the district court.*

25     **Sec. 12.** 1. *For the purposes of conducting investigations*  
26 *and holding hearings in connection with the functions and duties*  
27 *of a committee, the chair of the committee may issue legislative*  
28 *subpoenas to compel the attendance and testimony of witnesses*  
29 *and the production of documentary evidence that is pertinent to*  
30 *the committee's legislative business or possible future legislative*  
31 *action.*

32     2. *To be properly issued, a legislative subpoena must:*

33     (a) *Be addressed to the witness;*

34     (b) *Describe the nature of the legislative proceedings for which*  
35 *the legislative subpoena is being issued;*

36     (c) *Require the attendance and testimony of the witness at a*  
37 *definite time and place fixed in the legislative subpoena or require*  
38 *the production of the documentary evidence at a definite time and*  
39 *place fixed in the legislative subpoena, or both;*

40     (d) *State particular reasons why the attendance and testimony*  
41 *of the witness or the production of the documentary evidence is*  
42 *pertinent to the committee's legislative business or possible future*  
43 *legislative action; and*

44     (e) *Be signed by the chair of the committee.*



1       3. *A legislative subpoena may be served by any person who is*  
2 *18 years of age or older.*

3       4. *If a legislative subpoena is properly issued to and served on*  
4 *a witness pursuant to this section:*

5       (a) *The legislative subpoena has the same legal force and*  
6 *effect as a subpoena or order issued by the district court; and*

7       (b) *The witness shall comply with the provisions of the*  
8 *legislative subpoena in the same manner as a subpoena or order*  
9 *issued by the district court.*

10      5. *In addition to any other remedies or penalties provided by*  
11 *law, if a witness fails to comply with the provisions of a legislative*  
12 *subpoena, the chair of the committee who issued the legislative*  
13 *subpoena, or the secretary of the committee on behalf of the chair,*  
14 *may file a petition to enforce compliance with the legislative*  
15 *subpoena in the district court for any county where the committee*  
16 *regularly holds its meetings or where the witness resides, works or*  
17 *maintains a place of business. The petition must:*

18      (a) *Set forth the name of the witness and, if the witness is a*  
19 *custodian of documentary evidence, the name of the organization*  
20 *for whom the witness serves as a custodian;*

21      (b) *Include a copy of the legislative subpoena;*

22      (c) *State that the legislative subpoena was issued and served on*  
23 *the witness pursuant to this section and provided the witness with*  
24 *notice of the definite time and place fixed in the legislative*  
25 *subpoena for the attendance and testimony of the witness or the*  
26 *production of the documentary evidence, or both;*

27      (d) *State that the witness failed to comply with the provisions*  
28 *of the legislative subpoena; and*

29      (e) *Request an order of the court enforcing the legislative*  
30 *subpoena and compelling the witness to comply with its provisions.*

31      6. *Upon the filing of the petition to enforce compliance with*  
32 *the legislative subpoena, the court shall:*

33      (a) *Enter an order directing the witness to:*

34          (1) *Appear at a hearing before the court at a time and place*  
35 *fixed by the court in the order, which must not be more than 10*  
36 *days after the date of the order; and*

37          (2) *Show cause why the witness has not complied with the*  
38 *provisions of the legislative subpoena; and*

39      (b) *Serve a certified copy of the order upon the witness.*

40      7. *If, at the hearing to show cause, the court finds that the*  
41 *legislative subpoena was properly issued and served pursuant to*  
42 *this section and that the witness has not proven a reason*  
43 *recognized by law for the failure to comply with its provisions, the*  
44 *court shall enter an order requiring the witness to comply with the*  
45 *provisions of the legislative subpoena at a time and place fixed by*



1 *the court in the order. If the witness fails to comply with the*  
2 *court's order, the witness commits contempt of court and shall be*  
3 *punished as provided by law for such contempt of court.*

4 **Sec. 13.** 1. *Each witness who appears and is prepared to*  
5 *testify before a committee in compliance with a legislative*  
6 *subpoena, except a state officer or employee, is entitled to receive*  
7 *for such attendance, whether or not the witness testifies, the fees*  
8 *and mileage provided for witnesses in civil cases in the district*  
9 *court.*

10 2. *The fees and mileage must be audited and paid upon the*  
11 *presentation of proper claims sworn to by the witness and*  
12 *approved by the chair of the committee.*

13 **Sec. 14.** NRS 218E.010 is hereby amended to read as follows:

14 218E.010 1. ~~{As used in NRS 218E.010 to 218E.095,~~  
15 ~~inclusive, unless the context otherwise requires, "committee"}~~  
16 **"Committee"** means:

17 (a) Any committee of either House;

18 (b) Any joint committee of both Houses; or

19 (c) Any other committee or commission created or authorized by  
20 the Legislature to *conduct or* perform legislative ~~{functions}~~  
21 *business* at the direction of *or on behalf of* the Legislature.

22 2. The term includes, without limitation, a subcommittee.

23 **Sec. 15.** NRS 218E.015 is hereby amended to read as follows:

24 218E.015 The Assembly, the Senate and committees may  
25 conduct investigations ~~{into}~~ *and hold hearings regarding* any  
26 matter which is pertinent to *their legislative business or* possible  
27 future legislative action.

28 **Sec. 16.** NRS 218E.030 is hereby amended to read as follows:

29 218E.030 1. The Assembly, the Senate and committees,  
30 pursuant to their investigative powers, may issue *legislative*  
31 subpoenas ~~{for the production of material}~~ *to compel the attendance*  
32 *and testimony of* witnesses and ~~{relevant}~~ *the production of*  
33 *documentary evidence* ~~{-Such}~~ *that is pertinent to their legislative*  
34 *business or possible future legislative action.*

35 2. *Legislative* subpoenas may be issued by the President of the  
36 Senate, the Speaker of the Assembly, or the chair of a committee *in*  
37 *accordance* with the ~~{concurrence of a majority of the members of}~~  
38 *rules governing* the committee.

39 ~~{2-}~~ 3. Except in cases of impeachment *or removal* as provided  
40 by Article 7 of the Constitution of the State of Nevada, a *legislative*  
41 subpoena must not be issued to:

42 (a) The Governor or any of the Governor's immediate staff.

43 (b) Any justice of the Supreme Court or judge of a district court.



