

SENATE LEGISLATIVE FUNCTIONS

070²⁵

MINUTES OF MEETING

THURSDAY, MARCH 20, 1975

The eighth meeting of the Senate Legislative Functions Committee was held on Thursday, March 20, 1975 at 12:00 Noon.

Chairman Warren Monroe was in the Chair.

PRESENT: Chairman Monroe
Vice Chairman Mel Close
Senator James Gibson
Senator Gene Echols
Senator Mahlon Brown
Senator Cliff Young

ABSENT: Senator Floyd Lamb

ALSO PRESENT WERE: Steve Robinson, State Planning Coordinator
Norman Hall, Department of Conservation
Elmo DeRicco, Department of Conservation
Bruce Arkell, State Planning
Tom Ballow, Nev. Dept. of Agriculture
Merle Snider, Nev. St. Council on Arts
George Zappettini, Division of Forestry
Ralph Leigon, AFL-CIO
George Hawes, AFL-CIO
Ed Suvoski, AFL-CIO
J. Grose, League of Women Voters
Wallie Warren, Self
Robert F. Guinn, NMTA-NFADA
Stan Warren, Nevada Bell
John Madole, Nevada Chapter AGC
Sol & Isabelle Feigelman, Self
Tina Nappe, Sierra Club

TESTIMONY AND ACTION WAS THEN TAKEN ON THE FOLLOWING BILLS:

SCR 9 Adds joint standing rule specifying permissible conduct of citizens and legislative advocates during sessions of Nevada legislature.

Wallie Warren gave further testimony on behalf of the Legislative Advocates stating that they felt the need for some guidelines for the lobbyists. They now have 300 lobbyists registered and 250 of them do not know what is expected of them. He also stated that they would not be offended if any adjustments and/or amendments were made by the Committee.

Senator Gibson suggested that on Line 20 the word "definite" be omitted as it might be a little excessive.

Senate

Legislative Functions Committee
Minutes of Meeting
March 20, 1975

16
071

Page two

SCR 9 (Continued)

Senator Gibson continued by saying that he would like to see what we are talking about regarding the definition of "lobbyist" or "legislative advocate." He felt there should be a more specific definition.

Mr. Warren said that he understood that if you were before a committee primarily for input into that committee, you do not have to register as a lobbyist. You would then be considered an expert witness. If you are here to influence the legislators further than your input by testifying as an expert witness, then you must register as a lobbyist. If you appear as a representative of another person or group (whether you are paid for this service or not), you are considered a lobbyist and must register. If you appear as an individual representing yourself and appear only to testify without further influencing the legislators, then you do not have to register as a lobbyist.

Mr. Robert Guinn, representing the Lobbyists, stated that there is a refined definition of a "lobbyist" in a measure introduced in the Assembly.

Senator Close was opposed to the section restricting the lobbyists from loitering in the hallways and felt this should be omitted completely. He felt this was too restrictive because there wasn't too many other places where they could contact the legislators. He also felt that if the lobbyists were bothering or taking advantage of any legislator, it should be left up to the individual legislator to handle the problem himself. He did not feel that the lobbyists had generally taken advantage in the past.

Mr. Warren did state that this part of the measure had come from a department within the Senate. That they wanted to keep people from congregating in groups in front of each house.

Senator Echols reemphasized that he had problems with the whole concept of legislating a code of ethics for the lobbyists. He felt that it needs a great deal of study and consideration before they adopted a measure of this type.

Mr. Guinn stated that they were convinced that they should have something that they could live with and that a code of ethics is something that is needed.

Senate

Legislative Functions Committee
Minutes of Meeting
March 20, 1975

072¹⁷

Page three

SCR 9 (continued)

Senators Young and Brown both felt that this should be assigned to the Legislative Commission to work out the necessary amendments and then possibly propose a code of ethics for the lobbyists which would be in the form of a handout, to be given to each lobbyist as he registers. This handout could be given good public publicity, and be given to anyone who visited the Legislature for testimony, whether a registered lobbyist or not.

