

The Senate Committee on Legislative Functions was called to order on Tuesday, April 17, 1979, in Room 243 at 2:10 p.m. Senator Gene Echols in the Chair.

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

ABSENT: None

GUESTS: Senator Hernstadt  
Senator Faiss  
Charles Zobell, City of Las Vegas  
Sam Mamet, Clark County  
Senator Kosinski  
John Crossley, Legislative Auditor  
Bob Sullivan, Carson River Basin Council of Governments  
DeeAnn Dickson, Student, UNR  
Bob Gaston, Nevada PTA  
Ann Lynch, Nevada PTA  
Frank Carmen, Director, Clark County Juvenile Court  
Robert Edmondson, Deputy Director, Department of Human Resources  
Senator McCorkle  
Ann Thompson, Nevada Library Association  
Martha Gould, Nevada Library Association  
Raymond Smith, Nevada Council on Libraries  
Joseph Anderson, State Librarian  
Harold Morehouse, Nevada Library Association  
Lody Smith, Nevada Division of Forestry  
Don Amodei, Nevada State Fireman's Association  
Esther Nicholson, League of Women Voters

Senator Ford presented to the Committee members an outline of a proposal for interim committee work (See Exhibit "A"). She said this, in essence, would create an interim joint standing committee and it would replace the current Ad Hoc Interim Committees which have been used in recent years. Senator Ford explained the proposed procedure to the Committee and asked for Committee permission to have a concurrent resolution drafted.

Senator Wilson moved that the Committee give Senator Ford permission to have a concurrent resolution drafted for her proposal on interim committee work.

Senator Young seconded the motion.

Motion carried.

Senators Close and Gibson absent.

(Committee Minutes)

Chairman Echols announced that the Committee would hear testimony from the senators first since they had committee meetings to attend and then the Committee would follow the agenda for further testimony.

SCR-4 - Directs legislative counsel bureau to preserve minutes and records of legislative standing committees as public records.

Senator Hernstadt testified in favor of SCR-4. He said he understands there is a similar resolution in the Assembly Legislative Functions Committee and urged the Committee to pass SCR-4 in the event the Assembly doesn't process theirs. Senator Hernstadt stated that the records of the meetings are valuable and should be preserved so the public can have access to them.

SCR-16 - Directs legislative commission to study extent of foreign ownership of Nevada land and related problems.

Senator Faiss testified in favor of SCR-16. He stated that the State of California is running into a lot of problems with foreign ownership and said it's very important that the State of Nevada monitor what is happening to our land.

AB-557 - Provides salaries for members of legislature for attendance at pre-session orientation conferences.

There was no testimony on this bill.

SR-10 - Amends Senate Standing Rule 110 with respect to bills on consent calendar.

There was no testimony on this bill.

SB-252 - Requires performance reviews of state and local government agencies by legislative commission.

Charles Zobell, representing the City of Las Vegas, stated that the City of Las Vegas is opposed to the passage of SB-252. He said as the bill is drafted, it would be an infringement on the elected city and county officials. "Section 3 would have the effect of allowing the legislative commission to perform functions, which under our system of government are properly the responsibility of the elected local officials and their appointed administrators." Mr. Zobell stated that the City of Las Vegas is already required by law to have annual independent audits of their finances and they also have people who study individual departments of city government to find ways to cut costs. Mr. Zobell informed the Committee that there may be merit for the legislative commission to study the state agencies to see how they are using money that is appropriated to them by the state legislature, but the City of Las Vegas feels that the elected officials are responsible to the people they represent to do a good job and if they don't, the people will find replacements for them.

Sam Mamet, representing Clark County, concurred with Mr. Zobell's testimony on SB-252. Mr. Mamet said as the state continues to grow, there would be some merit in looking at what the responsibility to the state should be relative to local government, particularly in the area of providing technical assistance to local government.

Senator Young asked Mr. Mamet what kind of services he anticipates should be provided in greater quantity.

Mr. Mamet answered that a growing number of states have established departments of local government or departments of community affairs. He said one of the areas would be in providing technical assistance to many communities throughout the state in the areas of planning. Mr. Mamet stated that with the dawning of a new era with "caps" on local budgets, the taxation commission is going to have to assist some of the smaller communities in putting together their local budgets and preparing debt issuances.

Senator Young questioned Mr. Mamet in that first Mr. Mamet was talking against the bill and now he is supporting it.

Mr. Mamet said he wasn't supporting it. "I was talking about a state agency that might be established to provide technical assistance to local government."

\* \* \* \* \*

Senator Kosinski testified on SB-252. Senator Kosinski informed the Committee that this bill was introduced as a skeleton bill and was intended as an alternative to the "Sunset" legislation. He said John Crossley, Legislative Auditor, has prepared for the Committee a presentation concerning the possibility of adding a performance audit to the function of the Legislative Counsel Bureau.

Mr. Crossley said that in his contact with other states on performance auditing, he would suggest that it is something that should be moved into very gradually. He said performance auditing is more expensive than the natural and compliance audits because it is more time consuming. Mr. Crossley said he doesn't know that performance auditing will be more effective than the current audits but it would be more effective at informing the legislature of what is presently happening. (See Exhibit "B").

Mr. Crossley said he has prepared a proposed budget for performance audit staff (See Exhibit "C"). He said there would be an adjustment to the middle of the range because he hasn't been involved in the business administration, economics and education salaries.

Chairman Echols asked Senator Kosinski if a performance audit would give conclusive evidence of success or failure or whether it is a waste of money.

Senator Kosinski said it would depend on the type of program being dealt with.

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Bob Sullivan, employed by the Carson River Basin Council of Governments, and representing Carson City, Churchill, Douglas, Lyon and Storie Counties informed the Committee that he concurs with Charles Zobell and Sam Mamet who testified on SB-252.

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SCR-3 - Directs legislative commission to determine public opinion of priorities among government services.

DeeAnn Dickson, Student, UNR, testified in favor of SCR-3. She said she is interested in how our government can better serve the people of this state in meeting their needs and feels this can be done by public opinion surveys and polls. Miss Dickson explained to the Committee the procedure that could be taken in doing the surveys and polls.

Members of the Committee expressed concern that polls are not always accurate and therefore shouldn't be used for public input.

Miss Dickson disagreed and said, "If a poll is taken correctly, it can be meaningful."

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SCR-13 - Directs legislative commission to study efficiency in Nevada state government and ways to reduce its operating costs.

No one testified on this bill at this time.

SCR-14 - Directs legislative commission to study use of federal money in state and local programs.

No one testified on this bill.

SCR-17 - Directs legislative commission to study child abuse and state and local efforts to prevent it and protect children.

Bob Gaston and Ann Lynch, both representing the Nevada PTA, expressed their concern for child abuse and neglect and said they wholly support SCR-17. Mr. Gaston stated that the Nevada PTA delegates (representing 27,000 members) are concerned with the high rate of referrals throughout the state and the limited manpower of state and county agencies to handle them. Mr. Gaston said the number of child abuse and neglect referrals doubled from 1976 to 1977. Mr. Gaston stated that the parents belonging to the PTA feel that something needs to be done to reduce the rate of referrals and they suggest systematic council for the abusers.

Mr. Gaston said there are other serious problems such as emergency care facilities and programs for the abused. He said in Clark County the Juvenile Court Services investigate neglect complaints except when the suspected family receives aid to dependent children. The Nevada State Welfare Division receives and investigates abuse complaints and those neglect complaints for families receiving aid to dependent children. Mr. Gaston stated that there's not always a clear distinction between abuse and neglect so sometimes there's an overlapping which can cause little or nothing to be done. Mr. Gaston said that little progress can be made in improving the problems and conditions that exist now until the overlapping of these responsibilities is cleared.