1       **Sec. 17.** NRS 218E.035 is hereby amended to read as follows:  
2       218E.035 1. ~~{A}~~ *To be properly issued, a legislative*  
3 subpoena ~~{is sufficient if it:~~

4 ~~—(a) States whether the proceeding is before the Senate, the~~  
5 ~~Assembly or a committee;~~

6 ~~—(b) Is addressed to the witness;~~

7 ~~—(c) Requires} must:~~

8       (a) *Be addressed to the witness;*

9       (b) *Describe the nature of the legislative proceedings for which*  
10 *the legislative subpoena is being issued;*

11       (c) *Require the attendance and testimony of the witness at a*  
12 *definite time and place {certain};*

13 ~~—(d) States} fixed in the legislative subpoena or require the~~  
14 ~~production of the documentary evidence at a definite time and~~  
15 ~~place fixed in the legislative subpoena, or both;~~

16       (d) *State particular reasons {making} why the attendance and*  
17 *testimony {sought, or} of the witness or the production of the*  
18 *documentary evidence {requested,} is pertinent to legislative*  
19 *business or possible future legislative action; and*

20       (e) ~~{H}~~ *Be signed, as applicable, by the President of the Senate,*  
21 *the Speaker of the Assembly or the chair of the committee {before*  
22 *whom attendance of the witness or production of evidence is*  
23 *desired,} who issued the legislative subpoena.*

24       2. ~~{The service of a}~~ *A legislative subpoena may be {made}*  
25 *served by any person {over} who is 18 years of age {+} or older.*

26       3. *If a legislative subpoena is properly issued to and served on*  
27 *a witness pursuant to this section:*

28       (a) *The legislative subpoena has the same legal force and*  
29 *effect as a subpoena or order issued by the district court; and*

30       (b) *The witness shall comply with the provisions of the*  
31 *legislative subpoena in the same manner as a subpoena or order*  
32 *issued by the district court.*

33       **Sec. 18.** NRS 218E.040 is hereby amended to read as follows:

34       218E.040 The ~~{members of the Senate, the Assembly or a~~  
35 ~~committee}~~ *following persons* may administer oaths to witnesses ~~{+}~~  
36 *who appear before the Senate, the Assembly or a committee:*

37       1. *The President of the Senate, the Secretary of the Senate or*  
38 *any member of the Senate.*

39       2. *The Chief Clerk of the Assembly or any member of the*  
40 *Assembly.*

41       3. *The secretary of the committee or any member of the*  
42 *committee.*





1       **Sec. 19.** NRS 218E.045 is hereby amended to read as follows:

2       218E.045 1. ~~1A~~ *If a legislative subpoena is properly issued*  
3 *to and served on a witness, the* witness commits contempt if the  
4 witness ~~1~~, *without a reason recognized by law:*

5       (a) Neglects or refuses to ~~obey a~~ *comply with the provisions of*  
6 *the legislative* subpoena;

7       (b) ~~After appearing,~~ *Neglects or refuses to be sworn or to*  
8 *affirm before testifying or* neglects or refuses to testify as to any  
9 relevant matter; or

10       (c) Neglects or refuses to produce ~~1, upon reasonable notice,~~  
11 any relevant *documentary* evidence in the possession or under the  
12 control of the witness.

13       2. ~~HH~~ *In addition to any other remedies or penalties provided*  
14 *by law, if* a witness commits contempt, the district court of any  
15 county shall, on application of the President of the Senate, the  
16 Speaker of the Assembly or the chair of the committee, compel the  
17 witness's obedience by proceedings for contempt, as in the case of  
18 disobedience of the requirements of a subpoena issued from such  
19 court or a refusal to testify therein.

20       **Sec. 20.** NRS 218E.050 is hereby amended to read as follows:

21       218E.050 1. If ~~the~~ *a* witness ~~1 was required to attend~~  
22 *commits contempt* before:

23       (a) The Senate or the Assembly, any member of the House may  
24 offer a resolution to have the *recusant* witness cited to show cause  
25 why the witness should not be imprisoned for contempt.

26       (b) A committee while the Legislature is in regular or special  
27 session, any member of the committee may offer a resolution in the  
28 House of which the Legislator is a member to have the *recusant*  
29 witness cited to show cause why the witness should not be  
30 imprisoned for contempt, but only if the resolution is first approved  
31 by a majority vote of the committee.

32       2. If the resolution is adopted by the House, the House shall  
33 issue a citation, signed by the presiding officer of the House:

34       (a) Directing the recusant witness to appear before the House at  
35 a time and place specified in the citation to show cause, if any, why  
36 the witness should not be imprisoned for contempt; and

37       (b) Accompanied by a copy of the original *legislative* subpoena  
38 if the *recusant* witness failed to appear, or stating briefly the  
39 questions which the witness failed to answer or the *documentary*  
40 evidence which the witness failed to produce.

41       3. The time and place stated in the citation for the hearing must  
42 afford the recusant witness a reasonable opportunity to prepare an  
43 appropriate defense.

44       4. The citation must be served personally upon the recusant  
45 witness and may be served by any peace officer or by the Sergeant





1 at Arms or any regularly appointed Assistant Sergeant at Arms of  
2 the House.

3 **Sec. 21.** NRS 218E.095 is hereby amended to read as follows:

4 218E.095 1. If *a legislative subpoena is properly issued to*  
5 *and served on* a person , ~~is subpoenaed to attend as a witness~~  
6 ~~before a House or committee,~~ the person shall not ~~be~~:

7 ~~—(a) Refuse or neglect, without lawful excuse, to attend pursuant~~  
8 ~~to the subpoena; or~~

9 ~~—(b) Willfully, without a reason recognized by law:~~

10 (a) *Neglect or refuse* to comply with the provisions of the  
11 *legislative subpoena;*

12 (b) *Neglect or refuse* to be sworn or to affirm ~~to answer any~~  
13 ~~material or proper question,~~ *before testifying or neglect or refuse*  
14 *to testify as to any relevant matter;* or

15 (c) *Neglect or refuse* to produce ~~upon reasonable notice, any~~  
16 ~~material or proper books, papers or documents,~~ *any relevant*  
17 *documentary evidence* in the possession or under the control of the  
18 person.

19 2. ~~It is~~ *In addition to any other remedies or penalties provided*  
20 *by law, a* person who violates any provision of this section is guilty  
21 of a gross misdemeanor.

22 **Sec. 22.** NRS 218E.185 is hereby amended to read as follows:

23 218E.185 1. In the discharge of any duty imposed or power  
24 conferred by this title or any law or resolution, the Legislative  
25 Commission ~~has the authority to:~~

26 ~~—(a) Administer oaths.~~

27 ~~—(b) Cause the deposition of witnesses, residing either within or~~  
28 ~~without the State, to be taken in the manner prescribed by rule of~~  
29 ~~court for taking depositions in civil actions in the district courts.~~

30 ~~—(c) Issue subpoenas to compel the attendance and testimony of~~  
31 ~~witnesses and the production of books, papers, accounts, department~~  
32 ~~records and other documents before the Legislative Commission or~~  
33 ~~a subcommittee or interim or special committee established pursuant~~  
34 ~~to NRS 218E.200.~~ *may exercise any of the investigative powers set*  
35 *forth in sections 6 to 13, inclusive, of this act.*

36 2. The Legislative Commission may delegate its authority  
37 pursuant to subsection 1 to a subcommittee or interim or special  
38 committee established pursuant to NRS 218E.200.