Senator Brown so moved.
Senator Close seconded the motion
Motion carried unanimously.

SCR 8 Directs governor's office of planning coordination to study organization of agencies involved with renewable and nonrenewable natural resources.

Bruce Arkell of the State Planning Department and Elmo DeRicco of the Department of Conservation both testified as to the purpose of this bill. (See Attachments A & B).

Senator Echols asked what we were looking at as far as funding. Mr. Arkell stated that any funding would be minor as most of the work had already been done.

Mr. DeRicco asked that there be an amendment to the bill by adding the Department of Human Resources in Line 14.

Senator Gibson asked if the other departments were in favor of the measure. Mr. Arkell said that they were.

Senator Close asked if this could not be handled without legislation. Mr. Arkell said yes, but they would need legislation to implement the bill.

The Fish and Game Department had strongly endorsed the purpose of SCR 8, and Mr. Tom Ballow of the Department of Agriculture stated that his department endorsed the measure.

Tina Nappe of the Sierra Club related that the Sierra Club was in favor of more study on the measure and that there should be more input from Nevada citizens.

Senator Gibson moved "Amend and do pass."
Senator Brown seconded the motion.
Motion passed unanimously.

Page four

SB 231 Authorizes placing mural commemorating American revolution bicentennial in legislative building.

Dorothy Paulson, Chairman of Visual Arts, Nevada American Bi-centennial and Nevada Artists testified as to the purpose of the bill. She stated that there should be a mural to enhance the walls of the Legislative Building. This mural would be placed in the foyer between the doors leading into the inner part of the building.

She felt there should be amendments stating that the mural should relate to something suitable to the history of the State of Nevada; and, there should be a time limit set on the finished mural, a minimum of 18 months.

Senator Close asked who was paying for the mural. Mrs. Paulson stated that it would cost approximately \$20,000 and that \$10,000 would come out of their present budget, with \$10,000 to be appropriated by the legislature. She also stated that the Legislative Commission would supervise the hanging of the mural in the Legislative Building.

Senator Close felt that there should be a further amendment in that it should not be restricted to Nevada resident artists as there were many excellent Nevada artists who have left the State.

After further discussion by the Committee:

Senator Gibson moved that the measure be amended as needed and do pass; and then rereferred to the Finance Committee.

Senator Brown seconded the motion.
Motion carried unanimously.

AB 31 Amends provisions on legislators' stationery.

Senator Close advised the committee that the Assembly felt that all legislators should receive the increase to 1500 sheets of stationery and envelopes. Also, they requested that "political advertisement" be omitted on page 2.

Senator Gibson moved the Committee agree with these recommendations.

Senator Young seconded the motion.
Motion carried unanimously.

Senate

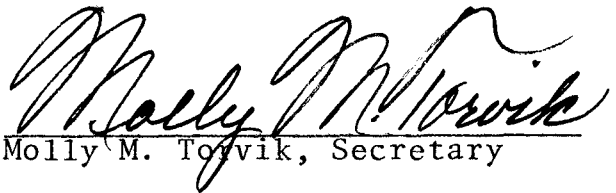
Legislative Functions Committee
Minutes of Meeting
March 20, 1975

074

Page five

There being no further business the meeting was adjourned
until Thursday, March 27, 1975 at 12:00 Noon.

