

MINUTES OF THE
MEETING OF THE SENATE COMMITTEE
ON LEGISLATIVE AFFAIRS

SIXTY-FIRST SESSION
NEVADA STATE LEGISLATURE
May 28, 1981

The Senate Committee on Legislative Affairs was called to order by Chairman Eugene Echols at 2:10 p.m., Thursday, May 28, 1981 in Room 243 of the Legislative Building, Carson City, Nevada. Exhibit A is the Meeting Agenda. Exhibit B is the Attendance Roster.

COMMITTEE MEMBERS PRESENT:

Senator Eugene Echols, Chairman
Senator James I. Gibson
Senator Jean E. Ford
Senator Sue Wagner
Senator Melvin D. Close (arrived later)
Senator Thomas R.C. Wilson (arrived later)

STAFF MEMBERS PRESENT:

Betty Nader, Committee Secretary
Frank W. Daykin, Legislative Counsel

The four members who were present discussed briefly Senate Concurrent Resolution No. 72, legislation concerning minority needs, and Senator Echols suggested action be postponed until the other committee members arrived. He pointed out that with the climate and constraints being placed on budgets in the nation at this time there would be more than the usual problems with funding this legislation.

Senator Echols asked Mr. Daykin to speak to the amendment to the prison study and the individual bill-draft requests for the 1983 Legislative session. He explained that the committee had previously discussed the possibility of reducing time for individual bill draft requests. The Chairman asked the amount of time involved in drafting bills at the present. Mr. Daykin responded that it now takes 30 days to draft a bill. Senator Echols asked whether it could be reduced to 20 days, and what bearing that time limit would have on processing of bills and length of session.

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Senator Wagner inquired of Mr. Daykin the status of the amendment to Senate Concurrent Resolution No. 56; and he responded that it was being typewritten as it had been processed.

Senator Echols related to Mr. Daykin the previous discussion of the committee on the possibility of reducing the time for individual bill-draft request from the present 30 days to a 20-day period of time, and asked how this would affect processing of bills and the length of the sessions.

Mr. Daykin advised it could do no harm, but he did not know to what degree it might help the situation. He explained that if this were to mean that everyone would ask in the first 20 days for the same number of bills they normally ask for in 30 days, due to the larger work load it would not change anything. On the other hand he said if an appreciable portion of bills could be winnowed out, it would mean reaching the end of individual requests sooner. He explained that right after the individual deadline there is a large volume of work in the bill drafter's office. At the last session, for example, they had 170 requests in the last two days and this had been less than in several other sessions. However, he stated the volume of committee requests has been a little bit heavier. It was his belief they would end the session with about the same number of bill requests they had at the last session, considering both houses of the Legislature. Some were belated agency requests submitted by soft-hearted committees who persuaded them to submit them as committee drafts.

Senator Echols asked if he believed that limiting personal requests was having an affect on the length of the sessions, to which he replied in the affirmative. He said to take the limit off personal requests would mean burying the committee requests, and the competition would continue throughout the session. During the last two days they try to integrate the committee requests so the committee requests are not completely behind individual requests. They are not authorized to make a determination as to priorities, but must treat all requests as serious, on the basis of first come, first serve.

Senator Ford cited the Michigan system of deadlines, and asked whether Mr. Daykin could see any additional deadlines that might be added to help the situation.

Mr. Daykin knew of no additional helpful deadlines. At present he said there is a deadline on requests, but not on introductions.

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If they had a deadline on introductions, he felt the result would probably be that everyone with a request he hadn't received would be beating on their door to get that particular one in. The more people you have, the more answers to inquiries, the fewer requests they are able to draft per day.

Senator Wagner recalled introducing this proposal in the Assembly where it was obviously not well received, but she said evidently it does work in other states. She said theirs is full-blown in terms of a deadline for introduction; deadline for passing out of the house of origin, etc. Senator Wagner asked how they had been able to overcome the kinds of problems he had stated. Mr. Daykin said that all other deadlines after the introduction will work if you have an early deadline for all introductions of bills or if you are able to get the bills actually delivered before the deadline.

