

The Senate Committee on Legislative Functions was called to order on Tuesday, May 15, 1979, at 2:40 p.m., in Room 243. Senator Gene Echols in the Chair.

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

ABSENT: None

GUESTS: Assemblyman Vergiels  
Assemblyman Cavnar  
Jack Kenney  
Donald W. Heath, Commissioner of Insurance, Insurance  
Division  
Larry Kees, Nevada Independent Insurance Agents  
Assemblyman Banner  
Sam Mamet, Clark County  
Assemblyman Barengo

AB-145 - Reduces age of eligibility of state senators and assemblymen.

Assemblyman Vergiels testified in favor of AB-145. He said the Constitution of the State of Nevada states that electors may be eligible to run for office with the exception of the office of Governor and Attorney General. He said this resolution would allow eighteen (18) to twenty-one (21) year olds to run for the office of state senator or assemblyman.

Senator Ford stated that she did some research on this in 1973 when there was a similar bill. She said the legislative offices and the statewide offices where there are some constitutional limitations on age are the only offices that an eighteen (18) to twenty-one (21) year old can not run for. Senator Ford stated that she feels there is no rationale for not letting 18 to 21 year olds run for the legislature when they can run for almost every other office.

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Assemblyman Cavnar came before the Committee to suggest the possibility of having an interim study on prevailing wage. She said as a member of the Assembly Ways and Means Committee, she became very aware of the high prices for government buildings. Assemblyman Cavnar said a study is needed to study alternatives.

Jack Kenney of Las Vegas, informed the Committee that under the present law the prevailing wage is the Las Vegas wage. "So if a building were built in Gardnerville, the Las Vegas wage would be used which might not be the prevailing wage in another community." Mr. Kenney stated that an interim study needs to be conducted to find out what the prevailing wage is.

Senator Close asked what requires the state to pay the prevailing wage.

Senator Gibson stated that it is a state law and he said that is one of the reasons they could not build the Alamo School, because it required the prevailing wage in Southern Nevada.

Senator Close asked if it is the highest wage in the entire state that must be paid.

Senator Gibson said it is a predominant wage.

Mr. Kenney gave the Committee some background information on the prevailing wage. He said it was enacted in 1931 and it required contractors, who were receiving federal funds, to pay their workers not less than the local prevailing wages.

Senator Young asked if any effort has ever been made to amend or repeal the state law on prevailing wages.

Mr. Kenney said not to his knowledge.

Chairman Echols stated that the Committee has a resolution (SCR-40) which directs the study of the public works board and suggested that this information could be amended into it.

The Committee felt that was possible.

Chairman Echols stated that the Committee would take this information under advisement.

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SCR-53 - Directs legislative commission to prepare legislation allowing employers' choice of three methods of obtaining industrial insurance coverage.

Donald W. Heath, Commissioner of Insurance, stated that the Insurance Division would be available to help implement this study during the interim.

Larry Keys, Nevada Independent Insurance Agents Association, stated that they are in support of SCR-53 and encourage an interim study. He said the Nevada Independent Insurance Agents Association would give any assistance or expertise that their membership might have on the subject.

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Assemblyman Banner stated that he feels this would be a good study if it is restricted to the three-way plan or to the private carrier. He said this study would save the subcommittees next session a lot of time.

Senator Ford stated that according to the language, it does not call for a study but develops the legislation for the next session. She said there would be a lot of merit to it if a joint interim Commerce Committee conducted it.

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SCR-54 - Directs legislative commission to study Nevada's laws relating to local government bonding.

Sam Mamet, representing Clark County, stated that they did not submit this proposal but he has talked to a number of local government representatives and they all indicate an interest in SCR-54. Mr. Mamet stated that the statutes as they are currently drafted, dealing with local government debt in the state, "go all over the map" and he said some kind of review needs to be undertaken.

Senator Gibson stated that there is an overlapping of the statutes to the point that it is almost impossible for the bond experts themselves to follow them. Senator Gibson presented a visual aid which consisted of the sections in the statutes that have to do with local improvement, special improvement and economic improvement (The visual aid was clipped and glued statutes on one long piece of paper which went from one end of the room to the other.). Senator Gibson said it is hoped the study will result in consolidation of the Chapters of NRS so that the access, understanding, and utilization of them can be simplified.

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Senator Wilson stated that some amendments have been prepared to transfer the registration of lobbyists from the Secretary of State's office to the Legislative Building. Senator Wilson stated that the Committee had indefinitely postponed SB-542 and asked for reconsideration of that action so SB-542 could be used as a vehicle for the amendments.

Senator Ford stated that the amendment would change "Secretary of State" to the "Director of the Counsel Bureau". She said the authority to adopt the regulations would be given to the authority of the Legislative Commission, according to the amendment. She said the amendment would also require that the list of lobbyists be kept current and that an alphabetized list be given to members of the legislature. She said the requirement for the identification badge would be left as it is, but the Commission has the authority to determine what "identification badge" means. The Director will report violations to the Commission for their information only and the Attorney General will proceed to enforce the laws.

