

MINUTESLEGISLATIVE FUNCTIONS - NEVADA STATE LEGISLATURE - 58TH SESSIONApril 22, 1975

The meeting was called to order by Chairman Dreyer at 2:15 p.m.

MEMBERS PRESENT: Mr. Bennett  
Mrs. Brookman  
Mr. Mello  
Mr. Jacobsen  
Mr. Sena  
Mrs. Wagner  
Mr. Chairman

MEMBERS ABSENT: None

SPEAKING GUESTS: Mr. Arthur Palmer, Director of Legislative  
Counsel Bureau  
Mr. Lloyd Mann, Assemblyman  
Jean Ford, Assemblyman  
Robert Barengo, Assemblyman

The purpose of this meeting was to hear testimony on the following bills:

ACR 14	AJR 18
ACR 49	AB 263

Chairman Dreyer announced the first order of business would be ACR 14. This bill directs legislative commission to cause director of legislative counsel bureau to review regulations of agencies of state government.

Mr. Palmer spoke and said this was a matter in which many people had already recognized. Copies have been filed with the Secretary of State, but there has been no real review to see if the agency had a public hearing.. He stated that in Kentucky, when a rule is promulgated, they didn't even have the review procedure or an administrative code. He stated that on the State level, procedures are easier and not so voluminous, but on the Federal level, it is a different story. He stated the Administrative Procedures Act became effective in 1965 and 1967. However, in Kentucky, they have been doing this over a decade.

Mrs. Brookman inquired whether this had anything to do with "codifying" the bill. Mr. Palmer stated it would be a codifying of administrative acts.

Testimony was then heard on AJR 18. Mr. Mann spoke in behalf of the bill as the introducer. In essence, this bill requires annual legislative sessions. Mr. Mann stated he had put together some ideas for this bill, but if it is passed, it will still take approximately 5 years for the bill to completely materialize. He stated

## Assembly

LEGISLATIVE FUNCTIONS

APRIL 22, 1975

PAGE TWO

216

that Nevada's economic situation was changing so rapidly. Mr. Mann suggested that on even years, a budget session could be set up. He stated that in the past, the Nevada State Journal had criticized annual sessions, but has now said they are in support of it, if one session included a budget session only. Mr. Mann asked that line 9 be amended to take it out of the Governor's hand and placing it into the Legislatures hands. He felt that the Legislature should determine the number of sessions and not the Governor. Mr. Mann cited a letter from the Nevada League of Women Voters which was supporting annual sessions. This exhibit will be attached to the minutes. He stated that Nevada has gotten to the point in history where it is no longer the small little western state and Nevada is the third fastest growing state in the nation. The budget is now at 368 million and if we are to provide services for our citizens, we should meet annually.

Mr. Mello stated that he was in support of this bill, for he felt you could not budget a state meeting every other year. He stated that businessmen and housewives cannot plan their budget two years in advance so it is even more difficult for a state to plan 28 months in advance.

Mrs. Wagner inquired what other states are on a bi-annual session. Mr. Mann stated that Montana was formerly on annual sessions but cut back to bi-annual sessions; however, in Montana, people are leaving the state and the state does not offer the compensations to their people that Nevada does.

Mrs. Ford spoke and said her name was on the bill because she supported the idea of annual sessions. However, she felt there should be some amendments. She felt that line 13 should be amended. She stated that the Journal supported paying 100 days. She stated many of her constituents told her they were in favor of the legislature meeting more often. She also felt that freshmen should have the opportunity of two full terms before having to be re-elected. She stated this bill had previously been killed in government affairs, but this time, she felt it would have a good chance to pass.

Mr. Chairman announced the next order of business would be ACR 49. This bill directs the legislative commission to study training, qualifications and workloads of supreme court justices, district court judges, justices of the peace, municipal court judges and district attorneys.

Mr. Barengo spoke in favor of the bill and felt that most of the justices of the peace should be more qualified and more upgrading needs to be done. In California for instance, you cannot be a justice of the peace unless you pass an examination.

Mr. Jacobsen inquired whether a in-house-study would be in order. It was stated it might be difficult to interview these people because

LEGISLATIVE FUNCTIONS  
APRIL 22, 1975  
PAGE THREE

they may not care to divulge information about themselves, their job etc. Someone else disagreed and said that Tom Davis who was a Judge was very cooperative and you could get information from them. If this board is formed, there should be at least one attorney on it.