39 ~~3. If any witness fails or refuses to attend or testify or to~~  
40 ~~produce the books, papers, accounts, department records or other~~  
41 ~~documents required by a subpoena, the Chair of the Legislative~~  
42 ~~Commission or the subcommittee or interim or special committee~~  
43 ~~that issued the subpoena may report the failure or refusal to the~~  
44 ~~district court by a petition which:~~

45 ~~—(a) Sets forth that:~~



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~~—— (1) Due notice has been given of the time and place of the attendance of the witness or the production of the required books, papers, accounts, department records or other documents;~~

~~—— (2) The witness has been subpoenaed by the Legislative Commission or the subcommittee or interim or special committee pursuant to this section; and~~

~~—— (3) The witness has failed or refused to attend or testify or to produce the books, papers, accounts, department records or other documents required by the subpoena before the Legislative Commission or the subcommittee or interim or special committee named in the subpoena; and~~

~~—— (b) Asks for an order of the court compelling the witness to attend and testify or to produce the required books, papers, accounts, department records or other documents before the Legislative Commission or the subcommittee or interim or special committee named in the subpoena;~~

~~—— 4. Upon such a petition, the court shall:~~

~~—— (a) Enter an order directing the witness:~~

~~—— (1) To appear before the court at a time and place to be fixed by the court in its order, the time to be not more than 10 days after the date of the order; and~~

~~—— (2) To show cause why the witness has not attended or testified or produced the required books, papers, accounts, department records or other documents before the Legislative Commission or the subcommittee or interim or special committee named in the subpoena; and~~

~~—— (b) Serve a certified copy of the order upon the witness.~~

~~—— 5. If it appears to the court that the subpoena was regularly issued by the Legislative Commission or the subcommittee or interim or special committee, the court shall enter an order that the witness:~~

~~—— (a) Must appear before the Legislative Commission or the subcommittee or interim or special committee named in the subpoena at the time and place fixed in the order;~~

~~—— (b) Must testify or produce the required books, papers, accounts, department records or other documents; and~~

~~—— (c) Upon failure to obey the order, must be dealt with as for contempt of court.~~

~~—— 6. Each witness who appears before the Legislative Commission or a subcommittee or interim or special committee by its order, except a state officer or employee, is entitled to receive for such attendance the fees and mileage provided for witnesses in civil cases in the courts of record of this State. The fees and mileage must be audited and paid upon the presentation of proper claims sworn to~~



1 ~~by the witness and approved by the Secretary and Chair of the~~  
2 ~~Legislative Commission.~~

3 **Sec. 23.** NRS 218E.200 is hereby amended to read as follows:

4 218E.200 1. The Legislative Commission may conduct  
5 studies or investigations concerning governmental problems,  
6 important issues of public policy or questions of statewide interest.

7 2. The Legislative Commission may establish subcommittees  
8 and interim or special committees as official agencies of the  
9 Legislative Counsel Bureau to conduct such studies or  
10 investigations or otherwise to deal with such governmental  
11 problems, important issues of public policy or questions of  
12 statewide interest. *The subcommittees and interim or special*  
13 *committees may exercise any of the investigative powers set forth*  
14 *in sections 6 to 13, inclusive, of this act.*

15 3. The membership of ~~those~~ *the* subcommittees and interim  
16 or special committees:

17 (a) Must be designated by the Legislative Commission; and

18 (b) May consist of members of the Legislative Commission and  
19 Legislators other than members of the Legislative Commission,  
20 employees of the State of Nevada or citizens of the State of Nevada.

21 4. For each day or portion of a day during which members of  
22 ~~those~~ *the* subcommittees and interim or special committees who  
23 are not Legislators attend meetings or are otherwise engaged in the  
24 business of ~~those~~ *the* subcommittees and interim or special  
25 committees, the members:

26 (a) Shall serve without salary.

27 (b) Are entitled to receive out of the Legislative Fund the per  
28 diem allowances and travel expenses provided for state officers and  
29 employees generally.

30 5. Except during a regular or special session, for each day or  
31 portion of a day during which members of ~~those~~ *the*  
32 subcommittees and interim or special committees who are  
33 Legislators attend meetings of ~~those~~ *the* subcommittees and  
34 interim or special committees or are otherwise engaged in the  
35 business of ~~those~~ *the* subcommittees and interim or special  
36 committees, the members are entitled to receive out of the  
37 Legislative Fund:

38 (a) The compensation provided for a majority of the Legislators  
39 during the first 60 days of the preceding regular session;

40 (b) The per diem allowance provided for state officers and  
41 employees generally; and

42 (c) The travel expenses provided pursuant to NRS 218A.655.

43 **Sec. 24.** NRS 218E.400 is hereby amended to read as follows:

44 218E.400 1. There is hereby created in the Legislative  
45 Counsel Bureau an Interim Finance Committee. Except as otherwise



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1 provided in this section, the Interim Finance Committee is  
2 composed of the members of the Assembly Standing Committee on  
3 Ways and Means and the Senate Standing Committee on Finance  
4 during the current or immediately preceding regular session.

5 2. Except as otherwise provided in this subsection, the  
6 immediate past Chair of the Senate Standing Committee on Finance  
7 is the Chair of the Interim Finance Committee for the period ending  
8 with the convening of each even-numbered regular session. The  
9 immediate past Chair of the Assembly Standing Committee on  
10 Ways and Means is the Chair of the Interim Finance Committee  
11 during the next legislative interim, and the position of Chair  
12 alternates between the Houses according to this pattern. The term of  
13 the Chair of the Interim Finance Committee terminates if a new  
14 Chair of the Assembly Standing Committee on Ways and Means or  
15 the Senate Standing Committee on Finance, as the case may be, is  
16 designated for the next regular session, in which case that person so  
17 designated serves as the Chair of the Interim Finance Committee  
18 until the convening of that regular session.

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

25 4. Except as otherwise provided in subsection 5, the term of a  
26 member of the Interim Finance Committee expires upon the  
27 convening of the next regular session unless the member is replaced  
28 by the appointing authority. If the Speaker designate of the  
29 Assembly or the Majority Leader designate of the Senate designates  
30 members of the Assembly Standing Committee on Ways and Means  
31 or the Senate Standing Committee on Finance, as applicable, for the  
32 next regular session, the designated members become members of  
33 the Interim Finance Committee. A member may be reappointed.

34 5. The membership of any member who does not become a  
35 candidate for reelection or who is defeated for reelection terminates  
36 on the day next after the general election. The Speaker designate of  
37 the Assembly or the Majority Leader designate of the Senate, as the  
38 case may be, shall appoint an alternate to fill the vacancy on the  
39 Interim Finance Committee. Except as otherwise provided in this  
40 subsection, each alternate serves on the Interim Finance Committee:

41 (a) If the alternate is a member of the Assembly, until the  
42 Speaker designate of the Assembly designates the members of the  
43 Assembly Standing Committee on Ways and Means for the next  
44 regular session or appoints a different alternate.