Senator Wilson asked Mr. Gaston where a person calls when they want to report an abuse case.

Mr. Gaston said it depends on where you live. He said if it's in Clark County and an abuse case, you would call the welfare department. If you live in Washoe County, you call the county itself. Mr. Gaston stated that this has caused confusion between the agencies. He said the public doesn't know who to call so we are requesting an interim study to see if it would be best to have one agency in charge of abuse and neglect cases instead of having them split.

Senator Young asked Mr. Gaston how many of the abuse and neglect referrals are substantiated and how is abuse proven.

Mr. Gaston stated that of the 2,700 referrals in 1977, over half of them were legitimate.

Senator Young asked how many people are convicted in a year of child abuse.

Mr. Gaston said he doesn't have the information on convictions.

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Frank Carmen, Director, Clark County Juvenile Court, testified in favor of SCR-17 and concurred with Mr. Gaston. Mr. Carmen added that he hoped the study bill would also include language to specifically address the entire area of protective services which would include child abuse, neglect and abandonment. Mr. Carmen said in terms of Senator Young's questions, a number of cases which are referred to the courts under welfare or abuse are quite often dealt with as neglect cases. He said it's very difficult to prove willful abuse of a child. Mr. Carmen stated that when parents are found guilty of abuse, it compounds the service problems because then there is a child that has to be kept in the system and taken care of. He said the system works to try to reunite the family. Mr. Carmen informed the committee that the majority of shelter care for abused children is handled by the Clark County Juvenile Court. He said the State Welfare

Department has very limited resources to provide shelter care for abused children. Mr. Carmen informed the Committee that in 1978 in Clark County, there were 4,100 neglect and abandoned cases (that does not include abuse cases). He stated that there is a problem in the present system in terms of getting good concrete data on how many abused, neglect and abandoned children are coming into the system. He said he would like this problem included in the study, however, he did not feel SCR-17 should be combined with any other resolutions being considered.

Senator Young asked Mr. Carmen how many abuse cases there were and how many of those people were convicted.

Mr. Carmen said he believed there were 300 to 500 abuse cases but that question should be asked of someone from State Welfare. He said he did not know how many of those people were convicted.

Mr. Carmen added that the Clark County Juvenile Court system has, in the last few years, put most of their resources (which have mostly been generated by federal dollars) into education and community awareness programs. Mr. Carmen informed the Committee that providing services for abused and neglected children is not inexpensive. He said the juvenile courts in Clark County are spending one and a half million dollars a year and half a million dollars of federal money a year. He said the state needs to develop as many community resources as possible to help cut the costs because if the State Welfare Department has to develop emergency shelter homes and long-term community custody homes for abused and neglected children, the price tag is going to be exorbitant.

Robert Edmondson, Deputy Director, Department of Human Resources, testified in favor of SCR-17 and concurred with Mr. Carmen's testimony. Mr. Edmondson emphasized that the Welfare Department has an existing child abuse prevention program which they would like to see have increased direction.

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SCR-19 - Directs legislative commission to study alternative for organization and financing of judicial services involving juveniles.

Frank Carmen, Director, Clark County Juvenile Court, testified in support of SCR-19 and informed the Committee that the members of the Nevada Association of Juvenile Court Probation Officers are also in favor of SCR-19. Mr. Carmen said the Juvenile Court Probation Officers Association members agree that more needs to be done about crime but they can't find very many people (national as well as statewide) who agree on what it should be. Mr. Carmen said that some people are critical and say the juvenile courts are too severe on the kids and some people say they are too lenient. He said the directors need some kind of direction as to what the priorities should be. Mr. Carmen informed the Committee

that the Nevada Juvenile System is a 15 million dollar a year operation but there is a great inequity from county to county. He said the budget for Clark County this year will be over eight million dollars and in another county in this state, they are actually putting more money into animal control than they are youth services.

Mr. Carmen stated that there are over 500 juvenile burglaries committed a month in Clark County. He said there is no possible way to lock those youngsters up right now because of their facilities. Mr. Carmen stated that prevention for juvenile crime has been almost nil. He said they have spent most of their money "fighting fires" and trying to second guess what the solutions are. Mr. Carmen stated that the directors of the juvenile courts would like this study conducted to give them some clear cut direction as to what is expected of the juvenile courts statewide (what services should be provided) and who should administer and pay for those services.

Bob Edmondson, Deputy Director, Department of Human Resources, testified in support of SCR-19. Mr. Edmondson added that the Department of Human Resources is initiating a study of youth services in general which will be done as a citizen committee at low cost to the tax payers. He said they will be studying areas of child abuse, criminal justice and other services to children in youth in our state. He stated that SCR-17 and SCR-19 will both fit in well with their study. Mr. Edmondson informed the Committee that the Department is trying to establish a youth services division this session and right now it is before the money committees. He said it would basically create a youth services division that is funded. "The existing youth services agency is not funded and contains two training centers, consisting of children's homes and youth parole. Mr. Edmondson stated that he hoped it would be the intent of the Committee to involve the superintendents of the two training centers in the study (which is resolved in lines 21 through 24 of SCR-19).

Ann Lynch, Nevada PTA, testified in support of SCR-19. Mrs. Lynch added that she would like to see the state set up priorities of what the services for youth should be as far as youth in trouble, whether they are victims or whether they are causing the difficulty.

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Continuation of testimony on SCR-3.

Senator McCorkle testified in favor of SCR-3. Senator McCorkle added that with Question 6, he believes it's critical that legislators understand what the taxpayers views are regarding priorities in government. Senator McCorkle stated that a survey poll could either be run by the Legislative Counsel Bureau or by a commercially run private business. Senator McCorkle informed the Committee that the Counsel Bureau said they could run a survey

poll for approximately \$5,500 by using a mail questionnaire and telephone follow-up. Senator McCorkle stated that it would cost approximately \$15,000 if a commercially run private business were to do the survey.

Senator Young stated that he does not agree with survey polls because they are not always accurate and they are timely. He said they are a tool individuals can use but if used as a "major keystone" in the legislative program, it wouldn't be very effective.

Senator McCorkle stated that the lack of knowledge of the public is a real problem, despite timeliness. Senator McCorkle said that the survey questions should be general in nature and if it's done properly, it can and would be accurate. Senator McCorkle added that if the survey is used as a tool by the legislators, it will serve a legitimate function.

Senator Gibson stated that he doesn't believe in polls because they are inaccurate. He said he didn't like the idea of determining state priorities based on the sample of 1,000 people out of the state's 600,000 population.

Senator McCorkle asked Senator Gibson, "What's a better way to establish priorities? Just a personal gut feeling of each legislator?"

Senator Gibson stated that legislators don't go on a gut feeling. He said they listen to people who represent interest groups and the constituents they represent. Senator Gibson stated that one of the reasons he objects to polls is because the people might begin to act on the basis of the poll and the poll may not really reflect what the real concern of the people of this state is.

Senator Ford stated that she agrees with Senator Gibson in that there haven't been very many statistically accurate polls taken in this state. She said she does agree with Senator McCorkle and DeeAnn Dickson that if properly drawn, a poll can give an accurate reflection of the people.

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SCR-26 - Directs legislative commission to study libraries and other systems for storing information.

Ann Thompson, President, Nevada Library Association and Extension Administrator of the Clark County Library District, testified in support of SCR-26 (See Exhibit "D" for her testimony).

Martha Gould, representing the Nevada Library Association, testified in favor of SCR-26 (See Exhibit "E" for her testimony). Mrs. Gould informed the Committee that she had been asked by Mrs. Hazel Potter to read her testimony because she was unable to attend the hearing (See Exhibit "F" for Mrs. Potter's testimony).