Respectfully submitted,


Molly M. Torvik, Secretary

APPROVED BY:


Senator Warren Monroe, Chairman

APPROXIMATELY ONE YEAR AGO, THE FEDERAL ENVIRONMENTAL PROTECTION AGENCY RELEASED A SERIES OF REGULATIONS TO IMPLEMENT THE FEDERAL AIR AND WATER QUALITY ACTS. ON THE WATER QUALITY SIDE, THE STATE ~~PROGRAM~~ IS TO DEVELOP A PLAN THAT WILL CONTROL WATER POLLUTION THROUGH A REGULATORY PROGRAM THAT INCLUDES LAND USE ~~REGULATIONS~~. IN ADDITION, THE AIR POLLUTION PROGRAMS, PARTICULARLY THE COMPLEX SOURCE REQUIREMENTS, HAVE A DIRECT IMPACT UPON LAND USE PLANNING AND REGULATION. THE THRUST OF THE FEDERAL ENVIRONMENTAL PROGRAMS, AS WELL AS THE STATE ENVIRONMENTAL PROGRAMS LOCATED IN THE DEPARTMENT OF HUMAN RESOURCES, ARE DIRECTED MORE TOWARDS THE OVERALL ENVIRONMENT, RATHER THAN HEALTH RELATED ASPECTS OF POLLUTION.

BASED ON THIS, I WORKED WITH THE DIRECTOR OF THE DEPARTMENT OF HUMAN RESOURCES, AS WELL AS THE DIRECTOR OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, IN AN ATTEMPT TO PLACE THE STAFF FOR THE STATE ENVIRONMENTAL PROGRAMS IN THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES, WHERE THE STATE ENVIRONMENTAL COMMISSION IS LOCATED.

CONCURRENTLY WITH THIS, I WAS WORKING WITH THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES CONCERNING THEIR RENEWABLE RESOURCE PROGRAMS, WHICH ARE CLOSELY ALLIED AND RELATED TO THE DEPARTMENT OF FISH AND GAME AND THE DEPARTMENT OF AGRICULTURE.

IT BECAME EVIDENT IN THE FALL OF 1974 THAT THE OVERALL STRUCTURE OF THE DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES SHOULD BE EXAMINED SINCE THAT DEPARTMENT WAS ATTEMPTING TO PLAN, REGULATE AND MANAGE NOT ONLY THE NATURAL RESOURCES OF THE STATE, BUT ALSO SOME OF THE RENEWABLE RESOURCES, AS WELL AS SOME AGRICULTURAL PROGRAMS THROUGH THE DIVISION OF CONSERVATION DISTRICTS.

ALTHOUGH IT WAS POSSIBLE TO HAVE PREPARED THE NECESSARY LEGISLATION FOR INTRODUCTION THIS SESSION, IT WAS OUR OPINION THAT BECAUSE THE LEGISLATURE WOULD NOT HAVE BEEN INVOLVED IN ITS DEVELOPMENT, AND THE INDIVIDUALS AFFECTED BY THE REORGANIZATION WERE NOT INVOLVED, THAT STEP WAS PREMATURE. IN MY OPINION, ANY LEGISLATIVE ACTION TAKEN WITHOUT A STUDY INVOLVING THE AFFECTED DEPARTMENTS AND THE LEGISLATURE WOULD HAVE PRE-SUPPOSED THE RESULTS.

THIS RESOLUTION WILL AUTHORIZE THE STUDY TO EXAMINE THE POSSIBILITY OF ALIGNING THE FUNCTIONS OF THE DEPARTMENTS ALONG THE LINES OF RENEWABLE AND NONRENEWABLE RESOURCES, TO PROVIDE BETTER ADMINISTRATION, MORE EFFICIENT SERVICE, AND PREVENT OVERLAP. WE ANTICIPATE THAT IF THIS RESOLUTION PASSES, THIS OFFICE WILL BE IN A POSITION TO PRESENT TO THE NEXT SESSION OF THE LEGISLATURE NOT ONLY A STUDY, BUT RECOMMENDED LEGISLATION TO IMPLEMENT THE GOAL JUST MENTIONED, IF THAT IS APPROPRIATE.

IT IS REQUESTED THAT THE RESOLUTION BE AMENDED TO INCLUDE THE DEPARTMENT OF HUMAN RESOURCES AS ONE OF THE AGENCIES TO PARTICIPATE IN THE STUDY.