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

6. The Director shall act as the Secretary of the Interim Finance Committee.

7. A majority of the members of the Assembly Standing Committee on Ways and Means and a majority of the members of the Senate Standing Committee on Finance, jointly, may call a meeting of the Interim Finance Committee if the Chair does not do so.

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

9. *The Interim Finance Committee may conduct investigations and hold hearings in connection with its functions and duties and exercise any of the investigative powers set forth in sections 6 to 13, inclusive, of this act.*

10. Except during a regular or special session, for each day or portion of a day during which a member of the Interim Finance Committee and appointed alternate attends a meeting of the Interim Finance Committee or is otherwise engaged in the business of the Interim Finance Committee, the member or appointed alternate is entitled to receive:

(a) The compensation provided for a majority of the Legislators during the first 60 days of the preceding regular session;

(b) The per diem allowance provided for state officers and employees generally; and

(c) The travel expenses provided pursuant to NRS 218A.655.

~~10.11.~~ **11.** All such compensation, per diem allowances and travel expenses must be paid from the Contingency Fund in the State Treasury.

**Sec. 25.** 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:

(a) 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

(b) Make recommendations to the Public Employees' Retirement Board and the Board of the Public Employees' Benefits Program, the Legislative Commission and the Legislature.



2. 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 regular 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 regular session and two of whom are appointed by the Speaker of the Assembly.

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

4. 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 regular session. 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 according to this pattern.

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

6. *The Interim Retirement and Benefits Committee may conduct investigations and hold hearings in connection with its functions and duties and exercise any of the investigative powers set forth in sections 6 to 13, inclusive, of this act.*

7. The Director shall provide a Secretary for the Interim Retirement and Benefits Committee.

~~7-1~~ 8. For each day or portion of a day during which members of the Interim Retirement and Benefits Committee attend a meeting of the Interim Retirement and Benefits Committee or are otherwise engaged in the business of the Interim Retirement and Benefits Committee, the members are entitled to receive:

(a) The compensation provided for a majority of the Legislators during the first 60 days of the preceding regular session;

(b) The per diem allowance provided for state officers and employees generally; and

(c) The travel expenses provided pursuant to NRS 218A.655.

~~8-1~~ 9. All such compensation, per diem allowances and travel expenses must be paid from the Legislative Fund.

Sec. 26. NRS 218E.435 is hereby amended to read as follows:

218E.435 As used in NRS 218E.435 to ~~218E.460~~ 218E.450, inclusive, unless the context otherwise requires, "committee" means



1 a legislative committee for the fundamental review of the base  
2 budgets of state agencies.

3 **Sec. 27.** NRS 218E.450 is hereby amended to read as follows:

4 218E.450 1. A committee shall, during the legislative  
5 interim, perform a fundamental review of the base budget of each  
6 state agency assigned to it for review.

7 2. A committee may request the state agency under review and  
8 any other agency to submit information, analyses and reports which  
9 are pertinent to the reviews conducted pursuant to this section. Each  
10 agency of the State shall cooperate fully and provide the material  
11 requested within the period specified by a committee.

12 3. *A committee may conduct investigations and hold hearings*  
13 *in connection with the reviews conducted pursuant to this section*  
14 *and exercise any of the investigative powers set forth in sections 6*  
15 *to 13, inclusive, of this act.*

16 4. A committee shall, before the convening of the next regular  
17 session, transmit a report of each review conducted pursuant to this  
18 section, and any related recommendations, to the Interim Finance  
19 Committee and the Legislative Commission.

20 **Sec. 28.** NRS 218E.505 is hereby amended to read as follows:

21 218E.505 As used in NRS 218E.500 to ~~218E.535,~~ **218E.525,**  
22 inclusive, unless the context otherwise requires, "Committee" means  
23 the Legislative Committee on Public Lands.

24 **Sec. 29.** NRS 218E.520 is hereby amended to read as follows:

25 218E.520 1. The Committee may:

26 (a) Review and comment on any administrative policy, rule or  
27 regulation of the:

28 (1) Secretary of the Interior which pertains to policy  
29 concerning or management of public lands under the control of the  
30 Federal Government; and

31 (2) Secretary of Agriculture which pertains to policy  
32 concerning or management of national forests;

33 (b) Conduct investigations and hold hearings in connection with  
34 its review, including, but not limited to, investigating the effect on  
35 the State, its citizens, political subdivisions, businesses and  
36 industries of those policies, rules, regulations and related laws ~~§~~,  
37 *and exercise any of the investigative powers set forth in sections 6*  
38 *to 13, inclusive, of this act;*

39 (c) Consult with and advise the State Land Use Planning  
40 Agency on matters concerning federal land use, policies and  
41 activities in this State;

42 (d) Direct the Legislative Counsel Bureau to assist in its  
43 research, investigations, review and comment;

44 (e) Recommend to the Legislature as a result of its review any  
45 appropriate state legislation or corrective federal legislation;





(f) Advise the Attorney General if it believes that any federal policy, rule or regulation which it has reviewed encroaches on the sovereignty respecting land or water or their use which has been reserved to the State pursuant to the Constitution of the United States;

(g) Enter into a contract for consulting services for land planning and any other related activities, including, but not limited to:

(1) Advising the Committee and the State Land Use Planning Agency concerning the revision of the plans pursuant to NRS 321.7355;

(2) Assisting local governments in the identification of lands administered by the Federal Government in this State which are needed for residential or economic development or any other purpose; and

(3) Assisting local governments in the acquisition of federal lands in this State;

(h) Apply for any available grants and accept any gifts, grants or donations to assist the Committee in carrying out its duties; and

(i) Review and comment on any other matter relating to the preservation, conservation, use, management or disposal of public lands deemed appropriate by the Chair of the Committee or by a majority of the members of the Committee.

2. Any reference in this section to federal policies, rules, regulations and related federal laws includes those which are proposed as well as those which are enacted or adopted.

**Sec. 30.** NRS 218E.550 is hereby amended to read as follows:

218E.550 As used in NRS 218E.550 to ~~218E.580,~~ **218E.570**, inclusive, unless the context otherwise requires, "Committee" means the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System created by NRS 218E.555.

**Sec. 31.** NRS 218E.570 is hereby amended to read as follows:

218E.570 The Committee may:

1. Conduct investigations and hold hearings in connection with its review and study ~~and~~ **and exercise any of the investigative powers set forth in sections 6 to 13, inclusive, of this act;**

2. Apply for any available grants and accept any gifts, grants or donations and use any such gifts, grants or donations to aid the Committee in carrying out its duties pursuant to NRS 218E.550 to ~~218E.580,~~ **218E.570**, inclusive;

3. Direct the Legislative Counsel Bureau to assist in its research, investigations, review and study; and

4. Recommend to the Legislature, as a result of its review and study, any appropriate legislation.



**Sec. 32.** NRS 218E.615 is hereby amended to read as follows:

218E.615 1. The Committee may:

(a) Evaluate, review and comment upon issues related to education within this State, including, but not limited to:

(1) Programs to enhance accountability in education;

(2) Legislative measures regarding education;

(3) The progress made by this State, the school districts and the public schools in this State in satisfying the goals and objectives of the federal No Child Left Behind Act of 2001, 20 U.S.C. §§ 6301 et seq., and the annual measurable objectives established by the State Board of Education pursuant to NRS 385.361;

(4) Methods of financing public education;

(5) The condition of public education in the elementary and secondary schools;

(6) The program to reduce the ratio of pupils per class per licensed teacher prescribed in NRS 388.700, 388.710 and 388.720;

(7) The development of any programs to automate the receipt, storage and retrieval of the educational records of pupils; and

(8) Any other matters that, in the determination of the Committee, affect the education of pupils within this State.