Mr. Chairman stated the next order of business would be A.B. 263. He stated that A.B. 263 was in direct conflict with A.B. 443 and S.B. 152.

Mr. Burnett spoke and asked that A.B. 263 be worked out as there was a conflict with the two bills mentioned above.

It was stated by the Chairman that ACR 49 had been previously passed.

ACR 14 . Mrs. Wagner made the motion for a do pass and it was seconded by Mr. Bennett.

In the discussion Mr. Jacobsen stated that it was not meant for Mr. Palmer to do the study, as long as it is done.

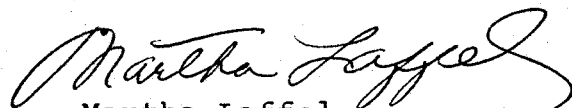
All members voted "aye" for ACR 14. Mr. Chairman declared the bill passed.

AJR 18. Mr. Bennett made the motion to pass as amended. Mr. Sena seconded the motion. All members voted "aye", with the exception of Mr. Jacobsen who voted "no".

A.B. 263. It was moved by Mr. Mello to have an indefinite postponement. Mr. Jacobsen seconded the motion. All members voted "aye", with the exception of Mrs. Wagner and Mrs. Brookman who voted "no".

The meeting adjourned at 3:35 p.m.

Respectfully submitted,



Martha Laffel  
Assembly Attache

1 Attachment:  
Ltr-Dtd 4/15/75

## COMMITTEE ON LEGISLATIVE FUNCTIONS

Upon P.M.

Date April 22, 1975 Time Adjournment Room 222

Bill or Resolution  
to be considered

Subject

- | Bill or Resolution<br>to be considered | Subject  |
|--|--|
| ACR 14                                 | Directs legislative commission to cause director of legislative counsel bureau to review regulations of agencies of executive branch of state government.  |
| AJR 18                                 | Proposes to amend Nevada constitution by requiring annual legislative sessions, limiting subject matter of sessions in even-numbered years and increasing length of periods during which compensation may be paid to members of legislature. |
| ACR 49                                 | Directs the legislative commission to study training, qualifications and workloads of supreme court justices, district court judges, justices of the peace, municipal court judges and district attorneys.                                   |
| AB 263                                 | Establishes joint legislative functions committee to replace legislative commission and provides for parallel standing committees and joint interim committees of legislature.   |



# League of Women Voters of Nevada

218

407 Parkway West  
Las Vegas, Nevada 89106  
April 15, 1975

Ms. Mary Lou Love, Assistant Deputy Researcher  
State Legislative Building  
401 South Carson  
Carson City, Nevada 89701

Dear Ms. Love,

In response to your query as to whether the League of Women Voters has a recent policy statement on annual sessions, we do not. Our consensus on annual sessions dates back to 1966 and we have not updated it. The reasons for supporting annual sessions have not changed, however. We believed in 1966 and still do, that annual sessions allow time for detailed study of major state problems and more careful review of bills proposed to solve those problems. Annual sessions eliminate the long twenty month period in which no legislative determinations are possible without the governor's initiative. During this interim period of time decisions are made which affect Nevada citizens by public officials, for the most part appointed, not elected. Annual sessions reduce the flood of legislation in the last few days of a session or at least should reduce the desperation of legislators who know they may not have another chance to introduce legislation. Annual sessions should allow more continuity and effective use of research and secretarial staffs. More time could be given to budgeting for the State, and annual budgets should certainly be more accurate.

We realize that it is necessary to face political reality--and that reality is that the people of Nevada have repeatedly shown disinterest in having a full-time Legislature. Therefore, the League has recently completed consensus on Legislative Reform, including optional forms of Legislative Sessions. We have expanded our consensus to support a constitutional amendment to authorize the Legislature to call itself into special session by a petition of a majority in each house. We also support the option of a flexible biennial session, up to 100 days.

As you undoubtedly know, the number of states which have annual sessions is growing, from 19 in 1960 to about 36 at the present time. ACIR suggests, and I agree, that annual sessions are one way to strengthen state government. Our Federal system will continue to survive only if State Governments are strong and effective. Those who would oppose federal encroachment by adhering to the "good old way" are ill-informed in my opinion.

I hope the above comments will be of some help.