Raymond Smith, Nevada Council on Libraries and as a member of the Board of Trustees of the Douglas County Library, testified in favor of SCR-26. Mr. Smith stated that the Advisory Council has become increasingly concerned and aware of the need for a master review and an analysis of the library situation and problems in the State of Nevada. Mr. Smith added that the last study on libraries was done 25 years ago and the Council feels it would be of great value to have this kind of an overview.

Joseph Anderson, State Librarian, testified in support of SCR-26 (See Exhibit "G" for his testimony).

Harold Morehouse, member of the Nevada Library Association, testified in favor of SCR-26 (See Exhibit "H" for his testimony).

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Continuation of testimony on SCR-13.

Senator McCorkle testified in favor of SCR-13 and informed the Committee that it has to do with the cost-cutting task force. He stated that 28 states have utilized task force efforts in the last 16 years and have saved themselves millions of dollars. Senator McCorkle stated that one of the benefits of the task force approach is the channel of dialogue it has opened between businesses and state government leaders. He said that business executives are donated by their companies for two to three months to be involved in the study. Senator McCorkle stated that the majority of the recommendations are implemented by executive action. Senator McCorkle informed the Committee that a number of studies have been done since 1948 but they were all done by government-oriented people. He said he is suggesting that the cost-cutting task force be conducted by private enterprise; someone who is apart from the system to come up with new concepts and ideas.

Senator Gibson asked Senator McCorkle if the other states report to the Legislature or to the Governor. He stated that if you don't have the cooperation of the executive, you don't get very far with these task forces.

Senator McCorkle said he didn't have a summary for each state so he didn't know. Senator McCorkle stated that if the Committee feels the Governor's support is an integral part of this, then that could be a good condition to place on the approval.

Chairman Echols asked Senator McCorkle if he thinks the people will be willing to volunteer and make the cash contribution it would take to make this thing work.

Senator McCorkle stated that the Chamber of Commerce has a list of people who have volunteered to work with the Washoe County School District in running the school system like a business. He added that sometimes you have to spend money to make money and he thinks this will be a good investment.

(Committee Minutes)

Chairman Echols and Senator Wilson stated that they like the approach of this. Senator Wilson asked if it would be donated time.

Senator McCorkle stated that it would be donated time and money.

Senator Wilson asked Senator McCorkle if he thought we could raise the budget and private sources as well.

Senator McCorkle said we should appropriate seed money and then match it.

Senator Young stated that this isn't the first time these ideas have been approached. He said they come up every session and stated that unless you have strong gubernatorial support, it won't work. Senator Young added that the prestige of the governor's office is needed to raise the money.

Senator Ford stated that this subject could be addressed to the Commission of the Future, if it is initiated this session.

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Continuation of testimony on SCR-17.

Senator McCorkle testified in support of SCR-17 and emphasized the need for a coordination of services to eliminate the overlap and duplication.

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SCR-20 - Directs study by legislative commission to determine feasibility of establishing public power district in southern Nevada.

No one testified on this bill.

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SCR-23 - Directs legislative commission to study and develop statewide master plan for fire protection and control.

Lody Smith, Nevada Division of Forestry, testified in support of SCR-23. Mr. Smith stated that they feel a statewide master plan on fire protection and prevention throughout the state is definitely needed. He added that fire protection districts, their funding and formations, in various laws need to be looked at. Mr. Smith informed the Committee that the fire districts facing Question 6 will be in a very difficult financial situation if it is passed. He said that is important and should also be studied.

Senator Young asked Mr. Smith why that shouldn't be done on a local basis.

Mr. Smith said because of state laws and the way the fire districts are formed and the overlapping of some of the fire protection districts.

Don Amodei, Nevada State Fireman's Association, testified in favor of SCR-23. Mr. Amodei stated that if SCR-23 becomes a reality, it should also study the fireman's certification program and instructor training. He said the Fireman's Association feels this is a high priority program.

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Continuation of testimony on SCR-4.

Esther Nicholson, League of Women Voters, informed the Committee that the League is one of the citizens organizations that uses the minutes and tapes of legislative committee meetings after the session is over. Mrs. Nicholson said the organization had a question on how the records and tapes should be kept. She said the organization does not see that SCR-4 addresses itself to the question of the responsibility or obligation of committee members to deliver the tapes and records to the Counsel Bureau.

Chairman Echols informed Mrs. Nicholson that there are two assembly bills addressing the problems she mentioned and the Committee plans on supporting those. He said SCR-4 is a back-up resolution.

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Senator Ford read to the Committee the substitute language for SR-7 and reminded the Committee it was not passed out of the last meeting because all members were not present. (See the minutes of March 27, Exhibit "B" for substitute language).

Senator Ford moved that the Committee amend and "Do Pass" SR-7 out of committee (See Exhibit "I").

Senator Wilson seconded the motion.

Motion carried unanimously.

The Committee took the following action:

SCR-3

Senator Gibson moved that the Committee indefinitely postpone SCR-3 (See Exhibit "J").

Senator Ford seconded the motion.

Motion carried unanimously.

SB-252

Senator Gibson moved that the Committee indefinitely postpone SB-252 (See Exhibit "K").

Senator Young seconded the motion.

Motion carried unanimously.

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Senator Gibson and Senator Young stated that SCR-13 should also be indefinitely postponed because without the power and prestige of the Governor behind it, it would not succeed by the legislative commission.

Senator Wilson said he'd like to see this idea developed a little bit before it is "dumped".

The Committee decided to hold SCR-13 to see what the Governor's feeling is.

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SCR-26

Senator Ford moved that the Committee pass SCR-26 out of Committee with a "Do Pass".

Senator Young seconded the motion.

Senator Gibson stated that the Committee should hold on to SCR-26 until after the joint meeting with the Assembly Legislative Functions Committee.

Senator Ford and Senator Young withdrew their previous motion.

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SCR-4

Senator Gibson moved that the Committee indefinitely postpone SCR-4 (See Exhibit "L").

Senator Young seconded the motion.

Motion carried unanimously.

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AB-557

Senator Ford moved that AB-557 be passed out of Committee with a "Do Pass" (See Exhibit "M").

Senator Young seconded the motion.

Motion carried unanimously.

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Joint Rule 7

Andy Grose, Research Director, presented to the Committee the proposed amendment for Joint Rule 7 (See Exhibit "N"). Mr. Grose stated that he hasn't tried to create anything new. He said he has tried to lay it out in descendant order.

Senator Close and Senator Ford questioned why the new language says, "concurrent resolutions may be used to do this and concurrent resolutions may be used to do this". They stated it would be easier to read it if was just said one time.

Mr. Grose stated that that could be indicated to the bill drafter. He said the language he prepared is just the substance of it.

Senator Close moved that the Committee adopt the proposed amendment of Joint Rule 7.

Senator Wilson seconded the motion.

Motion carried unanimously.

Mr. Grose said he would take the proposed amendment of Joint Rule 7 to the bill drafter on the Committee's behalf.

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There being no further business, the meeting was adjourned at  
5:25 p.m.

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

Gene Echols  
Approved By:  
Senator Gene Echols  
Chairman

NEVADA STATE LEGISLATURE  
PROPOSAL FOR INTERIM COMMITTEE WORK  
1979-1980

I. STRUCTURE AND ORGANIZATION  
1979 standing committees are reconstituted as joint interim committees, under the legislative commission, as follows:

	<u>Senate</u>		<u>Assembly</u>
<u>Group A</u>	Finance	+	Ways and Means
	Judiciary	+	Judiciary
	Human Resources	+	Health & Welfare, Education
<u>Group B</u>	Commerce & Labor	+	Commerce, Labor & Management
	Natural Resources	+	Environment & Public Resources, Agriculture
	Government Affairs	+	Government Affairs, Elections
<u>Group C</u>	Transportation	+	Transportation
	Taxation	+	Taxation
	Legislative Functions	+	Legislative Functions

II. MEMBERSHIP  
1979 session leadership:

1. Designates chairman of each of nine interim committees;
2. Approves membership of each interim committee; in event of conflicts, assemblymen are polled for their preference;
3. Considers reassignments or inactive status upon request of legislator.

