

Assembly
MINUTES

LEGISLATIVE FUNCTIONS - NEVADA STATE LEGISLATURE - 58TH SESSION

APRIL 8, 1975

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The meeting was called to order by Chairman Dreyer at 2:45 P.M.

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

MEMBERS ABSENT: None

SPEAKING GUESTS: Keith Henrikson, Lobbyist
Assemblyman Ford
Joe Midmore, Lobbyist
Les Kofoed, Lobbyist

AR 23 was first dicussed. It:

Amends Assembly Standing Rule 52 for the 58th regular session of the legislature.

Mr. Mello explained the problem with concurrent referrals in that the first committee amends them and when they come to the second committee, it is necessary to try to incorporate all the amendments with the original bill to see just what the bill now provides. AR 23 would allow for the bill to be reprinted with the proposed amendments of the first committee before going to second committee so as to facilitate understanding of what the first committee has done with the bill.

He went on to say he would like to amend out one part of the bill and that is on Line 10 -- "Such reprint shall be designated 'Committee Reprint'". He did not feel this was a necessary part of the bill and should therefore be stricken.

Mr. Mello moved that the proposed amendment to AR 23 be adopted. This was seconded by Mrs. Wagner and carried the committee unanimously.

✓ Mr. Mello the moved "do pass as amended" of AR 23. This was seconded by Mrs. Wagner and carried the committee unanimously.

AR 25 - Adds new Assembly Standing Rule which requires all meetings of Assembly and its committees to be open to the public.

✓ Mr. Bennett moved "do pass" of AR 25. This was seconded by Mr. Sena and carried the committee unanimously.

AB 454 was then discussed and further testimony will be heard at the next meeting on April 10. This measure provides:

Requires lobbyists to register and file a registration statement and periodic disclosure statements with the secretary of state, and provides certain duties for secretary of state.

Keith Henrikson spoke on this bill saying he was in favor of its basic concept and thrust but felt there were parts of the bill that are impractical. Under Section 16, he said this would require him to hire a secretary to keep the type of records called for and could possibly require an office and staff and he felt this would take away the right to lobby from many people. He did not feel costs should have to be broken down in great detail on these activity reports referred to in the bill.

On Page 3, Section 7, Line 28, he was opposed to the provision for contingencies. He said he knows many lobbyists that operate on contingencies and they are very reliable. A similar provision is found on Page 6, Lines 11 - 13. He felt this part of the bill should be taken out.

With regard to the words "lobbyist activities" mentioned in several places in the bill, Mr. Henrikson thought this should be changed to "lobbyist activities in general". He also felt there was a conflict in Section 16 between lines 40-42 and lines 45-49.

Again, with regard to contingency fees, he felt if lobbyists were to be prohibited from accepting these type fees, then so should attorneys.

Mr. Wally Warren, who was in the audience, commented that he felt most lobbyists keep a pretty accurate record and it is submitted to the employer in the event of an audit. He said he could support the records he keeps.

Mrs. Ford then gave some background on AB 454. She said AB 209 of the last Session was used as a basis and then pieces of laws from three other states were put into it. What has been done is the definition of lobbyist has been tightened and a requirement for activity reports has been provided. The bill provides some penalties and in Section 27 there is a listing of what could be considered practices by lobbyists that are not a good idea. The bill provides for quarterly reports from lobbyists except during Sessions at which time they are to give a monthly report. She said there is pretty strong support for rather narrowly providing a definition of lobbyist and providing some sort of expenditure reporting.

Joe Midmore then spoke saying he had no objection to a bill of this type and felt it was probably a good idea; however, he said he somewhat resented some of what appears in this bill because it does suggest a great degree of corruptability on the part of the legislators and a great degree of willingness to corrupt on the part of lobbyists. He felt Section 3, lines 10 through 15 was unnecessary and he resented the reference to

"certain persons". He also felt the bill was detailed to an extreme. He felt perhaps there should be a minimum expenditure provided for before you would have to begin detailed reporting. He said people who lobby for no pay are just as liable at times to be less than honest as anyone else. He, therefore, did not think there should be a differentiation made between those who are paid and those who are not.

Mr. Midmore also felt perhaps the bill should only encompass the Legislature and not include the Executive Branch as it now does providing for these reports to be handled by the Secretary of State. He felt this could perhaps be handled by the Legislative Counsel Bureau or perhaps by a permanent rules committee. He felt the Legislature should police its own house rather than by an elected, independent official.

With regard to Line 13 on Page 4, he felt political contributions should not be included in this bill but perhaps in another bill and be reported by the legislators rather than the lobbyists. He did not think this was the place for political contributions to be listed.

Les Kofoed then spoke. He, also, stated that he was not in opposition of this bill but he said he thought this was not on the right track. He suggested having a form placed on each legislator's desk each Monday, and have them fill out what they were treated to and by whom and for what reason for the previous week. He said this report would only require six columns: Who, What, Why, When, Where, and Total. If the lobbyists do this type of reporting, you will have to handle 300 reports while if the legislators were doing it, there would only be 60 reports. He just felt there should be a simpler way to accomplish the goal of this type of legislation.

Chairman Dreyer then closed the hearing on this bill until the next meeting at 4:30 P.M. on April 10.

Respectfully submitted,

Joan Anderson, Secretary