

MINUTES OF THE  
MEETING OF THE SENATE COMMITTEE  
ON LEGISLATIVE AFFAIRS

SIXTY-FIRST SESSION  
NEVADA STATE LEGISLATURE  
February 10, 1981

The Senate Committee on Legislative Affairs was called to order by Chairman Gene Echols, at 2:20 p.m., Tuesday, February 10, 1981, in Room 243 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster. Exhibit C is the Legislator's Request for Travel Advance Form. Exhibit D is ASSEMBLY BILL NO. 84.

COMMITTEE MEMBERS PRESENT:

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

STAFF MEMBERS PRESENT:

Mary E. Gump, Secretary  
Leila Kutscherousky, Secretary

Senator Echols stated that ASSEMBLY BILL NO. 84 was the only agenda item. It provides for advance money to legislators for travel expenses and increased their per diem and travel allowances.

Senator Echols recognized Mr. John Crossley, Chief of the Audit Division of the Legislative Council Bureau.

Mr. Crossley stated ASSEMBLY BILL NO. 84 accomplished the following. The first section provides legislators with an advance for travel expenses for economical reasons. The legislators would receive an advance and as they filed their weekly claims that amount would be deducted and only the per diem would be paid.

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Section two of the bill establishes the per diem rate. It is not to exceed the maximum rate established by the Federal Government for the locale in which the travel is performed.

Mr. Crossley discussed Section B, line 18, which increases the rate from 17 cents to 20 cents per mile, which was allowed by the Federal Government regulations. Line 23 increases the travel allowance maximum from \$2,550 to \$3,500 during each regular session. Line 38 applies to when the legislature is adjourned for more than three days. It was changed to more than four days.

Section Three, lines 15 through 18, provides that the Legislative Council Bureau is to maintain a checking account for the advance money to legislators for travel expenses during a regular session of the legislature.

Senator Close asked, where in Section One did it provide that if legislators did not travel they were entitled to get the money back? For example, if they received advance travel for 20 weeks back and forth to Las Vegas, and only made ten trips, did the Legislative Council Bureau anticipate that the legislators would pay to the legislature that money which they were not entitled to because they did not make the trips?

Mr. Crossley stated that was right. He stated they prepared a form, (Exhibit C) to accommodate the legislators.

Senator Gibson stated the reason for the bill was because the Assemblymen wanted to buy airline tickets in advance. There was a 20 percent increase in air fare and they wished to purchase the tickets in advance at the lower rate. Each week they were to submit a travel claim but if the claims did not come up to the amount of travel that had been advanced, then the balance had to be repaid.

Senator Wagner asked if there was proof, after the request for money had been made, that it had been spent.

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Senator Wilson responded the form suggests they have to make the purchase of the tickets before they receive any money. Documentation verifying proof of purchase means after the fact, you cannot have proof of purchase until the purchase is made. Once made then that is reimbursement, that is not advance. He stated in response to Senator Wagner's question that in addition to the recommendation to the bill they by rule or whatever prescribe the form that is to be used because subsequent to this form is the requirement that the purchase be made before the travel advance is paid. That is the control you need. The form is a exhibit to the rule because the form contains a requirement that is different than the statute or bill.

Senator Ford asked if it was the practice after the claim had been turned in each week that the reimbursement on the account was not based on the actual travel but was based on the 20 cents per mile.

Senator Gibson stated the reason for that was that the Internal Revenue Service allowed the 20 cents per mile without question and they are comfortable with the per mileage even though the legislature uses air flights for its transportation.

Senator Ford asked if the per diem changed, depending on residence.

Senator Gibson stated it did not. The per diem is based on where the Legislature is based, Carson City. It is written in because it was best to follow the Federal Government requirements rather than enact legislation each time there is a change.

Senator Wilson moved for a DO PASS.

This was seconded by Senator Gibson.

The motion was carried unanimously.

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Senator Wilson moved for the committee to take action by approving the Form and the substance of the Form (Exhibit C).