Chairmen of joint interim committees appoint study sub-committee chairmen and membership based on workload and agenda.

Each legislator would be assigned to one interim committee in each group unless otherwise designated.

### III. STAFFING

Assigned by director of legislative counsel bureau with approval of legislative commission.

### IV. MANAGEMENT DUTIES OF LEGISLATIVE COMMISSION

1. Assigns studies pursuant to concurrent resolutions passed in 1979 session;
2. Approves supplemental work program proposed by interim committee;
3. Approves budget for interim committees;
4. Determines master calendar of interim committee meetings:
  - (a) Six to eight 3-day meetings in Carson City or other designated areas of state between July 1979 and November 1980. (Group A would meet first day, Group B the second day, Group C the third day.)
  - (b) Scheduling would be coordinated with meetings of:
    - Legislative Commission
    - Interim Finance (same as joint interim committee under Group A)
    - National Conference of State Legislatures
    - The Council of State Governments
5. Receives progress reports and final recommendations of interim committees;
6. Develops procedures for prefiling of bills coming out of committee.



## V. AGENDA

Basic interim committee jurisdiction patterned after Senate standing committee jurisdiction.

1. Concurrent resolutions calling for specific studies passed by 1979 session;
2. Other selected issues as proposed by committee and approved by legislative commission;
3. Review of audit reports relevant to committee jurisdiction;
4. Review of proposed administrative rules relevant to committee jurisdiction;
5. Review of "sunset" evaluations as scheduled by law.

## VI. COMPENSATION

1. Travel - One round trip for each scheduled set of meetings.  
- Round trip for subcommittee meetings as approved in budget.
2. Salary - \$40/day of scheduled committee and subcommittee meetings.
3. Per Diem - Rate approved by legislative commission for each day of scheduled committee and subcommittee meetings.

## VII. ADVANTAGES/RESULTS

1. Makes maximum use of staff during interim by not spreading staff thinly over 15-20 study committees;
2. More careful deliberation of policy questions, divorced from demanding pace of regular session (plan and initiate, rather than respond and react);

3. Continuity from session committee work to interim study and back to session committee work;
4. Better distribution of workload;
5. Earlier bill drafting and prefiling of bills ready for 1981 session;
6. Creates an interim emphasis on oversight to balance the present emphasis of the studies on new legislative proposals.
7. An interim meeting schedule established well in advance will allow long-range planning by legislators, staff and the public and avoid many conflicts that now occur.

#### VIII. COST

1. The 1977-78 studies were budgeted at \$100,000.
2. The projected cost for six 3-day meetings of all committees is \$80,080.
3. The cost of extra meetings for study subcommittees is \$30,600.
4. Total projected cost is \$110,680.
5. If half of commission meetings can be scheduled during 3-day meetings, the savings will be \$11,100.
6. If half of interim finance meetings can be scheduled during 3-day meetings, the saving will be \$15,480.
7. Net cost of the proposal is \$84,100, which is \$15,900 less than the 1977-78 interim-study budget.

(See attachment for detailed accounting.)

IX. STAFF

It will require no more staff for this concept than it would for 15-20 interim studies. In terms of managing staff time, the joint interim approach is more efficient. The fiscal division would staff the joint money and joint tax committees and provide some backup for other committees, depending on their study topics. Primary staff for the other committees, as during session would come from research. Legal would provide backup based on particular issues on studies. Basic coordination and administrative tasks for meetings would be functions of the director's office.

FISCAL IMPACT  
JOINT INTERIM STANDING COMMITTEES

- I. Six 3-day meetings of all committees - assume participation by 50 legislators.

Carson City - \$14,275 per meeting using \$40 salary, \$40 per diem and travel costs based on airline costs from Las Vegas to Reno and 19 cents/mile for others.

Total for four meetings = \$57,100.

Clark County - \$11,490 per meeting based on same assumptions.

Total for two meetings = \$22,980.

Total for six 3-day meetings = \$80,080.

- II. Not all study work could be handled in the six 3-day meetings. It will be necessary for subcommittees carrying out studies to hold additional hearings, perhaps in places other than Carson City or Clark County.

Based on 15 studies and an average subcommittee size of six members and using the same salary, per diem and travel figures, and assuming an average of two meetings in addition to the six 3-day meetings, the additional cost is \$30,600.

- III. Total cost for the proposal is \$110,680.

- IV. Possible savings from the proposal.

In addition to the study subcommittees, other groups of legislators meet on a regular basis through the interim. These include the legislative commission, the interim finance committee and the interim retirement

committee. In almost all cases the past interim the interim retirement meetings were coordinated with commission or interim finance meetings.

Interim finance will be one of the scheduled committees for the six 3-day meetings. Commission meetings could be scheduled as part of the 3-day sessions. This should result in saving the cost of six commission and six interim finance meetings.

A 1-day legislative commission meeting costs about \$1,850. If six separate meetings are saved, the saving is \$11,100.

A 1-day interim finance meeting costs about \$2,580. If six separate meetings are saved, the saving is \$15,480.

Total savings from commission and interim finance meetings that would be held on a separate basis would be \$26,580.

V. Net cost of the proposal.

\$110,680
- 26,580
<u>\$ 84,100</u>

TIME IMPACT  
JOINT INTERIM STANDING COMMITTEES

I. Time commitment, 1977-78 interim.

18 study subcommittees met on 85 separate days.

Multiplying the days times legislators involved comes to 570 legislative days.

11 legislative commission meetings comes to 132 legislator days.

4 interim finance meetings comes to 72 legislator days.

Total Legislator Days = 774.

II. Time required for joint interim standing committee proposal.

Six 3-day meetings averaging 50 members comes to 900 legislator days.

Study subcommittees averaging 6 members meeting twice comes to 180 legislator days.

Total Legislator Days = 1,080.

III. Adjustments and net difference.

Only 6 commission meetings could be co-scheduled so 5 would have been extra.

Add 5 commission meetings to the 1979-80 proposal for a total of 1,140 legislator days.

Net difference is 1,140 minus 774 or 366 additional legislator days in the interim forthcoming.

IV. Fiscal considerations.

The money figures come out much closer than the days because the 3-day meetings approach saves a lot of travel money.

Under the 1977-78 program, most meetings were only 1 day.

NATIONAL CONFERENCE OF STATE LEGISLATURES  
SEMINAR ON PERFORMANCE AUDITING  
NASHVILLE, TENNESSEE  
DECEMBER 8-9, 1977

On December 8 and 9, 1977, John Crossley attended a seminar on Post Auditing sponsored by the National Conference of State Legislatures, in Nashville, Tennessee. The method and direction of the program was a panel approach. To arrive at a common understanding of program auditing, where it has come from, where it stands, and where it is likely to go. Eighteen states and three organizations were represented at the meeting. The panel was composed of representatives from Kansas, Montana, California, Colorado, and Illinois.

