

MEMBERS PRESENT:

Chairman Westall  
Mr. Kovacs  
Mr. May  
Mr. Bremner

Mr. Vergiels  
Mr. Brady  
Mr. Rusk  
Mr. Stewart

MEMBER EXCUSED:

Mr. Rhoads

GUESTS PRESENT:

Mr. Barengo, Speaker of the Assembly  
Mr. Crossley, Legislative Audit Division  
Irish White, Associated Press

Chairman Westall convened the meeting at 3:15 P.M.

AB 84 - Provides for advance money to legislators for travel expenses and increases their per diem and travel allowances.

Mr. John Crossley, Legislative Auditor said, the first section of the bill pertains to legislators receiving travel advances. The advances are to be paid from a bank account maintained by LCB. Payroll checks are paid from this account, also. This particular section is authorized in statutes. AB 84 proposes amending the section to allow advances. One of the reasons, as explained to him, that it was decided to use the LCB bank account rather than the treasurer's revolving fund was some of these advances would be outstanding for quite a long time. The advances would be worked off through the session. The \$130,000 in the treasurer's revolving fund would be insufficient to cover these "long term" advances as it serves the other agencies of the State which utilize the fund. The legislators, as proposed in AB 84, would receive lump sum advances for travel. Each week they would file claims for travel expenses, based on mileage, and the amount of the claim would be applied to the advance, decreasing the amount outstanding with each claim. A form has been devised for the purpose of reporting the travel expenses. The LCB is prepared to administer the travel advance proposal if it becomes law. (See EXHIBIT A)

The claim for expenses for travel has to be approved by the Speaker in the Assembly and in the Senate by the Majority Leader. The advance would constitute a lien on the legislator's salary, subsistence allowance and travel expenses so the "loan" is secured.

Chairman Westall asked why the lien applied to salary and subsistence.

Mr. Crossley replied that the salary did not apply to just a legislative session but all salaries, including interim committee compensation. It was further security for the LCB to insure repayment of the advances.

Mr. Vergiels asked if he drew travel advances in excess of allowance

for actual travel expenses could the LCB withhold the excess amount from his salary.

Mr. Crossley answered that Mr. Vergiels was correct. The excess of the advance would be taken out of salary if it were not repaid. The LCB believed that the amounts advanced would be approximately equal to the amount of the travel and did not foresee a problem in this area.

Mr. Vergiels asked if it had been determined how much would be saved by buying airline tickets in advance. The purchaser could take advantage of economy rates and avoid increases in rates that occurred during the session. The rates were rapidly increasing and he could foresee a time in the very near future when the travel allowance would not cover air travel from the Las Vegas area.

Mr. Crossley said that unless tickets were purchased in advance the legislators were subject to increasing fares. The tickets could be purchased in advance now but the individual had to pay for them with his own money.

Mr. Bremner asked if the airline ticket proof of purchase was required by the LCB.

Mr. Crossley said they did not require receipts of actual monies expended. The travel allowance was based on miles traveled and the legislators are to be reimbursed at the rate of twenty cents per mile. The total travel allowance for the session, based on AB 84, is \$3500. Nine hundred fifty miles is the maximum distance of a legislator from his home. The amount allowed for travel was sufficient to cover a weekly trip to his home and back. The travel rate now is seventeen cents per mile but this bill raises it to twenty cents.

Mr. Bremner asked if a legislator were required to accept an advance travel allowance.

Mr. Crossley responded that the advance was optional. No one was required to accept but it would be available to those who requested it. The purpose is to allow the prepayment of tickets.

Mr. Bremner commented some legislators could not now prepay and take advantage of lower fares because they did not have the money. This measure would solve that problem.

Chairman Westall stated she felt everyone should be able to serve and should not have to worry about money out of their pocket. A lot of people do not have the money to take out of their pocket.

Mr. Vergiels asked how the legislators would be reimbursed if the actual travel exceeds the twenty cent per mile allowance.

Mr. Crossley answered that IRS authorizes twenty cents and that was the limit of reimbursement.

(Committee Minutes)

Mrs. Westall said if twenty-one and a half cents were exceeded there may be a problem with IRS.

Mr. May asked the established rate for per diem.

Mr. Crossley informed him the rate for Carson City was \$50. and the rate for Las Vegas was \$75.

Mr. May was concerned because the per diem rate for the Speaker is \$2.00 per day greater than other legislators, and this may cause a problem by exceeding the amount allowed by IRS.

Mr. Crossley said the Speaker had always been over by \$2 per day from the beginning because of the constitution.

Mr. Barengo, Speaker of the Assembly, said he had had numerous legislators ask if there were a way to obtain an advance because of the rising prices. He could see the need for this proposed bill, AB 84, and was fully in support of it. He had also received requests from outside sources asking they examine travel budgets for state agencies; they have the same problems as the legislators and this would have to be considered in the budgetary process. Not only was there a real need for this legislation, it would save money in the long run.