IF YOU HAVE ANY QUESTIONS, I WOULD BE MORE THAN HAPPY TO ANSWER THEM.

STATEMENT OF ELMO J. DeRICCO, DIRECTOR, DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES, REGARDING S.C.R. 8

077

22

Bruce Arkell, the State Planning Coordinator, initiated the introduction of S.C.R. 8 after I had several discussions with him and requested the study.

My request was brought about by a proposal to transfer the enforcement arm of the State Environmental Commission from the Department of Human Resources to the Department of Conservation and Natural Resources.

When considering this proposal, it occurred to me that by transferring this program to the Department of Conservation and Natural Resources, it would give us complete control of the basic resources of air, land and water. Both quality and quantity control would then be within the organizational framework of the Department. In addition to the basic resources, the Division of Parks and the Division of Soil Conservation Districts would be included. However, neither agency administers basic resource programs.

The Division of Forestry, although broad in scope, is basically a management agency and works closely with the Division of Parks and the Department of Fish and Game.

S.C.R. 8 proposes to study the organizational structures of the Departments of Conservation and Natural Resources, Agriculture and Fish and Game. All state agencies encompassed by this study would be affected. The goal as defined in the Resolution would be to report the results of the study to the Governor and the 59th Session of the Nevada Legislature.

2

Statement of Elmo J. DeRicco, Director, Department of Conservation and Natural Resources Regarding S.C.R. 8

I am not prepared to offer suggestions, but I would strongly recommend that the study be made. We must ensure that each agency is structured in such a manner that it will provide the greatest efficiency in achieving its goals and objectives.

This can only be done by a thorough and objective study as proposed in S.C.R. 8.

Thank you for the opportunity to appear before you, and I would be very happy to answer any questions you may have.

March 19, 1975

S. C. R. 9

SENATE CONCURRENT RESOLUTION NO. 9—COMMITTEE ON LEGISLATIVE FUNCTIONS

MARCH 3, 1975

Referred to Committee on Legislative Functions

SUMMARY—Adds joint standing rule specifying permissible conduct of citizens and legislative advocates during sessions of Nevada legislature. Fiscal Note: No. (BDR 1102)



EXPLANATION—Matter in italics is new; matter in brackets [] is material to be omitted.

SENATE CONCURRENT RESOLUTION—Adding joint standing rule specifying permissible conduct of citizens and legislative advocates during sessions of the Nevada legislature.

1 Resolved by the Senate of the State of Nevada, the Assembly con-
2 curring, That the joint standing rules of the senate and assembly of the
3 Nevada legislature be amended by adding a new joint rule to read as
4 follows:

5 RULES GOVERNING CONDUCT OF CITIZENS AND
6 LEGISLATIVE ADVOCATES DURING SESSIONS
7 OF THE NEVADA LEGISLATURE

8 1. The Legislature recognizes the right of individual citizens and rep-
9 resentatives of citizen groups to express their views and to seek and
10 supply information on legislative matters, and that this cannot be carried
11 out effectively without conferences with individual legislators.

12 2. In exercising their rights and performing their functions, individ-
13 uals and group representatives shall recognize the heavy schedules of
14 legislators and shall conduct themselves in such a manner as not to inter-
15 fere with the essential business of the legislature, nor the need for privacy
16 of the legislators, especially when at their desks in the legislative cham-
17 bers.

18 3. Persons interested in discussing legislative matters with individual
19 legislators shall request permission to do so, and to the extent practicable,
20 shall seek definite appointments in writing through the Sergeant at Arms
21 of the respective legislative bodies.

22 4. Unless it is a matter of immediate urgency, requests for appoint-
23 ments and contacts with legislators are limited to those periods when the
24 legislative bodies are in an extended recess or adjourned.