(b) Conduct investigations and hold hearings in connection with its duties pursuant to this section ~~and~~ *and exercise any of the investigative powers set forth in sections 6 to 13, inclusive, of this act.*

(c) Request that the Legislative Counsel Bureau assist in the research, investigations, hearings and reviews of the Committee.

(d) Make recommendations to the Legislature concerning the manner in which public education may be improved.

2. The Committee shall:

(a) In addition to any standards prescribed by the Department of Education, prescribe standards for the review and evaluation of the reports of the State Board of Education, State Public Charter School Authority, school districts and public schools pursuant to paragraph (a) of subsection 1 of NRS 385.359.

(b) For the purposes set forth in NRS 385.389, recommend to the Department of Education programs of remedial study for each subject tested on the examinations administered pursuant to NRS 389.015. In recommending these programs of remedial study, the Committee shall consider programs of remedial study that have proven to be successful in improving the academic achievement of pupils.

(c) Recommend to the Department of Education providers of supplemental educational services for inclusion on the list of approved providers prepared by the Department pursuant to



\* A B 5 0 9 \*

1 NRS 385.384. In recommending providers, the Committee shall  
2 consider providers with a demonstrated record of effectiveness in  
3 improving the academic achievement of pupils.

4 (d) For the purposes set forth in NRS 385.3785, recommend to  
5 the Commission on Educational Excellence created by NRS  
6 385.3784 programs, practices and strategies that have proven  
7 effective in improving the academic achievement and proficiency of  
8 pupils.

9 **Sec. 33.** NRS 218E.700 is hereby amended to read as follows:  
10 218E.700 As used in NRS 218E.700 to ~~218E.730,~~ **218E.720,**  
11 inclusive, unless the context otherwise requires, "Committee" means  
12 the Legislative Committee on Child Welfare and Juvenile Justice.

13 **Sec. 34.** NRS 218E.720 is hereby amended to read as follows:  
14 218E.720 1. The Committee may:

15 (a) Conduct investigations and hold hearings in connection with  
16 its duties pursuant to NRS 218E.715 ~~and~~ **and exercise any of the**  
17 **investigative powers set forth in sections 6 to 13, inclusive, of this**  
18 **act;**

19 (b) Request that the Legislative Counsel Bureau assist in the  
20 research, investigations, hearings and reviews of the Committee;  
21 and

22 (c) Propose recommended legislation concerning child welfare  
23 and juvenile justice to the Legislature.

24 2. The Committee shall, on or before January 15 of each odd-  
25 numbered year, submit to the Director for transmittal to the  
26 Legislature a report concerning the evaluation and review conducted  
27 pursuant to NRS 218E.715.

28 **Sec. 35.** NRS 218E.745 is hereby amended to read as follows:  
29 218E.745 As used in NRS 218E.745 to ~~218E.770,~~ **218E.760,**  
30 inclusive, unless the context otherwise requires, "Committee" means  
31 the Legislative Committee on Senior Citizens, Veterans and Adults  
32 With Special Needs.

33 **Sec. 36.** NRS 218E.760 is hereby amended to read as follows:  
34 218E.760 1. The Committee may review, study and comment  
35 upon issues relating to senior citizens, veterans and adults with  
36 special needs, including, without limitation:

37 (a) Initiatives to ensure the financial and physical wellness of  
38 senior citizens, veterans and adults with special needs;

39 (b) The abuse, neglect, isolation and exploitation of senior  
40 citizens and adults with special needs;

41 (c) Public outreach and advocacy;

42 (d) Programs for the provision of services to senior citizens,  
43 veterans and adults with special needs in this State and methods to  
44 enhance such programs to ensure that services are provided in the  
45 most appropriate setting;



(e) Programs that provide services and care in the home which allow senior citizens to remain at home and live independently instead of in institutional care;

(f) The availability of useful information and data as needed for the State of Nevada to effectively make decisions, plan budgets and monitor costs and outcomes of services provided to senior citizens, veterans and adults with special needs;

(g) Laws relating to the appointment of a guardian and the improvement of laws for the protection of senior citizens and adults with special needs who have been appointed a guardian, including, without limitation, the improvement of investigations relating to guardianships and systems for monitoring guardianships; and

(h) The improvement of facilities for long-term care in this State, including, without limitation:

(1) Reducing the number of persons placed in facilities for long-term care located outside this State;

(2) Creating units for acute care and long-term care to treat persons suffering from dementia who exhibit behavioral problems;

(3) Developing alternatives to placement in facilities for long-term care, including, without limitation, units for long-term care located in other types of facilities, and ensuring that such alternatives are available throughout this State for the treatment of persons with psychological needs; and

(4) Creating a program to provide follow-up care and to track the ongoing progress of residents of facilities for long-term care.

2. The Committee may:

(a) Review, study and comment upon matters relating to senior citizens, veterans and adults with special needs;

(b) Conduct investigations and hold hearings in connection with its duties pursuant to this section ~~††~~ *and exercise any of the investigative powers set forth in sections 6 to 13, inclusive, of this act;*

(c) Request that the Legislative Counsel Bureau assist in the research, investigations, hearings and studies of the Committee; and

(d) Make recommendations to the Legislature concerning senior citizens, veterans and adults with special needs.

3. The Committee shall, on or before January 15 of each odd-numbered year, submit to the Director for transmittal to the next regular session a report concerning the study conducted pursuant to subsection 1.

4. As used in this section, "facility for long-term care" has the meaning ascribed to it in NRS 427A.028.

**Sec. 37.** NRS 218H.930 is hereby amended to read as follows:

218H.930 1. A lobbyist shall not knowingly or willfully make any false statement or misrepresentation of facts:



1 (a) To any member of the Legislative Branch in an effort to  
2 persuade or influence the member in his or her official actions.

3 (b) In a registration statement or report concerning lobbying  
4 activities filed with the Director.

5 2. A lobbyist shall not give to a member of the Legislative  
6 Branch or a member of his or her staff or immediate family gifts that  
7 exceed \$100 in value in the aggregate in any calendar year.

8 3. A member of the Legislative Branch or a member of his or  
9 her staff or immediate family shall not solicit anything of value from  
10 a registrant or accept any gift that exceeds \$100 in aggregate value  
11 in any calendar year.