The motion was seconded by Senator Gibson.

The motion was carried unanimously.

Senator Close recommended that the Consent Calendar be considered at the end of the General File so all Senators could be present.

Senator Ford agreed with Senator Close.

Senator Gibson stated that each day there is a Consent Calendar, he will move that it be considered after General File.

Senator Echols adjourned the meeting at 3 p.m.

Respectfully submitted by:

  
\_\_\_\_\_  
Mary E. Gump, Secretary

APPROVED BY:

  
\_\_\_\_\_  
Senator Gene Echols, Chairman

DATE: \_\_\_\_\_

SENATE AGENDA

## COMMITTEE MEETINGS

Committee on LEGISLATIVE AFFAIRS, Room 243.Day TUESDAY, Date FEBRUARY 10, Time 2 p.m.

A. B. No. 84-- Provides for advance money to legislators for travel expenses and increases their per diem and travel allowances.

ATTENDANCE ROSTER FORM

COMMITTEE MEETINGS

SENATE COMMITTEE ON

Leg. Affairs

DATE:

2/10/8

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME

ORGANIZATION & ADDRESS

TELEPHONE

John Crossley

Legislative Audit LCB

885-5620

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:

Documentation verifying proof of purchase must be presented to obtain 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.

(REPRINTED WITH ADOPTED AMENDMENTS)

FIRST REPRINT

A. B. 84

ASSEMBLY BILL NO. 84—COMMITTEE ON  
LEGISLATIVE FUNCTIONS

JANUARY 30, 1981

Referred to Committee on Legislative Functions

**SUMMARY**—Provides for advance money to legislators for travel expenses and increases their per diem and travel allowances. (BDR 17-1187)

**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 advances of money for travel expenses; increasing the allowances for per diem and travel; 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 1. *During a regular session of the legislature, any legislator may*  
4 *apply for advance money for travel expenses, not to exceed in the aggregate*  
5 *the total amount of travel expenses to which he is entitled under*  
6 *NRS 218.220 for a regular session, by filing a request with the majority*  
7 *leader of the senate if a senator, or the speaker of the assembly if an*  
8 *assemblyman.*  
9 2. *If the majority leader or the speaker approves the request, he shall*  
10 *forward a copy of the request and approval to the legislative auditor.*  
11 3. *Upon receiving a copy of the request and approval from the major-*  
12 *ity leader or the speaker, the legislative auditor shall issue a check drawn*  
13 *upon the checking account of the legislative counsel bureau for the*  
14 *amount of the advance requested.*  
15 4. *When approved by the majority leader or the speaker, a request*  
16 *for advance money constitutes a lien in favor of the legislative fund upon*  
17 *the accrued salary, subsistence allowance and travel expenses of the legis-*  
18 *lator in an amount equal to the sum advanced.*  
19 5. *The legislator is entitled to receive upon a claim made pursuant*  
20 *to NRS 218.220 any authorized travel expenses in excess of the amount*  
21 *advanced.*



