

The second meeting of the Senate Committee on Legislative Functions was called to order on Thursday, January 25, 1979, in Room 243 at 1:42 p.m. Chairman Gene Echols was in the Chair.

PRESENT: Chairman Echols
Vice-Chairman Close
Senator Ford
Senator Gibson
Senator Wilson
Senator Young

Chairman Echols introduced Andrew Grose, Research Director of the Legislative Counsel Bureau, who gave the following testimony on SCR-4:

Andy explained to the Legislative Functions Committee the current policy and procedure for handling tapes and minutes that are turned over to the Research Library at the end of each session.

Andy stated that there are a couple of practical problems with SCR-4, as it is now written, in that it does not provide a time limit for tapes to be kept in the Research Library. This means that the tapes would have to be kept forever or until such time as the Resolution is changed. Andy stated that the Library is almost to its capacity for storing tapes. Andy stated that he estimates that 90% of the requests to listen to a standing committee's tapes are received within a year and a half after a session.

Andy also stated that under SCR-4, as it is now written, the Counsel Bureau would not have the option to deposit any of the tapes or minutes in the archives if that was determined the most practical thing to do because of a lack of space.

Andy stated that if the intent of SCR-4 is to make certain that tapes are preserved and available it should be changed because SCR-4 does not address itself to preservation; only to the tapes that actually go into the Library.

Andy stated that Mr. Mello, Chairman of the Legislative Commission, has asked the leaders of each House to consider a uniform rule for tape disposition. Andy said that perhaps a joint rule makes more sense than two House rules if the procedure ends up the same.

Andy stated that he wondered if the intent of SCR-4 would allow the Library to find out who is listening to the tapes. (EXAMPLE: Joe Smith on (date) date listened to the tapes on (committee name) Committee).

* * * * *

A discussion followed between Andy and the Senators regarding fraudulent tape erasures. Andy explained that it would be hard for someone listening to the tapes in the Library to erase them. However, it could possibly happen which would be a good reason for knowing who listened to that particular tape.

Chairman Echols asked the Committee if there were any more questions or comments. There were none. Chairman Echols asked Mr. Palmer, Administrative Director of the Legislative Counsel Bureau, if he had any suggestions or comments.

Mr. Palmer stated that in the 1960's it was not required that the committees turn in their minutes to the Library, but that most of the committees started doing so in the mid 1960's with the "gentlemen's understanding/agreement" that the Library would not release the minutes to the public unless the Chairman gave authorization to do so. Mr. Palmer said that we are now to a point in time where the Legislature needs to establish a lot more guidelines for the protection of the Counsel Bureau.

Discussion followed regarding the procedure that other states use for processing their minute tapes.

Senator Gibson stated that the Committee should look at a copy of the proposed rules on tapes as a basis for the Committee to make a suggested rule to present to both Houses.

Andy stated that he would provide the Committee with a copy of the proposed rules on tapes.

Senator Ford stated that she thought it would be helpful for the Committee to have a copy of the Senate, Assembly and Joint Rules.

Chairman Echols and Senator Gibson thought that would be a good idea because it would give the Committee some back-up to draft a proper resolution. Chairman Echols stated that he would discuss the possibility of having a joint rule in both Houses with the Chairman of the Assembly Legislative Functions Committee and would report his findings to the Committee.

Chairman Echols asked if there were any more questions on SCR-4. There were none.

Chairman Echols introduced SJR-20 to the Committee. Chairman Echols showed concern that no one was at the hearing to testify on SJR-20.

Senator Gibson moved that SJR-20 be passed out of Committee with a "Do Pass". (See Exhibit "A").

Senator Ford seconded the motion.

The motion carried.

Chairman Echols introduced Senator Ford's Bill, SB-55.

Senator Ford stated that SB-55 proposes that fiscal notes be prepared on joint resolutions either as a requirement or an option. Senator Ford said that the language change is covered throughout the bill by simply adding joint resolution to the records. Senator Ford stated that on Page 3 of SB-55 that the language change clarifies the current process that is being used.

Discussion followed between the Senators regarding the language change on Page 3 of SB-55. Senator Close asked Senator Ford if she would verify whether the language was new or currently existing. Senator Ford said she would.

Senator Ford asked if it would be valuable to make SB-55 effective upon passage and approval. The Committee thought it would be.

Senator Close moved that SB-55 be passed out of Committee with a "Do Pass" as amended per Senator Ford's recommendation. (See Exhibit "B").

Senator Gibson seconded the motion.

The motion carried.

Chairman Echols discussed with the Committee the problem of unauthorized persons using the Senate Lounge. The Senators discussed this and decided that the door should remain locked at all times to alleviate this problem.