There were several concepts and procedures identified during the conference which were as follows:

1. California indicated that a clean opinion on the financial statements means that management is conducting everything correctly. This can be very misleading to the reader. This is why they felt that operational auditing is important to let the people interested in their reports know exactly how management is conducting their operation.
2. There was a considerable difference of opinion as to whether the operational audit had to be supported by a financial compliance audit. Some people felt that the operational audit could be conducted on its own and others felt that operational recommendations had to have a dollar meaning attached to them, which meant that you had to have a financial audit supporting them.
3. In many cases, the operational audits were getting into the forecasting business as they were reaching out ahead and informing the reader what should be done. This is not as it relates to Sunset, which we will discuss later, but just in the on going operations.
4. It was generally agreed that in order to do operational auditing other disciplines had to be utilized. In most cases they felt the disciplines should be permanent employees as opposed to contracting for their services. In all of the states this has created problems between the other disciplines and the financial compliance auditors (C.P.A.s) as to who is running the show. One of the major problems identified is the standards used by the different professions. In most of the shops all of the C.P.A.s are attempting to teach the other disciplines the standard for developing and documenting audit findings which means workpaper techniques and gathering evidence. This is something the other disciplines are not accustomed to and in many cases see no reason for it. There is no training of the financial compliance auditors of the other disciplines' standards.
5. There really is no audit program or real set method in conducting an operational audit. All of the representatives indicated that the preliminary survey was by far the most significant portion of the audit. In most cases a pretty final audit program was drafted prior to the entrance conference. The entrance conference was sometime after the preliminary survey and the audit program. There is a preliminary entrance conference prior to the survey.
6. In all cases where the operational auditing was "successful", the auditors worked extremely close with their legislative committee. The committee was a separate standing specially designed for the audit function. The auditors kept the members of the committee informed from stem to stern as to what was going on in order to try to have their full support at the completion of the audit.

7. Many of the examples presented were really financial compliance and in a couple of cases they acknowledged that. Some of the examples were truly operational and went way beyond and into the purpose and how effective the programs were.
8. The program that California identified as their overall way of conducting the audit was simply the criteria way of auditing. That is, identify the problem, the criteria, the cause/effect, and the recommendation.
9. In over 50% of the cases in all the states, the real problem they said was poor legislation. In many cases they had to tell the Legislature that this was the problem.
10. There was quite a discussion on Sunset Law. Some felt this is approaching operational auditing. In a majority of the states the Legislature wanted the Legislative Auditor to make the decision whether the agency should be continued or not. Obviously, the Legislative Auditors would not make this decision. They felt this was a legislative function.
11. The operational audits that were presented were not received whole heartily by the Legislature even though they worked directly with the committee, because in many cases the agency being audited also made a strong case as to why the Legislative Auditor was wrong. It appeared to me in a majority of the cases, however, that the auditors did not keep the agencies informed of the problems as they went through the audit. Only in a couple of states did they mention they worked very closely with the agency to identify the problems and their causes and recommendations.
12. Many of the federal programs are requiring program audits in line with the GAO Standards. This has created a real problem, not with the federal auditors but with the federal program people. All of the states are experiencing this problem and really the solution has not been clearly identified. In some audits, federal program people are very receptive to the problems a state auditor identifies and others refuse to work with the auditor at all.
13. One of the things in a performance audit that was clearly brought up and very essential, was to determine the legislative intent when the program or agency was established. This could mean discussing with Legislators, former Legislators, and lobbyists, how that must be determined.
14. The time involved in an operational audit is 3 to 4 times that much of a financial compliance audit. The basic reason is that so much must be researched as to the scope, intent, and looking for alternative methods or criteria to measure against, even if the agency has good criteria. Other states must be brought into the picture and many surveys must be made. A considerable number of interviews and discussions must be held. Along this line the review process in the office is extended considerably for a variety of reasons, such as:
  - a. No set procedures for this type of auditing so therefore everyone must feel their way.
  - b. Other disciplines are involved and the Legislative Auditor, since he <sup>prepares</sup> assigned the report, must be intimately familiar with those actions the other disciplines are taking.
  - c. In as much as there is some forecasting, the area of indexing and workpapers is of extreme importance.
  - d. All members of the audit team must be involved in all of the discussion and the review process in order to come out with a comprehensive report.



In conclusion, it was an excellent conference and one that we should attend every two to three years to update our knowledge on the state of the ark. We are not doing operational auditing by any stretch of the imagination. We are not staffed, nor financed to do that type of auditing. Many states are approaching it and I believe conferences such as this are extremely important to get together and see what other states involved in it are doing and how they are approaching problems, and how they solve problems. From this standpoint, the conference was very successful. In my mind, they did not really get down into the nitty gritty of some operational auditing as to how they solve the problem, such as to determine the economy, efficiency, and effectiveness of some of the programs, especially in the Human Resources and Educational areas.

STATE OF NEVADA  
LEGISLATIVE COUNSEL BUREAU

LEGISLATIVE BUILDING  
CAPITOL COMPLEX  
CARSON CITY, NEVADA 89710



LEGISLATIVE COMMISSION (702) 885-5627

DONALD R. MELLO, *Assemblyman, Chairman*  
Arthur J. Palmer, *Director, Secretary*

INTERIM FINANCE COMMITTEE (702) 885-5640

FLOYD R. LAMB, *Senator, Chairman*  
Ronald W. Sparks, *Senate Fiscal Analyst*  
William A. Bible, *Assembly Fiscal Analyst*

ARTHUR J. PALMER, *Director*  
(702) 885-5627

FRANK W. DAYKIN, *Legislative Counsel* (702) 885-5627  
JOHN R. CROSSLEY, *Legislative Auditor* (702) 885-5620  
ANDREW P. GROSE, *Research Director* (702) 885-5637

EXHIBIT "C"  
Page 1 of 3

April 17, 1979

Senator James N. Kosinski  
Legislative Building  
Carson City, Nevada 89710

Dear Senator Kosinski:

The attached schedule is based on establishing a unit in the Audit Division for us to get involved in performance auditing on a gradual basis. It provides for two teams. The manager must be experienced in the field of program performance auditing in order that the proper direction can be given to the audits. One of the main reasons for experience at that level is that it has been proven that we need much more documentation in performance auditing than we do in our financial and compliance audits. I must point out that we could place an additional burden on all divisions, especially the Legal Division, as a result of moving into performance auditing.

My recommendation is to start the performance audits in agencies where we have already accomplished financial and compliance audits, in order that we have sufficient background so we can relate to the Legislature what we encounter. I would suggest some of the following areas be considered.

1. Department of Education (Not including the  
Distributive School Fund)
2. Department of Conservation and Natural Resources  
Division of State Parks
3. Department of Commerce  
Insurance Division
4. Department of Administration  
Personnel Division
5. Department of Human Resources  
Mental Hygiene - State Hospital

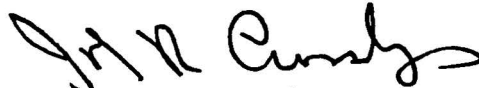
Senator James N. Kosinski  
April 17, 1979  
Page 2

EXHIBIT "C"  
Page 2 of 3

It would probably be that we would not do an entire agency. But once we conduct our preliminary survey, we would identify points that would be critical in nature. We then would assign a priority to these and either do this on our own, or more preferably, have the oversight committee recommend priorities as to which areas they would like to have us conduct performance audits.

It is extremely critical that these reports and the related work be kept confidential until such time as the report is complete. This is absolutely essential. Once the report is complete then public hearings could be held and everyone could have their input. But to have public input during the course of the performance audit, I believe, would be detrimental to the oversight committee, our operation, and to the agency.