1     **SEC. 2. NRS 218.220 is hereby amended to read as follows:**  
2     **218.220. 1. The per diem expense allowance and the travel and tele-**  
3     **phone expenses of senators and assemblymen [duly] elected or appointed**  
4     **and in attendance at any session or pre-session orientation conference of**  
5     **the legislature must be allowed in the manner set forth in this section.**  
6     **2. For initial travel from his home to Carson City, Nevada, to attend**  
7     **a session or pre-session orientation conference of the legislature, and for**  
8     **return travel from Carson City, Nevada, to his home upon adjournment**  
9     **sine die of a session or termination of a pre-session orientation conference**  
10    **of the legislature, each senator and assemblyman is entitled to receive:**  
11    **(a) A per diem expense allowance [of \$44] not to exceed the greater**  
12    **of:**  
13        **(1) The rate of \$44; or**  
14        **(2) The maximum rate established by the Federal Government for**  
15    **the locality in which the travel is performed,**  
16    **for one day's travel to and one day's travel from the session or confer-**  
17    **ence.**  
18    **(b) Travel expenses computed at the rate of [17] 20 cents per mile**  
19    **traveled.**  
20    **3. In addition to the per diem and travel expenses authorized by sub-**  
21    **section 2, each senator and assemblyman is entitled to receive a supple-**  
22    **mental travel allowance which must not exceed:**  
23    **(a) A total of [\$2,550] \$3,500 during each regular session of the**  
24    **legislature; and**  
25    **(b) A total of \$1,000 during each special session of the legislature,**  
26    **for travel to and from his home or temporary residence or for traveling**  
27    **to and from legislative committee and subcommittee meetings or hearings**  
28    **or for individual travel within the state which relates to legislative busi-**  
29    **ness, computed at the rate of [17] 20 cents per mile.**  
30    **4. Each senator and assemblyman is entitled to receive a per diem**  
31    **expense allowance [of \$44] not to exceed the greater of:**  
32        **(a) The rate of \$44; or**  
33        **(b) The maximum rate established by the Federal Government for the**  
34    **locality in which the travel is performed,**  
35    **for each day that the legislature is in session or in a pre-session orienta-**  
36    **tion conference and for each day that he attends a meeting of a standing**  
37    **committee of which he is a member when the legislature has adjourned**  
38    **for more than [3] 4 days.**  
39    **5. Each senator and assemblyman who maintains temporary quarters**  
40    **in or near Carson City for which he has entered into a lease or other**  
41    **agreement for continuous occupancy for the duration of a legislative ses-**  
42    **sion is entitled to receive a lodging allowance equal to that portion of the**  
43    **expense allowance which the legislative commission designates by rule**  
44    **as being allocated to lodging, for not more than 14 days in each period**  
45    **in which:**  
46        **(a) The legislature has adjourned until a time certain; and**  
47        **(b) The senator or assemblyman is not entitled to a per diem expense**  
48    **allowance pursuant to subsection 4.**  
49    **6. Each senator and assemblyman is entitled to receive a telephone**  
50    **allowance of not more than \$1,000 for the payment of tolls and charges**

1 incurred by him in the performance of official business during each regu-  
2 lar session of the legislature and not more than \$200 during each special  
3 session of the legislature.

4 7. An employee of the legislature assigned to serve a standing com-  
5 mittee is entitled to receive the travel expenses and per diem expense  
6 allowance provided by law for state employees generally if he is required  
7 to attend a hearing of the committee outside Carson City.

8 8. Claims for expenses made under the provisions of this section  
9 must be made as other claims are made against the state, and must be  
10 paid from the legislative fund. Claims for per diem expense allowances  
11 authorized by subsection 4 and lodging allowances authorized by subsec-  
12 tion 5 must be paid once each week during a legislative session and upon  
13 completion of a pre-session orientation conference.

14 Sec. 3. NRS 218.644 is hereby amended to read as follows:

15 218.644. The legislative counsel bureau [may] shall maintain a  
16 checking account in any qualified bank for the [purpose of] purposes  
17 of providing advance money to legislators for travel expenses during a  
18 regular session of the legislature, paying the salaries of persons on the  
19 payroll of the legislative branch of government, related payroll costs and  
20 any other expenses directed by the legislative commission. The account  
21 must be secured by a depository bond to the extent the account is not  
22 insured by the Federal Deposit Insurance Corporation. All checks writ-  
23 ten on this account must be signed by the chairman of the legislative  
24 commission and the director of the legislative counsel bureau or his  
25 designee, except that during a regular or special session of the legislature,  
26 the majority leader of the senate and the speaker of the assembly shall  
27 sign the checks.

28 Sec. 4. The allowance for any per diem or travel expenses incurred  
29 by a senator or an assemblyman during the 61st session of the Nevada  
30 legislature must be calculated pursuant to the provisions of section 2 of  
31 this act.

32 Sec. 5. This act shall become effective upon passage and approval.