Senator Gibson moved that the Chairman of the Senate Legislative Functions Committee instruct the Senate Sergeant at Arms that the Senate Lounge door will remain locked at all times and that a sign will be posted on the door stating Senators and invited guests only.

Senator Ford seconded the motion.

The motion carried.

There being no further business, Chairman Echols adjourned the meeting at 2:10 p.m.

Conni J. Horning
Respectfully Submitted By:
Conni J. Horning, Secretary

Gene Echols
Approved By:
Senator Gene Echols
Chairman

EXHIBIT A

S. J. R. 20 of the 59th Session

**SENATE JOINT RESOLUTION NO. 20—SENATORS GIBSON,
LAMB, CLOSE, FOOTÉ, BLAKEMORE, DODGE, ECHOLS,
ASHWORTH, GLASER, SCHOFIELD AND RAGGIO**

MARCH 31, 1977

Referred to Committee on Legislative Functions

**SUMMARY—Proposes to amend Nevada constitution to remove lieutenant
governor as president of senate. (BDR C-1256)**

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

**SENATE JOINT RESOLUTION—Proposing to amend sections 6 and 33 of
article 4 and sections 17 and 22 of article 5 of the Nevada constitution to
remove the lieutenant governor as president of the senate and permit his
assumption of other duties.**

- 1 *Resolved by the Senate and Assembly of the State of Nevada, jointly,*
- 2 That sections 6 and 33 of article 4 and sections 17 and 22 of article 5
- 3 of the constitution of the State of Nevada be amended to read respec-
- 4 tively as follows:
- 5 **[Sec:] Sec. 6.** Each House shall judge of the qualifications, elec-
- 6 tions and returns of its own members, choose its own officers **[(except**
- 7 the President of the Senate),] **and** determine the rules of its proceedings,
- 8 and may punish its members for disorderly conduct, and with the con-
9 currence of two thirds of all the members elected, expel a member.
- 10 **[Sec:] Sec. 33.** The members of the Legislature shall receive for
11 their services, a compensation to be fixed by law and paid out of the
12 public treasury, for not to exceed 60 days during any regular session of
13 the legislature and not to exceed 20 days during any special session con-
14 vened by the governor; but no increase of such compensation shall take
15 effect during the term for which the members of either house shall have
16 been elected Provided, that an appropriation may be made for the pay-
17 ment of such actual expenses as members of the Legislature may incur
18 for postage, express charges, newspapers and stationery not exceeding
19 the sum of Sixty dollars for any general or special session to each
20 member; and Furthermore Provided, that the Speaker of the Assembly **[,**
21 and Lieutenant Governor, as] **and** President of the Senate, shall each,
22 during the time of their actual attendance as such presiding officers
23 receive an additional allowance of two dollars per diem.
- 24 **[Sec:] Sec. 17.** A Lieutenant Governor shall be elected at the same
25 time and places and in the same manner as the Governor and his term of

Original bill is 2 pages long.
Contact the Research Library for
a copy of the complete bill.

EXHIBIT B

S. B. 55

SENATE BILL NO. 55—SENATOR FORD

JANUARY 19, 1979

Referred to Committee on Legislative Functions

SUMMARY—Requires fiscal notes on joint resolutions of legislature.
(BDR 17-628)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.



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

AN ACT relating to fiscal notes; requiring such notes on joint resolutions of the legislature under the same conditions as they are required on bills; 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 218.272 is hereby amended to read as follows:
2 218.272 1. Before any bill which makes an appropriation or changes
3 any existing appropriation [,] or any bill or joint resolution which
4 creates or changes any fiscal liability or revenue which appears to be in
5 excess of \$2,000 is considered at a public hearing of [any] a committee
6 of the assembly or the senate, or before any vote is taken thereon by
7 [such] the committee, the fiscal analysis division shall obtain a fiscal
8 note containing a reliable estimate of the anticipated change in appro-
9 priation authority, fiscal liability or state revenue under the bill [,] or
10 joint resolution, including, to the extent possible, a projection of such
11 changes in future biennia.
12 2. Except as otherwise provided in NRS 218.272 to 218.2758,
13 inclusive, or in the joint rules of the senate and assembly, [such estimates
14 shall] the estimates must be made by the agency receiving the appropria-
15 tion or collecting the revenue.
16 3. The fiscal note is not required on any bill or joint resolution
17 relating exclusively to the executive budget.
18 SEC. 2. NRS 218.2723 is hereby amended to read as follows:
19 218.2723 Before any bill or joint resolution which has a financial
20 [impact] effect on a local government is considered at a public hearing
21 of [any] a committee of the assembly or the senate or before a vote is
22 taken thereon by [such] the committee, the fiscal analysis division shall
23 prepare a fiscal note after consultation with the appropriate local gov-
24 ernments or their representatives.