Sincerely yours,



John R. Crossley, C.P.A.  
Legislative Auditor

JRC:rie  
Attachment

AUDIT DIVISION  
 PROPOSED BUDGET FOR PERFORMANCE AUDIT STAFF  
 GRADUAL INVOLVEMENT  
 1979 SESSION

EXHIBIT "C"  
 Page 3 of 3

	1979-80			1980-81				
	Number	Approximate Salary	Available Hours	Costs(1)	Number	Approximate Salary	Available Hours	Costs(1)
<b>Staff:</b>								
Manager	1	\$26,500	1,700	\$ 26,500	1	\$28,000	1,700	\$ 28,000
Business Administration	4	20,000	6,800	80,000	4	21,000	6,800	84,000
Economics	1	20,000	1,700	20,000	1	21,000	1,700	21,000
Education	1	20,000	1,700	20,000	1	21,000	1,700	21,000
Clerical	1	11,000	1,700	11,000	1	12,000	1,700	12,000
	<u>8</u>		<u>13,600</u>	<u>157,500</u>	<u>8</u>		<u>13,600</u>	<u>166,000</u>
Payroll Costs				22,050				23,240
Staff Costs				<u>179,550</u>				<u>189,240</u>
<b>Travel</b>				<u>10,000</u>				<u>12,000</u>
<b>Operating:</b>								
Traditional				25,000				30,000
Building Rent				10,000				12,000
EDP Services				5,000				5,000
Equipment Rent				7,000				7,000
Contract Services				30,000				30,000
				<u>77,000</u>				<u>84,000</u>
<b>Equipment:</b>								
New Staff				8,000				1,000
Office				8,000				1,000
				<u>16,000</u>				<u>2,000</u>
				<u>\$282,550</u>				<u>\$287,240</u>

(1) Should be adjusted for any cost-of-living increase granted by 1979 Legislature.

SENATE LEGISLATIVE FUNCTIONS COMMITTEE  
April 17, 1979Ann Thompson, President  
Nevada Library Association

I would like to express my thanks for the opportunity to appear before you. All of us in libraries throughout Nevada appreciate your continued interest and support.

I am here to ask that S.C.R. 26 receive the highest priority of the many resolutions before you. Library personnel and the members of the Governor's Conference on Libraries and Information Needs strongly endorse the need for the legislative interim study committee proposed by S.C.R. 26

S.C.R. 26 directs the legislative commission to study the needs of libraries, to examine the resolutions passed by the grass-roots Governor's Conference on Libraries, and to report the results of this study to the 61st session of this Legislature. The need for such a study is clear and compelling.

In 1979, Nevada's libraries face grave problems and an uncertain future. Libraries throughout our state are critically underdeveloped. They are retarded by low levels of funding, severe shortages of trained staff and inadequate book collections. In Nevada, the per capita expenditure for libraries is \$5.83, about half the national standard of \$9.67. The ratio of our librarians to population is one librarian for each 17,000 people rather than the necessary one librarian for each 6,000 people cited in the National Inventory of Library Needs. Although the American Library Association recommends a minimum of 3 books per person, Nevada's libraries offer their library users 1.4 books per person. In Clark County, the statistics are even more harrowing. Library users are using a library system which offers them eight tenths (.8) of a book per person and 2300 library users are waiting in line for reserve books they want but cannot find on the library's shelves.

Although library resources throughout the state are slender and impoverished, the number of library users has increased dramatically. For example, in the last 26 months, the number of library patrons registered at Clark County Library District has increased by 70 per cent. An additional 58,416 library users have registered at the Library District. The 1978 population increase in Clark County has been certified by the State at 4.7 per cent, or 17,000 people. During the same period, the Library District's growth factor was 24.9 per cent, with a population increase of 27,000 users. Growth factors of this magnitude mean that our libraries are facing an up hill battle to maintain a below average status quo.

There is no question that the libraries of our state are inadequate. They cannot keep pace with the educational requirements of Nevada's citizens. The Interim Study Committee in S.C.R.26 will focus attention the problems of libraries, but more importantly, it will provide a foundation for future planning and library development. It will contribute an objective evaluation of library services in order to correct deficiencies and shape libraries of the future.

Support for libraries must be a priority for the State and for the Legislature. Nevada's citizens require those library resources which supply information needs, insure reading competency & education.

# NEVADA LIBRARY ASSOCIATION

April 16, 1979

Testimony before the Senate Committee on Legislative Functions on SCR 26

Mr. Chairman and Members of the Committee:

In November of 1978 the Governor's Conference on Nevada's Library and Information Needs was held in Las Vegas, as part of the planning for the forthcoming White House Conference on Libraries, to be held in Washington in November of this year.

One of the Resolutions passed by the Delegates at the Governor's Conference, called for a Legislative study on the library and information needs in Nevada. SCR 26, introduced by Senator Ford, with 17 Senators as co-sponsors, speaks to this Resolution.

The Nevada Library Association endorses SCR 26. The Legislature, in past sessions, has approved interim legislative studies, many of which, have proved most valuable to the planning and legislative process. It is time that such a study be done on libraries, to provide the basis for systematic, long range planning for the growth and development of Nevada's libraries and information services.

As Legislators, you have instant access to information. Yet, during times I have testified before other Committees, it has become obvious that members of the Legislature do not fully understand how libraries operate, and comment has been made that if the public want information they should pay for it on a per question or book basis. The Library Association believes that a study would address the question of the right of a citizen to access information. Furthermore, such a study would allow members of the Legislature to adequately address the questions of operation and funding of libraries in Nevada.

SCR 26 would also address such basic questions as:

1. Access, which now implies inovative delivery techniques that overcome geographic, educational, and physical barriers, as well as convient location and hours open.
2. Community, not only the geographic support area, but, also, the wider area - region, state, and nation.
3. Cultural role of libraries, whi ch is rapidly changing from that of the 19th Century view of the library as an agency of acculturation
4. Information, which includes the sum of total recorded human experience - actual, imaginative, scientific, and humanistic, as well as the unrecorded experience available from human resources to which library patrons can be referred.

# NEVADA LIBRARY ASSOCIATION

Testimony on SCR 26 - cont.

page 2

5. Library systems, Information Nevada, rural bookmobiles, cooperative services that are supra-local in nature, and funding of same.

6. School libraries and the role they play in helping children acquire the basic abilities in reading, writing, and math.

7. The importance of University libraries to reaearch, and as back-up to the state information network.

I hope that my comments will help this Committee to understand some of the problems that must be addressed, and how a Legislative Interim Study would provide the basis for providing solutions to some of the crying needs of Nevada's libraries. I also believe that this Committee, as well as other members of the Legislature, are fully aware of the support libraries have from citizens in Nevada.

The Nevada Library Association asks that you give SCR 26 a do pass, and a first priority.

  
Martha Gould  
Chairwoman  
Government Relations Committee

Last November representatives from all areas of our state met together at the Governor's Conference on Libraries and Information Needs and voiced a mutual concern for the availability of free and easy access to library services for all segments of our population. Ranchers, miners, housewives, public officials, educators, handicapped and minority groups all worked together to reach a common understanding of what they want from libraries, and resolved to seek legislative help in fostering this vital national resource.

No statewide survey of library services has been undertaken by the Legislature since Senator Walter Whitaker spearheaded such a study during the 1953 session, resulting in the publication of LEGISLATIVE COUNCIL BUREAU BULLETIN #25 in December, 1954. This report helped to formulate many present day library practices (including the establishment of the Legislative Council Bureau) and set forth the functions of the State Library in its relationship to other institutions.

Now, nearly 30 years later, it seems fitting (if not imperative) that another state study be funded to ascertain the current status of libraries and information services. Our growth in population has been matched by the growth in information demands placed upon our libraries, and a comprehensive plan must be implemented for the most efficient and economic system of sharing Nevada's knowledge resources and obtaining the necessary access to others across the country.

As a private citizen, as an active school librarian, and as an elected spokesman for the over 100 delegates to the Governor's Conference on Libraries and Information Needs, I urge you to approve such an interim study as outlined in SCR 26.