12 4. A person who employs or uses a lobbyist shall not make that  
13 lobbyist's compensation or reimbursement contingent in any manner  
14 upon the outcome of any legislative action.

15 5. Except during the period permitted by NRS 218H.200, a  
16 person shall not knowingly act as a lobbyist without being registered  
17 as required by that section.

18 6. Except as otherwise provided in subsection 7, a member of  
19 the Legislative or Executive Branch of the State Government and an  
20 elected officer or employee of a political subdivision shall not  
21 receive compensation or reimbursement other than from the State or  
22 the political subdivision for personally engaging in lobbying.

23 7. An elected officer or employee of a political subdivision  
24 may receive compensation or reimbursement from any organization  
25 whose membership consists of elected or appointed public officers.

26 8. A lobbyist shall not instigate the introduction of any  
27 legislation for the purpose of obtaining employment to lobby in  
28 opposition to that legislation.

29 9. A lobbyist shall not make, commit to make or offer to make  
30 a monetary contribution to a Legislator, the Lieutenant Governor,  
31 the Lieutenant Governor-elect, the Governor or the Governor-elect  
32 during the period beginning:

33 (a) Thirty days before a regular session and ending 30 days after  
34 the final adjournment of a regular session;

35 (b) Fifteen days before a special session is set to commence and  
36 ending 15 days after the final adjournment of a special session, if  
37 ~~that~~ :

38 (1) *The Governor sets a specific date for the commencement*  
39 *of the special session that is more than 15 days after the **date on***  
40 ***which the** Governor issues the proclamation calling for the special*  
41 *session ~~H~~ **pursuant to Section 9 of Article 5 of the Nevada***  
42 ***Constitution;** or*

43 (2) *The members of the Legislature set a date on or before*  
44 *which the Legislature is to convene the special session that is more*  
45 *than 15 days after the date on which the Secretary of State*



1 *receives one or more substantially similar petitions signed, in the*  
2 *aggregate, by the required number of members calling for the*  
3 *special session pursuant to Section 2A of Article 4 of the Nevada*  
4 *Constitution; or*

5 (c) The day after :

6 (1) *The date on which* the Governor issues ~~that~~ *the*  
7 proclamation calling for ~~that~~ *the* special session and ending 15 days  
8 after the final adjournment of ~~that~~ *the* special session if the Governor  
9 sets a specific date for the commencement of the special session that  
10 is 15 or fewer days after the *date on which the* Governor issues the  
11 proclamation calling for the special session ~~that~~ *; or*

12 (2) *The date on which the Secretary of State receives one or*  
13 *more substantially similar petitions signed, in the aggregate, by*  
14 *the required number of members of the Legislature calling for the*  
15 *special session and ending 15 days after the final adjournment of*  
16 *the special session if the members set a date on or before which*  
17 *the Legislature is to convene the special session that is 15 or fewer*  
18 *days after the date on which the Secretary of State receives the*  
19 *petitions.*

20 **Sec. 38.** NRS 223.210 is hereby amended to read as follows:

21 223.210 1. Whenever any Act of Congress, regulation  
22 promulgated by the President or from an executive department of  
23 the Federal Government, or decision of a court of the United States  
24 or of this State requires the Governor to perform any act for which  
25 legislative authority is lacking, either absolutely or in the alternative  
26 of forfeiting a grant of money or other thing of value or of action by  
27 the requiring authority, and the Legislature is not in session and  
28 cannot reasonably be ~~called into~~ *convened in a* special session, the  
29 Governor may, with the approval of the Legislative Commission:

30 (a) Perform the act required.

31 (b) Direct an existing agency, board or commission to do the act  
32 required.

33 (c) Accept money or some other thing of value from the Federal  
34 Government, and contract with respect to such acceptance.

35 (d) Expend, for the purpose required, any money so accepted  
36 from the Federal Government or available to him or her from any  
37 nonstate source or from the Emergency Account. Any expenditures  
38 from the Emergency Account for the purposes provided in this  
39 subsection must be first approved by the Legislative Commission.

40 2. The Governor and the Legislative Commission shall report  
41 any action taken by them to the next session of the Legislature,  
42 whether regular or special. Unless the Legislature acts affirmatively  
43 to authorize the Governor or some other agency, board or  
44 commission to do the act required, all authority conferred by this  
45 section expires by limitation on the 11th day after the final



1 adjournment of the session. In case of such an expiration, neither the  
2 Governor nor any agency, board or commission may expend any  
3 money received pursuant to this section except as required by a  
4 valid contract executed prior to the expiration.

5 3. As used in this section, the phrase “cannot reasonably be  
6 ~~called into~~ *convened in a* special session” imposes a duty upon the  
7 Governor *or the members of the Legislature* to consider, among  
8 other things:

9 (a) The importance of the act required in relation to State  
10 Government as a whole;

11 (b) The amount of money to be expended pursuant to this  
12 section in relation to the cost of a special session; and

13 (c) The interval remaining before the next regular session.

14 **Sec. 39.** NRS 239C.260 is hereby amended to read as follows:

15 239C.260 1. In accordance with the provisions of Section 37  
16 of Article 4 of the Nevada Constitution, the Nevada Legislature  
17 hereby establishes a plan for continuation of state and local  
18 governmental operations. The provisions set forth in this section  
19 apply only in, and must be used in accordance with, the  
20 circumstances described in subsection 2.

21 2. In the event that this State or a portion of this State is  
22 stricken by a catastrophic emergency of such magnitude that, in the  
23 opinion of the Governor or, in the absence of the Governor, the  
24 Lieutenant Governor, the existing provisions of the Nevada  
25 Constitution and the statutes of this State relating to the filling of  
26 vacancies in office are not able to provide for a sufficiently  
27 expedient continuity of government and temporary succession of  
28 power as a result of vacancies in office created by the catastrophic  
29 emergency, the provisions of subsections 3 to 10, inclusive, apply.

30 3. If a vacancy occurs in the Office of Governor as a result of a  
31 catastrophic emergency and none of the successors described in  
32 NRS 223.080 are able or available to act as Governor,  
33 the Legislature shall elect a person to serve as Governor. If the  
34 Legislature is not in session at the time the vacancy occurs, the  
35 *members of the* Legislature may ~~call itself into~~ *convene a* special  
36 session to elect a person to serve as Governor.

37 4. If vacancies occur in more than 15 percent of the seats in  
38 either house of the Legislature as a result of a catastrophic  
39 emergency:

40 (a) The remaining Legislators available for duty constitute the  
41 Legislature and have full power to act in separate or joint assembly  
42 by majority vote of those present;

43 (b) Any requirements for a quorum applicable to the Legislature  
44 must initially be suspended and must subsequently be adjusted as  
45 vacant offices are filled pursuant to NRS 218A.260; and





(c) If the affirmative vote of a specified proportion of members of the Legislature is required for the approval of a legislative measure, the same proportion of remaining members of the Legislature is sufficient for approval of that measure.