25 5. The floor of each house shall be open to individuals and legislative
26 advocates during extended recesses and adjournment for the purpose of

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. C. R. 8

SENATE CONCURRENT RESOLUTION NO. 8—
SENATOR WILSON

FEBRUARY 28, 1975

Referred to Committee on Legislative Functions

SUMMARY—Directs governor's office of planning coordination to study organization of agencies involved with renewable and nonrenewable natural resources. (BDR 1001)



EXPLANATION—Matter in *italics* is new; matter in brackets [] is material to be omitted.

SENATE CONCURRENT RESOLUTION—Directing the governor's office of planning coordination to conduct a study of the problems resulting from the current organization of agencies involved with both renewable and nonrenewable natural resources in the various state departments, to make recommendations and to report to the governor and to the 59th session of the legislature.

- 1 WHEREAS, There are several state agencies involved in the use, regula-
- 2 tion and conservation of both renewable and nonrenewable natural
- 3 resources; and
- 4 WHEREAS, In past years, some of these agencies have been consolidated
- 5 into state departments without regard to the basic difference between the
- 6 two types of resources; now, therefore, be it
- 7 *Resolved by the Senate of the State of Nevada, the Assembly concur-*
- 8 *ring,* That the governor's office of planning coordination is hereby directed
- 9 to make a thorough study of such agencies and all the problems related to
- 10 their current organization in the various state departments with a view to
- 11 improving the existing organization; and be it further
- 12 *Resolved,* That such study be carried out in cooperation with the direc-
- 13 tors of the state department of conservation and natural resources, the
- 14 Nevada department of fish and game, the state department of agriculture
- 15 of the State of Nevada and the department of human resources, together
- 16 with two senators and two assemblymen interested in natural resources
- 17 matters to be selected by the legislative commission; and be it further
- 18 *Resolved,* That the governor's office of planning coordination report the
- 19 results of such study to the governor and to the 59th session of the Nevada
- 20 legislature, together with recommendations for any necessary and appro-
- 21 priate legislation.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 31

ASSEMBLY BILL NO. 31—ASSEMBLYMAN JACOBSEN

JANUARY 22, 1975

Referred to Committee on Legislative Functions

SUMMARY—Amends provisions on legislators' stationery.
Fiscal Note: No. (BDR 17-659)EXPLANATION—Matter in *italics* is new; matter in brackets [] is
material to be omitted.

AN ACT relating to legislators' printing allowances; amending provisions of NRS on legislators' stationery, cards and other materials; authorizing additional purchases by legislators; and providing other matters properly relating thereto.

The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:

- 1 SECTION 1. NRS 218.225 is hereby amended to read as follows:
 2 218.225 1. [Each senator and assemblyman is entitled to expend as
 3 a printing allowance an amount not to exceed the total sum of \$60 for the
 4 period which begins with the first day of a regular session of the legisla-
 5 ture and ends with the 3rd Wednesday in July of the following year.
 6 2. The printing allowance shall be used for reimbursement of the
 7 superintendent of the state printing and records division of the depart-
 8 ment of general services for the printing of a legislator's official station-
 9 ery, cards and other material appropriate to his official duties and shall
 10 not be used for the purpose of political advertising.] *At each regular*
 11 *session of the legislature, each senator and assemblyman is entitled to*
 12 *receive at the expense of the legislative fund from the state printing and*
 13 *records division of the department of general services not to exceed 500*
 14 *letterheads (8½ inches x 11 inches) and 500 half size, or 1,000 of either*
 15 *variety, 500 No. 10 envelopes and 500 No. 6¾ envelopes, or 1,000 of*
 16 *either variety, 1,000 business cards and 1,000 memorandum sheets (500*
 17 *each of the small and large type or 1,000 of either type). Selections must*
 18 *be made from samples submitted by the superintendent of the state print-*
 19 *ing and records division of the department of general services and all*
 20 *printing must be done in the state printing and records division of the*
 21 *department of general services.*
 22 2. *Materials furnished legislators pursuant to subsection 1 shall not*
 23 *be used for the purpose of political advertising.*

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