Senator Wilson moved that the Committee reconsider their previous action to indefinitely postpone SB-542.

Senator Ford seconded the motion.

Motion carried.

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Senator Ford moved that the Committee amend and "Do Pass" SB-542 out of Committee based on Amendment #1083. (See Exhibit "A").

Senator Wilson seconded the motion.

Discussion on proposed amendment:

Chairman Echols questioned the amendment where it says, "Every person who acts as a lobbyist shall, not later than 2-days after the beginning of that activity, file a registration statement with the director." He asked what should be done when a person comes for one day and lobbies.

Senator Ford said that technically they are required to register.

Chairman Echols asked the Committee if they felt the language was clear.

Senator Ford said the act could be clarified, but at this point in the session it would be timely. She said the amendment is not to address substance, it is to transfer the jurisdiction.

Motion carried.

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ACR-53 - Directs legislative commission to study grand jury system in Nevada.

Assemblyman Barengo informed the Committee that the request for this study came from the Deputy District Attorney of Clark County who felt there should be some extensive revisions in the Clark County grand jury procedures. Assemblyman Barengo stated that there have been numerous abuses and violations in disclosing names and information in many grand jury cases in the different counties of Nevada. He stated that this needs to be stopped.

Senator Close stated that it may be possible to stop this from happening by making them liable. He said there is strong language that prohibits the disclosure of names, but it is ignored.

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Senator Gibson stated that the Committee indefinitely postponed SCR-14, the study of federal funds, because the Committee felt that SB-255 took care of it. Senator Gibson stated that this was overlooked because SB-255 takes care of the problem in state programs but not in local programs. Senator Gibson asked that the Committee reconsider their previous motion on SCR-14 and that it be changed to study the use of federal money in local programs.

Senator Gibson moved that the Committee reconsider their previous action to indefinitely postpone SCR-14.

Senator Close seconded the motion.

Motion carried.

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Senator Gibson moved that the Committee amend and "Do Pass" SCR-14 out of Committee (See Exhibit "B").

Senator Ford seconded the motion.

Motion carried.

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Chairman Echols asked the Committee what there feeling was on all the studies.

Senator Gibson stated that he felt each member should look at a list of the studies, prioritize them, and then discuss them at the next meeting.

The Committee reviewed the list of all the studies and decided to discuss them at the next meeting.

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SB-581 - Makes records of travel expenses of legislative counsel bureau available for public inspection.

Senator Gibson moved that SB-581 be passed out of Committee with a "Do Pass" (See Exhibit "C").

Senator Close seconded the motion.

Motion carried.

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Senator Ford stated that the Committee did not take any action on SJR-26, which requires a 2-day organizational meeting, at the last meeting and she asked that it be considered now. She said it is a constitutional amendment.

Chairman Echols asked what the difference is between the 2-day organizational session and the orientation program that exists now.

Senator Ford stated that legally there is a lot of difference. She said SJR-26 allows the legislature to convene before the session starts for a period of not more than two (2) days. The session still starts the third Monday in January. She said the 2-days could be combined with the pre-session orientation so there is not an additional trip.

Senator Close asked why there has to be a constitutional amendment to allow that practice if it can be combined and done at the same time as the pre-session orientation.

Senator Ford said it can not be done legally without this amendment. She said the advantage of the 2-day organizational meeting is that committee assignments could be announced a month or two prior to the convening of a session so all legislators will know what their assignments are.

Senator Close stated that he does not agree with having a constitutional amendment to be in session for 2-days for the purpose of organizing and electing officers.

Chairman Echols concurred with Senator Close.

Chairman Echols suggested that Senator Ford get some definitive information on SJR-26 and then the Committee would discuss it further at the next meeting.

There being no further business, the meeting was adjourned at 4:00 p.m.

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

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Approved By:  
Senator Gene Echols  
Chairman

EXHIBIT "A"

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. B. 542

SENATE BILL NO. 542—COMMITTEE ON  
LEGISLATIVE FUNCTIONS

APRIL 28, 1979

Referred to Committee on Legislative Functions

SUMMARY—Removes requirement that lobbyists wear  
identification badges. (BDR 17-2054)