Sincerely,

Robin Morgan, President

LEGISLATIVE FUNCTIONS COMMITTEE  
LEGISLATION ACTION

DATE April 22, 1975

SUBJECT ACR 14 - Directs legislative commission to cause director of legislative counsel bureau to review regulations of agencies of executive branch of state government.

MOTION:

Do Pass  Amend \_\_\_\_\_ Indefinitely Postpone \_\_\_\_\_ Reconsider \_\_\_\_\_

Moved By Mrs. Wagner Seconded By Mr. Bennett

AMENDMENT:

Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

AMENDMENT:

Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

VOTE:	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
Mr. Bennett	<u>X</u>	_____	_____	_____	_____	_____
Mrs. Brookman	<u>X</u>	_____	_____	_____	_____	_____
Mr. Jacobsen	<u>X</u>	_____	_____	_____	_____	_____
Mr. Mello	<u>X</u>	_____	_____	_____	_____	_____
Mr. Sena	<u>X</u>	_____	_____	_____	_____	_____
Mrs. Wagner	<u>X</u>	_____	_____	_____	_____	_____
Mr. Chairman	<u>X</u>	_____	_____	_____	_____	_____

ORIGINAL MOTION: Passed  Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

Attached to Minutes April 22, 1975

58TH NEVADA LEGISLATURE

LEGISLATIVE FUNCTIONS COMMITTEE  
LEGISLATION ACTION

DATE April 22, 1975

SUBJECT AJR 18 - Proposes to amend NV constitution by requiring annual legis  
lative sessions limiting subject matter of sessions in even-numbered  
years & increasing length of periods during which compensation may b

MOTION: paid to members of legislature.

1. Do pass as amended. x

Do Pass        Amend        Indefinitely Postpone        Reconsider       

Moved By Mr. Bennett Seconded By Mr. Sena

AMENDMENT:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

AMENDMENT:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Moved BY \_\_\_\_\_ Seconded By \_\_\_\_\_

VOTE:	MOTION		AMEND		AMEND	
	Yes	No	Yes	No	Yes	No
Mr. Bennett	<u>x</u>	_____	_____	_____	_____	_____
Mrs. Brookman	<u>x</u>	_____	_____	_____	_____	_____
Mr. Jacobsen	_____	<u>x</u>	_____	_____	_____	_____
Mr. Mello	<u>x</u>	_____	_____	_____	_____	_____
Mr. Sena	<u>x</u>	_____	_____	_____	_____	_____
Mrs. Wagner	<u>x</u>	_____	_____	_____	_____	_____
Mr. Chairman	<u>x</u>	_____	_____	_____	_____	_____

ORIGINAL MOTION: Passed x Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

Attached to Minutes April 22, 1975

LEGISLATIVE FUNCTIONS COMMITTEE  
LEGISLATION ACTION

DATE April 22, 1975

SUBJECT A.B. 263 - Establishes joint legislative functions committee to replace legislative commission and provides for parallel standing committees and joint interim committees of legislature.

MOTION:

Do Pass \_\_\_\_\_ Amend \_\_\_\_\_ Indefinitely Postpone x Reconsider \_\_\_\_\_

Moved By Mr. Mello Seconded By Mr. Jacobsen

AMENDMENT:

Moved By \_\_\_\_\_ Seconded By \_\_\_\_\_

AMENDMENT:

Moved BY \_\_\_\_\_ Seconded By \_\_\_\_\_

VOTE:	<u>MOTION</u>		<u>AMEND</u>		<u>AMEND</u>	
	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>	<u>Yes</u>	<u>No</u>
Mr. Bennett	<u>x</u>	_____	_____	_____	_____	_____
Mrs. Brookman	_____	<u>x</u>	_____	_____	_____	_____
Mr. Jacobsen	<u>x</u>	_____	_____	_____	_____	_____
Mr. Mello	<u>x</u>	_____	_____	_____	_____	_____
Mr. Sena	<u>x</u>	_____	_____	_____	_____	_____
Mrs. Wagner	_____	<u>x</u>	_____	_____	_____	_____
Mr. Chairman	<u>x</u>	_____	_____	_____	_____	_____

ORIGINAL MOTION: Passed \_\_\_\_\_ Defeated \_\_\_\_\_ Withdrawn \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

AMENDED & PASSED \_\_\_\_\_ AMENDED & DEFEATED \_\_\_\_\_

Attached to Minutes April 22, 1975