

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON LEGISLATIVE AFFAIRS

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
January 20, 1981

The Senate Committee on Legislative Affairs was called to order by Chairman Gene Echols, at 2:06 p.m., Tuesday, January 20, 1981, in Room 243 of the Legislative Building, Carson City, Nevada.

COMMITTEE MEMBERS PRESENT:

Senator Gene Echols, Chairman
Senator Jean Ford
Senator James I. Gibson
Senator Thomas R.C. Wilson
Senator Sue Wagner

COMMITTEE MEMBER ABSENT:

Senator Mel Close, Vice Chairman (Excused)

STAFF MEMBER PRESENT:

Sheba L. Frost, Secretary

Chairman Echols welcomed each of the members to the committee. He said that a review of the committee's rules would be held at the next meeting.

Senator Gibson explained that the two Bill Draft Requests, *BDR 17-310 (Exhibit A) and *BDR 17-562 (Exhibit B), are bill requests from the Legislative Counsel Bureau's Audit Department. They are "housekeeping" bills which are summarized as follows:

BILL DRAFT REQUEST NO. 17-310 -- Removes requirement for signing of checks by leaders during special session.

BILL DRAFT REQUEST NO. 17-562 -- Allows certain persons to obtain benefits from public employees' retirement system while employed during legislative session.

* (S.B. 42)

** (S.B. 56)

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Senator Wilson moved for committee introduction of BDR 17-310 and BDR 17-562.

Senator Wagner seconded the motion.

The motion carried unanimously.

Senator Ford asked how the legislative social calendar was being handled. After further discussion, it was decided that one person should be responsible for coordinating and distributing the social calendar. A notice of where to locate this coordinator would be developed and sent to all legislators and public notice boards. (It was determined after this meeting that Ms. Anne Peirce, secretary for Assembly Speaker Robert Barengo, Room 110, would process the calendar for all social legislative events.)

Senator Ford inquired about the rule which requires that this Committee on Legislative Affairs approve or disapprove all hiring of Senate attaches for the session. Senator Gibson said that while in a legislative session, this committee is responsible for these decisions. However, prior to the session, hiring was done by the Secretary of the Senate with leadership approval. Senator Gibson said that a review of this rule for clarification could be done at the next meeting.

Senator Gibson pointed out that there have been some negative comments about how the Legislative Commission's Interim Subcommittee studies were handled this past interim. The senator felt that the concept should be discussed by this committee at a future meeting.

There being no further business, the meeting adjourned at 2:19 p.m.

Respectfully submitted by:


Sheba L. Frost, Secretary

APPROVED BY:


Senator Gene Echols, Chairman

DATE: 1-26-81

EXHIBIT A

SUMMARY--Removes requirement for signing of checks by leaders during special session. (BDR 17-310)

Fiscal Note: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

AN ACT relating to the legislative counsel bureau; removing the requirement for the signing of checks by legislative officers during a special session; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 218.644 is hereby amended to read as follows:

218.644 The legislative counsel bureau may maintain a checking account in any qualified bank for the purpose of paying the salaries of persons on the payroll of the legislative branch of government, related payroll costs and any other expenses directed by the legislative commission. The account must be secured by a depository bond to the extent the account is not insured by the Federal Deposit Insurance Corporation. All checks written on this account must be signed by the chairman of the legislative commission and the director of the legislative counsel bureau or his designee, except that during a regular [or special] session of the legislature, the majority leader of the senate and the speaker of the assembly shall sign the checks.

EXHIBIT B

SUMMARY--Allows certain persons to obtain benefits from public employees' retirement system while employed during legislative session. (BDR 17-562)

Fiscal Note: Effect on Local Government: No.
Effect on the State or on Industrial Insurance: No.

AN ACT relating to the public employees' retirement system; allowing certain persons to obtain benefits while employed during the legislative session; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 218.2393 is hereby amended to read as follows:

218.2393 1. A person receiving a retirement allowance under NRS 218.2371 to 218.2395, inclusive, who is elected or appointed to the legislature [shall] may not receive a retirement allowance during the period of time in which he serves as a legislator. Upon reentry into retirement he may receive a retirement allowance based upon his previous service and his added service.

2. Except as otherwise provided in subsection 4 [,] or 5, the consequences of the employment of a person receiving a retirement allowance under NRS 218.2371 to 218.2395, inclusive, in any other capacity than as a legislator are:

(a) A retired legislator who accepts employment with a public employer under the public employees' retirement system is disqualified from receiving any allowances under the legislators' retirement system for the duration of that employment if:

(1) He accepted the employment within 90 calendar days after the effective date of his retirement; or

(2) He is employed in a position which is eligible to participate in the public employees' retirement system.

(b) If a retired legislator accepts employment with a public employer under the public employees' retirement system more than 90 calendar days after the effective date of his retirement in a

position which is not eligible to participate in the public employees' retirement system his allowance under the legislators' retirement system terminates immediately upon his earning more than \$4,800 in any fiscal year, for the duration of that employment.

(c) If a retired legislator accepts employment with an employer that is not a public employer under the public employees' retirement system, he is entitled to the same allowances as a retired legislator who has no employment.

3. The retired legislator and the public employer shall notify the board:

(a) Within 10 days after the first day of an employment governed by paragraph (a); and

(b) Within 30 days after the first day of an employment governed by paragraph (b),
of subsection 2.

4. The board may waive for one period of 30 days or less a retired legislator's disqualification under this section if the public employer certifies in writing, in advance, that the retired legislator is recalled to meet an emergency and that no other qualified person is immediately available.

5. A person who is employed by either house of the legislature is exempt from the provisions of subsections 2 and 3 during the course of the legislative session for which he is employed.

Sec. 2. NRS 286.520 is hereby amended to read as follows:

286.520 1. Except as otherwise provided in subsection 3 [and] or 4 or NRS 286.525, the consequences of the employment of a retired employee are:

(a) A retired employee who accepts employment with a public employer under this system is disqualified from receiving any allowances under this system for the duration of that employment if:

(1) He accepted the employment within 90 calendar days after the effective date of his retirement; or

(2) He is employed in a position which is eligible to participate in this system.

(b) If a retired employee accepts employment with a public employer under this system more than 90 calendar days after the effective date of his retirement in a position which is not eligible to participate in this system his allowance under this system terminates immediately upon his earning more than \$4,800 in any fiscal year, for the duration of that employment.

(c) If a retired employee accepts employment with an employer that is not a public employer under this system, he is entitled to the same allowances as a retired employee who has no employment.

2. The retired employee and the public employer shall notify the system:

(a) Within 10 days after the first day of an employment governed by paragraph (a); and

(b) Within 30 days after the first day of an employment governed by paragraph (b),
insert of subsection 1.

3. The system may waive for one period of 30 days or less a retired employee's disqualification under this section if the public employer certifies in writing, in advance, that the retired employee is recalled to meet an emergency and that no other qualified person is immediately available.

4. A person who is employed by either house of the legislature is exempt from the provisions of subsections 1 and 2 during the course of the legislative session for which he is employed.

Sec. 3. This act shall become effective upon passage and approval.