5. If vacancies occur in more than 15 percent of the positions held by justices on the Supreme Court as a result of a catastrophic emergency, the vacancies must be filled by appointment of the Governor.

6. If vacancies occur in more than 15 percent of the positions held by the district judges in any one judicial district as a result of a catastrophic emergency, the vacancies must be filled by appointment of the Supreme Court.

7. If vacancies occur on a board of county commissioners as a result of a catastrophic emergency:

(a) The remaining members of the board available for duty constitute the board and have full power to act by majority vote of those present; and

(b) Any requirements for a quorum applicable to the board must initially be suspended and must subsequently be adjusted as vacant offices are filled.

➔ If a board of county commissioners is rendered entirely vacant as a result of a catastrophic emergency, such other elected officers of the county as may be available to serve on the board have full authority to act in all matters as a board of county commissioners.

8. If vacancies occur on a city council as a result of a catastrophic emergency:

(a) The remaining members of the council available for duty constitute the council and have full power to act by majority vote of those present; and

(b) Any requirements for a quorum applicable to the council must initially be suspended and must subsequently be adjusted as vacant offices are filled.

➔ If a city council is rendered entirely vacant as a result of a catastrophic emergency, such other elected officers of the city as may be available to serve on the council have full authority to act in all matters as a city council.

9. If, during or following a catastrophic emergency, a majority of the members of a legislative body described in this section determines that, for purposes of safety or to address related concerns, the legislative body should meet at a location other than the location at which the legislative body ordinarily meets, the legislative body may arrange to meet at an alternate location.

10. After a catastrophic emergency has taken place, the Governor or, in the absence of the Governor, the Lieutenant Governor, shall:



(a) Determine and announce publicly when conditions have normalized within this State or the portion thereof affected by the catastrophic emergency.

(b) In cooperation with the Secretary of State, develop procedures and a reasonable schedule for filling by regular election the various offices filled temporarily pursuant to this section.

11. As used in this section, "catastrophic emergency" means an emergency resulting from disasters caused by enemy attack, in accordance with Section 37 of Article 4 of the Nevada Constitution.

**Sec. 40.** NRS 294A.300 is hereby amended to read as follows:

294A.300 1. It is unlawful for a member of the Legislature, the Lieutenant Governor, the Lieutenant Governor-Elect, the Governor or the Governor-Elect to solicit or accept any monetary contribution, or solicit or accept a commitment to make such a contribution for any political purpose during the period beginning:

(a) Thirty days before a regular session of the Legislature and ending 30 days after the final adjournment of a regular session of the Legislature;

(b) Fifteen days before a special session of the Legislature is set to commence and ending 15 days after the final adjournment of a special session of the Legislature, if ~~the~~ :

*(1) The Governor sets a specific date for the commencement of the special session that is more than 15 days after the date on which the Governor issues the proclamation calling for the special session pursuant to Section 9 of Article 5 of the Nevada Constitution; or*

*(2) The members of the Legislature set a date on or before which the Legislature is to convene the special session that is more than 15 days after the date on which the Secretary of State receives one or more substantially similar petitions signed, in the aggregate, by the required number of members calling for the special session pursuant to Section 2A of Article 4 of the Nevada Constitution; or*

(c) The day after :

*(1) The date on which the Governor issues the proclamation calling for the special session of the Legislature and ending 15 days after the final adjournment of the special session if the Governor sets a specific date for the commencement of the special session that is 15 or fewer days after the date on which the Governor issues the proclamation calling for the special session ; or*

*(2) The date on which the Secretary of State receives one or more substantially similar petitions signed, in the aggregate, by the required number of members of the Legislature calling for the special session and ending 15 days after the final adjournment of*



*the special session if the members set a date on or before which the Legislature is to convene the special session that is 15 or fewer days after the date on which the Secretary of State receives the petitions.*

2. A person shall not make or commit to make a contribution or commitment prohibited by subsection 1.

3. This section does not prohibit the payment of a salary or other compensation or income to a member of the Legislature, the Lieutenant Governor or the Governor during a session of the Legislature if it is made for services provided as a part of his or her regular employment or is additional income to which he or she is entitled.

4. As used in this section, "political purpose" includes, without limitation, the establishment of, or the addition of money to, a legal defense fund.

**Sec. 41.** NRS 294A.310 is hereby amended to read as follows:

294A.310 1. A member of an organization whose primary purpose is to provide support for Legislators of a particular political party and house shall not solicit or accept contributions on behalf of the Legislators or the organization, or solicit or accept a commitment to make such a contribution during the period beginning:

(a) Thirty days before a regular session of the Legislature and ending 30 days after the final adjournment of a regular session of the Legislature;

(b) Fifteen days before a special session of the Legislature is set to commence and ending 15 days after the final adjournment of a special session of the Legislature, if ~~that~~ :

(1) *The Governor sets a specific date for the commencement of the special session that is more than 15 days after the date on which the Governor issues the proclamation calling for the special session pursuant to Section 9 of Article 5 of the Nevada Constitution;* or

(2) *The members of the Legislature set a date on or before which the Legislature is to convene the special session that is more than 15 days after the date on which the Secretary of State receives one or more substantially similar petitions signed, in the aggregate, by the required number of members calling for the special session pursuant to Section 2A of Article 4 of the Nevada Constitution;* or

(c) The day after :

(1) *The date on which* the Governor issues ~~that~~ *the* proclamation calling for ~~that~~ *the* special session ~~of the Legislature~~ and ending 15 days after the final adjournment of ~~that~~ *the* special session ~~of the Legislature~~ if the Governor sets a specific date for



1 the commencement of the special session that is 15 or fewer days  
2 after the *date on which the* Governor issues the proclamation  
3 calling for the special session ~~H~~; or

4 *(2) The date on which the Secretary of State receives one or*  
5 *more substantially similar petitions signed, in the aggregate, by*  
6 *the required number of members of the Legislature calling for the*  
7 *special session and ending 15 days after the final adjournment of*  
8 *the special session if the members set a date on or before which*  
9 *the Legislature is to convene the special session that is 15 or fewer*  
10 *days after the date on which the Secretary of State receives the*  
11 *petitions.*

12 2. A person shall not make or commit to make a contribution  
13 or commitment prohibited by subsection 1.

14 3. A person shall not accept a contribution on behalf of another  
15 person to avoid the prohibitions of this section.

16 **Sec. 42.** NRS 439B.220 is hereby amended to read as follows:

17 439B.220 The Committee may:

18 1. Review and evaluate the quality and effectiveness of  
19 programs for the prevention of illness.

20 2. Review and compare the costs of medical care among  
21 communities in Nevada with similar communities in other states.

22 3. Analyze the overall system of medical care in the State to  
23 determine ways to coordinate the providing of services to all  
24 members of society, avoid the duplication of services and achieve  
25 the most efficient use of all available resources.

26 4. Examine the business of providing insurance, including the  
27 development of cooperation with health maintenance organizations  
28 and organizations which restrict the performance of medical  
29 services to certain physicians and hospitals, and procedures to  
30 contain the costs of these services.