Mr. Barengo proposed an amendment and explained what the amendment would cover. Line 38, page 2, change from "for more than 3 days" to "for more than 4 days." The legislators are entitled to receive per diem when in session and not when adjourned for more than 3 days. That provision raises a problem in the current session. The language was added last session because they did not want everyone paid if the legislature was recessed or adjourned for an extended period of time (two weeks). The three day number was arbitrarily chosen because the constitution reads that one House cannot adjourn for more than three days unless it has the permission of the other House. The leadership of the Senate is agreeable to amending this line to read four days. Four days is a more opportune period than three. A time period has to be specified because of the possibility of an extended recess or adjournment. If there were an extended recess or adjournment everyone who has a lease or some obligation to pay rent, that portion of their rent would be paid.

Mr. Stewart asked if it were necessary they attend a committee meeting during that four days in order to be qualified for payment.

Mr. Barengo said, as the language currently reads, if the Assembly were adjourned for longer than three days, and a standing committee met during that adjournment, each member of the committee would receive \$44 per diem, the salary would not be paid. But the salary being for only sixty days, would be picked up on the sixty-third day, unless the session ended in sixty, then the pay would be for only fifty-seven days. There is another section of the law, not before the Committee, that reads to the effect that salaries are cut off if the legislature adjourns for more than three days. He would like to amend this bill to change that to four days.

Mr. Rusk made the motion to AMEND AND DO PASS AB 84. Mr. May seconded the motion. Six members of the Committee voted "yes"; Mr. Stewart and Mr. Brady voted "no". Motion carried.

Mr. Stewart made a statement that he thought the twentycents was justified but was concerned about the advances.

Chairman Westall adjourned the meeting at 3:40 P.M

Respectfully submitted:

Marjorie D. Robertson

61ST NEVADA LEGISLATURE

ASSEMBLY LEGISLATIVE FUNCTIONS COMMITTEE

LEGISLATION ACTION

DATE: February 3, 1981

SUBJECT AB 84 - Provides for advance money to legislators for travel expenses and increases their per diem and travel allowances.

MOTION:

Do Pass XX Amend XX Indefinitely Postpone Reconsider

Moved By Mr. Rusk Seconded By Mr. May

AMENDMENT: Line 38, page 2, change to "for more than 4 days"

Moved By Seconded By

AMENDMENT:

MOTION

AMEND

AMEND

Table with 7 columns: Name, Motion Yes, Motion No, Amend Yes, Amend No, Amend Yes, Amend No. Rows include Brady, Bremner, Kovacs, May, Rhoads, Rusk, Stewart, Vergiels, Westall.

TALLY: six in favor, 2 opposed; one absent

ORIGINAL MOTION: Passed XX Defeated Withdrawn

Amended & Passed XX AMENDED & DEFEATED

Amended & Passed Amended & Defeated

ATTACHED TO MINUTES February 3, 1981

NEVADA LEGISLATURE  
LEGISLATIVE COUNSEL BUREAU

LEGISLATOR'S REQUEST FOR TRAVEL ADVANCE

LEGISLATOR'S NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

Legislator's Social Security Number									

Date		
Month	Day	Year

Requested Amount
\$ _____

TO: LEGISLATIVE AUDITOR

I hereby request the above amount be advanced to me from the Legislative Counsel Bureau's bank account for the purpose of paying necessary travel expenses during the current regular session of the legislature.

I understand that if the amount of my travel claim is greater than the amount advanced, you shall accept and deposit the total amount into the Legislative Counsel Bureau's bank account and reimburse me in the amount of the overpayment. If the amount of my advance is greater than the travel expense claimed, I will pay the excess amount advanced to the Legislative Counsel Bureau's bank account.

Legislator's signature \_\_\_\_\_

APPROVAL:

Signature \_\_\_\_\_

1. For Senators - must be approved by the Majority Floor Leader of the Senate.
2. For Assemblymen - must be approved by the Speaker of the House.

LEGISLATIVE AUDITOR'S OFFICE ACCEPTANCE:

Check No.

**NEVADA LEGISLATURE**  
**LEGISLATIVE COUNSEL BUREAU**

**PROCEDURE FOR OBTAINING TRAVEL ADVANCES BY A LEGISLATOR**  
**DURING A REGULAR SESSION**  
**(AB 84)**

1. Any legislator may request an advance to travel. Such request will be made on the form entitled "Legislator's Request for Travel Advance". Copies of these forms may be obtained from the Accounting Office in room 335.
2. The appropriate approval must be obtained by the Legislature. Upon being approved, the claim should be delivered to the Accounting Office.
3. The Accounting Office will write a check and deliver it to the legislator.
4. On any claims submitted by a legislator, the claim will be made payable to the legislative checking account and the legislator. It will be endorsed with the signature stamp and deposited into the checking account. A check, on the checking account, will be written for the per diem on the claim, and the amount of the travel advance in excess of the advance.