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 lobbyists; transferring responsibility for the regulation of their activity to the legislative commission and director of the Nevada legislative counsel bureau; 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. Chapter 218 of NRS is hereby amended by adding  
2 thereto a new section which shall read as follows:  
3 "Director" means the director of the Nevada legislative counsel  
4 bureau.  
5 SEC. 2. NRS 218.904 is hereby amended to read as follows:  
6 218.904 As used in NRS 218.900 to 218.944, inclusive, the terms  
7 defined in NRS 218.906 to 218.916, inclusive, and section 1 of this act,  
8 have the meanings ascribed to them in [such] those sections.  
9 SEC. 3. NRS 218.918 is hereby amended to read as follows:  
10 218.918 Every person who acts as a lobbyist shall, not later than  
11 2 days after the beginning of [such] that activity, file a registration  
12 statement with the director in such form as the [secretary of state shall  
13 prescribe.] director prescribes.  
14 SEC. 4. NRS 218.924 is hereby amended to read as follows:  
15 218.924 Each person required to register shall file a supplementary  
16 registration statement with the [secretary of state.] director no later than  
17 5 days after any change in the registrant's last registration statement.  
18 The supplementary registration statement [shall] must include complete  
19 details concerning the changes that have occurred.  
20 SEC. 5. NRS 218.926 is hereby amended to read as follows:  
21 218.926 1. Each registrant shall file with the [secretary of state]  
22 director within 30 days after the close of the legislative session a final  
23 report signed under penalty of perjury concerning his lobbying activities.

EXHIBIT "B"

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

S. C. R. 14

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SENATE CONCURRENT RESOLUTION NO. 14—  
COMMITTEE ON FINANCE

FEBRUARY 16, 1979

Referred to Committee on Legislative Functions

SUMMARY—Directs legislative commission to study use of federal money in state and local programs. (BDR 1307)

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

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SENATE CONCURRENT RESOLUTION—Directing the legislative commission to study the use of federal money in local governmental programs.

- 1 WHEREAS, The extent of federal money coming to the local govern-  
2 ments in Nevada has been growing dramatically; and  
3 WHEREAS, There is no agency in Nevada which compiles the sources  
4 and uses of federal money by our local governments; and  
5 WHEREAS, The Federal Government is finally attempting to balance  
6 the federal budget, which may substantially reduce the federal revenue  
7 available for local governmental programs, possibly reducing or elim-  
8 inating funding for services which local governments may be requested  
9 to replace; and  
10 WHEREAS, It is not possible for the legislature to enact rational and  
11 comprehensive tax reform and fiscal plans for local governments when  
12 local government budgets contain an increasing percentage of federal  
13 money; now, therefore, be it  
14 *Resolved by the Senate of the State of Nevada, the Assembly con-*  
15 *curring,* That the legislative commission is hereby directed to study  
16 local programs to determine the extent of federal money received, the  
17 growth in the amount of federal money, the intent of the agencies in  
18 applying for and accepting federal money, the effectiveness of the pro-  
19 grams for which money was received and the extent to which the goals  
20 of the federal programs are consistent with the goals and priorities of  
21 local government; and be it further  
22 *Resolved,* That the study consider the extent to which the acceptance  
23 of federal money in any of the programs reviewed obligates the local  
24 governments, directly or by implication, to pay the costs of supporting  
25 the programs in the future; and be it further  
26 *Resolved,* That the subcommittee appointed to conduct the study  
27 contain representatives of local governments; and be it further  
28 *Resolved,* That the legislative commission submit a report of the  
29 results of the study to the sixty-first session of the Nevada legislature.



EXHIBIT "C"

**S. B. 581**

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**SENATE BILL NO. 581—COMMITTEE ON FINANCE**

**MAY 11, 1979**

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**Referred to Committee on Legislative Functions**

**SUMMARY**—Makes records of travel expenses of legislative counsel bureau available for public inspection. (BDR 17-2170)

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



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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 legislative counsel bureau; making the records of travel expenses of legislators and officers and employees of the legislative counsel bureau available for public inspection; 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 218.625 is hereby amended to read as follows:  
2 218.625 1. The director, other officers and employees of the legisla-  
3 tive counsel bureau shall not:  
4 (a) Oppose or urge legislation, except as the duties of the legislative  
5 auditor, the legislative counsel, the research director and the fiscal  
6 analysts require them to make recommendations to the legislature.  
7 (b) Except as provided in this section, disclose to any person outside  
8 the legislative counsel bureau the contents or nature of any matter, unless  
9 the person entrusting the matter to the legislative counsel bureau so  
10 requests or consents.  
11 2. Except as the legislative auditor and his staff are further restricted  
12 by this chapter, the nature or content of any work previously done by the  
13 personnel of the legislative counsel bureau may be disclosed to a legislator  
14 or public agency if or to the extent that such disclosure does not reveal  
15 the identity of the person who requested it or include any material sub-  
16 mitted by the requester which has not been published or publicly dis-  
17 closed.  
18 3. When a bill or resolution drafted at the request of any person who  
19 is not a legislator, is delivered to a legislator, the legislative counsel shall  
20 disclose the identity of the requester to the recipient, and when the bill or  
21 resolution has been introduced he shall upon request disclose the identity  
22 of the requester to any legislator.