31 5. Examine hospitals to:

32 (a) Increase cooperation among hospitals;

33 (b) Increase the use of regional medical centers; and

34 (c) Encourage hospitals to use medical procedures which do not  
35 require the patient to be admitted to the hospital and to use the  
36 resulting extra space in alternative ways.

37 6. Examine medical malpractice.

38 7. Examine the system of education to coordinate:

39 (a) Programs in health education, including those for the  
40 prevention of illness and those which teach the best use of available  
41 medical services; and

42 (b) The education of those who provide medical care.

43 8. Review competitive mechanisms to aid in the reduction of  
44 the costs of medical care.



9. Examine the problem of providing and paying for medical care for indigent and medically indigent persons, including medical care provided by physicians.

10. Examine the effectiveness of any legislation enacted to accomplish the purpose of restraining the costs of health care while ensuring the quality of services, and its effect on the subjects listed in subsections 1 to 9, inclusive.

11. Determine whether regulation by the State will be necessary in the future by examining hospitals for evidence of:

(a) Degradation or discontinuation of services previously offered, including without limitation, neonatal care, pulmonary services and pathology services; or

(b) A change in the policy of the hospital concerning contracts, as a result of any legislation enacted to accomplish the purpose of restraining the costs of health care while ensuring the quality of services.

12. Study the effect of the acuity of the care provided by a hospital upon the revenues of the hospital and upon limitations upon that revenue.

13. Review the actions of the Director in administering the provisions of this chapter and adopting regulations pursuant to those provisions. The Director shall report to the Committee concerning any regulations proposed or adopted pursuant to this chapter.

14. Identify and evaluate, with the assistance of an advisory group, the alternatives to institutionalization for providing long-term care, including, without limitation:

(a) An analysis of the costs of the alternatives to institutionalization and the costs of institutionalization for persons receiving long-term care in this State;

(b) A determination of the effects of the various methods of providing long-term care services on the quality of life of persons receiving those services in this State;

(c) A determination of the personnel required for each method of providing long-term care services in this State; and

(d) A determination of the methods for funding the long-term care services provided to all persons who are receiving or who are eligible to receive those services in this State.

15. Evaluate, with the assistance of an advisory group, the feasibility of obtaining a waiver from the Federal Government to integrate and coordinate acute care services provided through Medicare and long-term care services provided through Medicaid in this State.

16. Evaluate, with the assistance of an advisory group, the feasibility of obtaining a waiver from the Federal Government to eliminate the requirement that elderly persons in this State



\* A B 5 0 9 \*

1 impoverish themselves as a condition of receiving assistance for  
2 long-term care.

3 17. Conduct investigations and hold hearings in connection  
4 with its review and analysis ~~†~~ *and exercise any of the investigative*  
5 *powers set forth in sections 6 to 13, inclusive, of this act.*

6 18. Apply for any available grants and accept any gifts, grants  
7 or donations to aid the Committee in carrying out its duties pursuant  
8 to this chapter.

9 19. Direct the Legislative Counsel Bureau to assist in its  
10 research, investigations, review and analysis.

11 20. Recommend to the Legislature as a result of its review any  
12 appropriate legislation.

13 21. Prescribe duties and make requests, in addition to those set  
14 forth in NRS 439B.250, of the Nevada Academy of Health  
15 established pursuant to that section.

16 **Sec. 43.** NRS 459.0085 is hereby amended to read as follows:

17 459.0085 1. There is hereby created a Committee on High-  
18 Level Radioactive Waste. It is a committee of the Legislature  
19 composed of:

20 (a) Four members of the Senate, appointed by the Majority  
21 Leader of the Senate.

22 (b) Four members of the Assembly, appointed by the Speaker.

23 2. The Legislative Commission shall review and approve the  
24 budget and work program for the Committee and any changes to the  
25 budget or work program. The Legislative Commission shall select a  
26 Chair and a Vice Chair from the members of the Committee.

27 3. Except as otherwise ordered by the Legislative Commission,  
28 the Committee shall meet not earlier than November 1 of each odd-  
29 numbered year and not later than August 31 of the following even-  
30 numbered year at the call of the Chair to study and evaluate:

31 (a) Information and policies regarding the location in this State  
32 of a facility for the disposal of high-level radioactive waste;

33 (b) Any potentially adverse effects from the construction and  
34 operation of a facility and the ways of mitigating those effects; and

35 (c) Any other policies relating to the disposal of high-level  
36 radioactive waste.

37 4. *The Committee may conduct investigations and hold*  
38 *hearings in connection with its functions and duties and exercise*  
39 *any of the investigative powers set forth in sections 6 to 13,*  
40 *inclusive, of this act.*

41 5. The Committee shall report the results of its studies and  
42 evaluations to the Legislative Commission and the Interim Finance  
43 Committee at such times as the Legislative Commission or the  
44 Interim Finance Committee may require.



~~15.1~~ 6. The Committee may recommend any appropriate legislation to the Legislature and the Legislative Commission.

~~16.1~~ 7. The Director of the Legislative Counsel Bureau shall provide a Secretary for the Committee on High-Level Radioactive Waste.

8. Except during a regular or special session of the Legislature, each member of the Committee is entitled to receive the compensation provided for a majority of the members of the Legislature during the first 60 days of the preceding regular session for each day or portion of a day during which the member attends a Committee meeting or is otherwise engaged in the work of the Committee plus the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to NRS 218A.655. Per diem allowances, salary and travel expenses of members of the Committee must be paid from the Legislative Fund.

**Sec. 44.** NRS 218E.455, 218E.460, 218E.530, 218E.535, 218E.575, 218E.580, 218E.620, 218E.725, 218E.730, 218E.765, 218E.770, 439B.230 and 439B.240 are hereby repealed.

**Sec. 45.** This act becomes effective upon passage and approval.

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#### LEADLINES OF REPEALED SECTIONS

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**218E.455 Administration of oaths; deposition of witnesses; issuance and enforcement of subpoenas.**

**218E.460 Fees and mileage for witnesses.**

**218E.530 Administration of oaths; deposition of witnesses; issuance and enforcement of subpoenas.**

**218E.535 Fees and mileage for witnesses.**

**218E.575 Administration of oaths; deposition of witnesses; issuance and enforcement of subpoenas.**

**218E.580 Fees and mileage for witnesses.**

**218E.620 Administration of oaths; deposition of witnesses; issuance and enforcement of subpoenas.**

**218E.725 Administration of oaths; deposition of witnesses; issuance and enforcement of subpoenas.**

**218E.730 Fees and mileage for witnesses.**

**218E.765 Administration of oaths; deposition of witnesses; issuance and enforcement of subpoenas.**

**218E.770 Fees and mileage for witnesses.**





**439B.230 Investigations and hearings: Depositions;  
subpoenas.**  
**439B.240 Investigations and hearings: Fees and mileage for  
witnesses.**