*Hazel Potter*  
HAZEL POTTER, Official Delegate  
1979 White House Conference on  
Libraries and Information Services

401 Moraine Way  
Reno, NV 89503

April 16, 1979





ROBERT LIST  
Governor

# NEVADA STATE LIBRARY

Capitol Complex  
Carson City, Nevada 89710  
(702) 885-5130  
TWX 910-395-0139

EXHIBIT "G"  
Page 1 of 2

JOSEPH J. ANDERSON  
State Librarian

April 17, 1979

The Honorable Gene Echols, Chairman  
Senate Legislative Functions Committee  
Legislative Building  
Carson City, NV 89710

Dear Mr. Chairman:

To you, and through you to the members of the Committee, I wish to present a brief statement in support of SCR 26 which in summary directs the Legislative Commission to study libraries and other systems for storing information. The last time the Legislature addressed the matter of library and related services for the people of Nevada resulted in publication of Legislative Counsel Bureau Bulletin Number 25 in December of 1954. During the 1953 Session Assembly Resolution Number 29 was adopted memorializing the Legislative Counsel Bureau to study our library laws and the condition of our libraries with a view to providing recommendations for a better system in Nevada.

This study quickly revealed, among other things, the close relationship between library and archival functions. This present Legislature has acted at last, 26 years after the original recommendation, to combine the State Library and Archives. This action may be said to be a long range result of legislative action to a basic premise of a democratic society and continuing recognition of the value of an informed citizenry.

As State Librarian, I suggest to you that it is most timely to invite legislative attention to the library and information processes in this State. The information transfer process is simply getting the knowledge (information) which is stored in the libraries and other information centers in this State to the people who use, need, or want it. The transfer process has been identified as a problem by the National Commission on Libraries and Information Science in its study TOWARD A NATIONAL PROGRAM FOR LIBRARIES AND INFORMATION SERVICE.

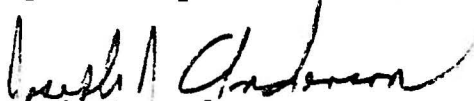
The importance of identifying and strengthening the process becomes clear when the total cost is identified. Few attempts have been made to identify the amount of service which a dollar will buy. There have been many budget or expenditure reports, but these have been reports of past expenditures. The closest attempt at cost identification has

April 17, 1979

been based on per capita expenses on a "willingness to serve", or availability basis. With the identification of the information transfer process and its associated cost, among other things, future planning and budgeting becomes more effective and the effect of a proposed increase or decrease in the funding can be predicted in terms of service expected from national, state and local levels.

By 1980 the population of Nevada will have almost tripled since 1960. This fact alone implies many things leading to far greater complexities in both public and private life. It should be very clear to every reasonable person that all of our best talents are needed to prepare for the new decade of the 80's, and that the basis of informed action must be laid now. It seems to me, therefore, to be not only reasonable but also prudent to review the status of library and information services and the broader aspect of the information transfer process itself, in order to set long range goals for the future development of our State. It is also my opinion as State Librarian of Nevada that the development of public policy would be best, and most appropriately served, if this study were carried out under Legislative supervision.

Respectfully submitted,

  
Joseph J. Anderson  
State Librarian

JJA/mbs

Nevada Senate Committee on Legislative Functions

Re: S.C.R. 26 (Directs legislative commission to study libraries and other systems for storing information)

My name is Harold Morehouse, speaking as a member of the Nevada Library Association. My occupation is Director of Libraries at the University of Nevada, Reno.

I urge your support of S.C.R. 26.

As you know, librarians and other advocates of libraries are always asking for more money. We want funding from the Legislature, a bigger share of the tax dollars, and grants from foundations and the Federal government. I am afraid we might be looked upon as a bottomless pit, into which endless dollars can be poured, yet it is never enough to fill the needs.

One value of this proposed study could be to determine just what and how much we should be trying to accomplish. What is the appropriate level of support? How much is enough?

We know that most of the people of Nevada want good library service. What is good library service? How much does it cost? How should it be funded? Are librarians asking for support for frills, or far-out borderline-case programs? What do the people really want and need? Which of the new technological developments and systems are most cost-effective?

These are some of the questions that this study could answer. Then, next session when appropriation bills come up, the Legislature will have the information it needs to judge them on their merits.

*Hm*

EXHIBIT "I"

(REPRINTED WITH ADOPTED AMENDMENTS)  
FIRST REPRINT

S. R. 7

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SENATE RESOLUTION NO. 7—SENATOR WILSON

MARCH 6, 1979

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Referred to Committee on Legislative Functions

SUMMARY—Requires Senate standing committees to review programs of executive agencies at beginning of each biennial session. (BDR 1299)

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

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SENATE RESOLUTION—Adding a new standing rule encouraging review of programs of state agencies by the appropriate Senate standing committees.

- 1     *Resolved by the Senate of the State of Nevada, That the Senate Stand-*  
2 *ing Rules are amended by adding Senate Standing Rule 54 to read as*  
3 *follows:*  
4                                     54  
5  
6     *Review of State Agency Programs.*  
7     *In addition to or concurrent with committee action taken on specific*  
8 *bills and resolutions during a regular session of the legislature, each*  
9 *standing committee of the Senate is encouraged to plan and conduct a*  
10 *general review of selected programs of state agencies or other areas of*  
11 *public interest within the committee's jurisdiction.*

EXHIBIT "J"

S. C. R. 3

SENATE CONCURRENT RESOLUTION NO. 3—  
SENATOR McCORKLE

JANUARY 16, 1979

Referred to Committee on Legislative Functions

SUMMARY—Directs legislative commission to determine public opinion  
of priorities among government services. (BDR 594)

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

SENATE CONCURRENT RESOLUTION—Directing the legislative commission  
to conduct a study to determine the opinion of the public relative to priorities  
among government services.

- 1 WHEREAS, The people of Nevada have expressed their will by initiative  
2 measure to reduce taxes; and  
3 WHEREAS, The substantial reduction in government revenue which will  
4 result from final passage of the measure must bring about reductions in the  
5 services which state and local governments provide; and  
6 WHEREAS, Government, as servant of the people, should give primary  
7 consideration to the services which the people feel are most important and  
8 prepare to reduce those services which the people want and need least,  
9 and which they are the least willing to support with public money; and  
10 WHEREAS, The legislature, as the most direct representative of the peo-  
11 ple, has a positive duty to determine, as objectively and accurately as it is  
12 able, the wants and needs of the people; now, therefore, be it  
13 *Resolved by the Senate of the State of Nevada, the Assembly concur-*  
14 *ring,* That the legislative commission study the opinions of the people of  
15 Nevada to determine the priorities which they place on the various serv-  
16 ices which are provided by state and local government in Nevada; and be it  
17 further  
18 *Resolved,* That the legislative commission conduct, as part of its study  
19 and with the help of such experts in the field of ascertaining public opinion  
20 as it determines are necessary to prepare, distribute and interpret the  
21 results, a poll of a statistically significant sample of the people of Nevada  
22 to determine:  
23 1. The priorities which the people place on the various categories of  
24 service which government provides, which of those services they con-  
25 sider most valuable and which should, in the opinion of those persons  
26 questioned, be curtailed first in the event of a major reduction in revenues  
27 received by state and local government; and

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

EXHIBIT "K"

S. B. 252

SENATE BILL NO. 252—SENATORS KOSINSKI AND  
HERNSTADT

FEBRUARY 20, 1979

Referred to Committee on Legislative Functions

SUMMARY—Requires performance reviews of state and local government agencies by legislative commission. (BDR 17-999)

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

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

AN ACT relating to the state legislature; providing for review by the legislative commission of the performance of state and local government agencies; providing for specific findings and recommendations by the commission; providing audits by the legislative auditor and the fiscal analysis division of the legislative counsel bureau; providing for the appointment of subcommittees of the legislative commission and for their powers and duties; 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 218.681 is hereby amended to read as follows:
- 2 218.681 1. The general objectives and functions of the legislative
- 3 commission are to:
- 4 (a) Assist the legislature in retaining status coordinate with the
- 5 executive and judicial branches of state government.
- 6 (b) Investigate and inquire only into subjects upon which the legisla-
- 7 ture may act by the enactment or amendment of statutes.
- 8 (c) Assure that the most effective use is made of the audit, fiscal,
- 9 legal and research services and facilities provided by the legislative
- 10 counsel bureau to the legislature and its members.
- 11 (d) *Conduct performance reviews of each agency of the state govern-*
- 12 *ment and of local government to determine the quality of the agency's*
- 13 *management, the efficiency of each program of the agency, and the*
- 14 *effect of agency operations on private persons and business.*
- 15 2. In addition to the powers and duties elsewhere conferred and
- 16 imposed upon the legislative commission in this chapter, in order to carry
- 17 out its general objectives and functions the legislative commission:
- 18 (a) Shall receive recommendations and suggestions for legislation or
- 19 investigation from:

Original bill is 3 pages long.  
Contact the Research Library for  
a copy of the complete bill.

S. C. R. 4

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SENATE CONCURRENT RESOLUTION NO. 4—  
SENATORS HERNSTADT AND NEAL

JANUARY 16, 1979

Referred to Committee on Legislative Functions

**SUMMARY**—Directs legislative counsel bureau to preserve minutes and records of legislative standing committees as public records. (BDR 870)

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

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**SENATE CONCURRENT RESOLUTION**—Directing the legislative counsel bureau to preserve the minutes and records of all standing committees of the legislature and permit public access to them.

- 1     **WHEREAS**, The legislature of the State of Nevada is the branch of state  
2 government which most directly represents the people, and so should con-  
3 duct its business in public meetings; and  
4     **WHEREAS**, The meetings of the legislative standing committees are pub-  
5 lic meetings; and  
6     **WHEREAS**, The discussion of legislative measures in the standing com-  
7 mittees is a recognized and useful source of information concerning the  
8 intention of the legislature in enacting those measures; now, therefore,  
9 be it  
10     *Resolved by the Senate of the State of Nevada, the Assembly concur-*  
11 *ring*, That the director of the legislative counsel bureau is hereby directed  
12 to retain and preserve the minutes and records, including tape recordings  
13 of deliberations, of each standing committee of the legislature; and be it  
14 further  
15     *Resolved*, That the director is directed to make those minutes and rec-  
16 ords reasonably available to any person for reading or listening at the leg-  
17 islative counsel bureau, and to provide copies of them upon payment of  
18 the cost of copying them.

Ⓢ

EXHIBIT "M"

**A. B. 557**

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ASSEMBLY BILL NO. 557—COMMITTEE ON  
WAYS AND MEANS

MARCH 20, 1979

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Referred to Committee on Ways and Means

**SUMMARY**—Provides salaries for members of legislature for attendance at pre-session orientation conferences. (BDR 17-1552)

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

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

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AN ACT relating to the state legislature; providing for payment of salaries to members of the legislature for attendance at pre-session orientation conferences; 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 218.223 is hereby amended to read as follows:  
2     218.223 1. Except as provided in subsection 2, each senator and  
3     assemblyman is entitled to receive a salary of \$40 and the per diem  
4     allowance and travel expenses provided by law for each day of attend-  
5     ance at a *pre-session orientation conference or at a conference, meeting*  
6     seminar or other gathering at which he officially represents the State of  
7     Nevada or its legislature.  
8     2. This section does not apply:  
9     (a) During a regular or special session of the legislature; or  
10    (b) To any senator or assemblyman who is otherwise entitled to  
11    receive a salary and the per diem allowance and travel expenses.  
12    **SEC. 2.** The payment of salaries to members of the legislature for  
13    their attendance at the pre-session orientation conference held during the  
14    month of November 1978 is hereby ratified.

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March 28, 1979

EXHIBIT "N"  
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M E M O R A N D U M

TO: Senator Echols and Members of the Senate Legislative  
Functions Committee

FROM: Andrew P. Grose, Research Director

SUBJECT: Joint Rule 7 on Resolutions

I am sorry to say that not until I read the minutes of your March 1 meeting did I realize that I was supposed to offer suggestions for cleaning up Joint Rule 7.

Attached is a draft Rule 7. There is also a copy of the existing rule. I think there is no doubt that Joint Rule 7 has several problems. The attached draft is not necessarily the definitive answer but it addresses those problems.

First, the existing rule mixes up joint and concurrent resolutions and ignores one house resolutions. I've included all three and placed them in descending order of importance.

Second, the existing rule says you use a concurrent resolution to recall a bill from the other house. That makes no sense at all. I suggest that a one house resolution is the appropriate vehicle for that.

Third, the existing rule says a joint resolution to amend the state constitution is not sent to the governor but nowhere does it first establish that a joint resolution shall be used for this purpose.

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Fourth, the existing rule speaks of "National Departments." There are also many independent agencies. Also, there is no mention of resolutions sent to other states. It seemed to me these should be on a par with resolutions to the federal government.

Fifth, to discourage trivial resolutions, the existing rule takes the negative approach of saying you may not congratulate someone for "insignificant accomplishments." I suggest framing it in the positive. Also, the existing rule requires approval of legislative functions before introducing a congratulatory concurrent resolution. I don't think this is done. I've changed the sequence so you must have such approval before asking for the draft. This version would be enforceable plus it would cut down on drafting resolutions that might be refused by the functions committee. Also, I've suggested that a member can always use a one house resolution for any congratulatory or memorializing purpose instead of a concurrent resolution.

Sixth, the existing rule does not cover the most prevalent use of concurrent resolutions which is to direct interim studies.

Seventh, the existing rule does not show the use of concurrent resolutions to authorize expenditures from the legislative fund.

I believe the draft corrects these problem areas. Also, if S.B. 73 passes, the language about not submitting joint resolutions to amend the constitution to the governor should be dropped out. I dropped all the other references to the governor's signature. If S.B. 73 passes, no problem. If it does not, the law will govern and it is not necessary to say in the rules that something must go to the governor.

APG/jld  
Encl.

(PROPOSED AMENDMENT OF JOINT RULE 7)

7

RESOLUTIONS

Joint resolutions shall be used to propose amendments to the state constitution. Joint resolutions of this type shall not be submitted to the governor for his approval, but shall, after enrollment be delivered to the secretary of state for recording and filing.

Joint resolutions shall be used to ratify proposed amendments to the United States Constitution.

Joint resolutions shall be used to address the President of the United States; Congress, either House, committees or members thereof, any department or agency of the Federal Government and other states of the Union.

Concurrent resolutions shall be used to amend the joint rules.

Concurrent resolutions shall be used to request the return from the governor of an enrolled bill for further consideration.

Concurrent resolutions shall be used as a means of expressing facts, principles, opinion and purposes of the senate and assembly, for authorizing joint committees of the two houses and for directing interim studies of the legislative commission.

Concurrent resolutions shall be used to authorize expenditures from the legislative fund.

Concurrent resolutions may be used to memorialize former members of the legislature and other public figures upon their deaths.

Concurrent resolutions may be used to congratulate or commend persons or organizations for significant and meritorious accomplishments but requests for the drafting of such resolutions must be approved by the appropriate legislative functions committee before submission to the legislative counsel.

One house resolutions shall be used to request the return of a bill from the other house.

One house resolutions shall be used to adopt and amend the standing rules of each house.

One house resolutions shall be used to appoint attaches of the two houses.

One house resolutions shall be used to approve allowances to members for periodicals, stamps, stationery and communications.

One house resolutions may be used to congratulate or commend persons or organizations for significant achievements.

One house resolutions may be used to memorialize former legislators and other public figures upon their deaths.