Senator Ford suggested that after the first deadline, the Legislators take a break, going into a somewhat different operation for a couple of weeks (it would be best for the legislators to be out of town, she said). That would present a problem in terms of people's time and paying staff, etc. Even if they stayed with committee work and went into no general session for two weeks, holding hearings where the staff could be left alone to concentrate on processing the requests would help. When the bills are returned with a massive series of introductions, the hearings could be held with all matters on one topic being out and available to be considered. She cited for instance, Chapter 278, asking whether this would have been done in a couple of days if all bills were dealt with together, rather than 20 times. She stated she was seeking a way to get more done in less time. Another suggestion was to cut the length of hearings on individual bills.

Senator Gibson replied there is a bill requiring the legislators to hear everyone present, and some persons don't realize they oversell their programs. Senator Ford recalled telling those speaking on controversial issues "the pros have half-hour " and giving them ten minutes to decide who would speak to the issue. Senator Gibson said he had no idea someone would wish to speak for two hours on an issue. Senator Ford suggested only allowing local people a half-hour, or allowing a person to speak one time. Senator Ford asked whether they might get committee chairmen together to explore ways of conserving time at the beginning of the session. She again suggested getting bills in earlier so that chairmen could group the topics together.

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Mr. Daykin felt the principal way to save time would be by a technique of the recess, giving the following example: While the Legislature is in session and the people are around in regular process, three or four of his best attorneys are concentrating very largely on serving the legislators from day to day. He added this would not involve amendments at the beginning of the session, but inquiries and legal questions to be answered. When the legislators are not here, obviously those people are free to concentrate more directly upon drafting bills which would add to each days' production, substantially.

He further stated that if they did move up the deadline for individual requests to the opening of the session so that everything after that had to be a committee request, the effect would be that bills would be screened before they came out. There are pros and cons to that, as used in Connecticut. Connecticut claims their volume of requests runs about 6,000 per year (almost three times what Nevada has). However, the objection is that in some cases the sponsor needs a draft in order to present it intelligently to a committee. He may not be the sort of person who can get up and explain his ideas, or he needs enough research done on it of a legal nature before presenting it that the bill might just as well be drafted. In fact to draft the bill while looking up the material would take less time than two or three weeks later when committee approval comes through, to try to gather their thoughts again, he said.

Senator Wagner said this would involve having the committee make the decision on individual requests whether to have them drafted. Mr. Daykin agreed that would be effective, because this now occurs after the individual deadlines.

Senator Ford said that in Connecticut they have bill proposals. Committees take the proposals and decide what will be drafted. To preserve the right of individual requests up to the time of session, their time would not be lost because they are fully occupied until the time the session convenes with agency and individual requests and they usually have a little backlog when they go into session. By the time this is worked off, the committees would be feeding them. Again, he said, unless that would reduce the total number of bills it wouldn't change the result in how fast they were able to process bills. On the subject of recesses, Senator Ford asked how this is handled. Mr. Daykin pointed out that in Ohio, first of all budget committees meet and the legislators go home. The Ohio legislators are now getting a salary, but it is a small state where they can drive

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the whole state in a few hours, and most of the members stay in a hotel, working only certain days of the week.

Senator Ford asked about the possibility of money committees holding budget hearings, taking a week, and letting other committees make field trips on subject matter and hold hearings in Reno, for instance. Mr. Daykin replied that any amount of respite would show a profit.

Senator Gibson advised that a chairman has enough trouble holding hearings on bills, let alone holding hearings on subject matter. Mr. Daykin did not believe hearings are held on subject matter, but merely considered in work sessions, since they mentioned hearings on matters without bills, which would be very difficult. Senator Ford agreed they would have to have bills.

Senator Ford related that during this session, committees had gone to the University of Nevada, Reno campus and held hearings on the University as a whole.

Senator Wilson arrived.

Senator Ford advised they were discussing the value of taking a recess after the deadline for bill requests, and allowing the bill-drafting staff to concentrate and make meaningful use of the recess. Senator Wilson suggested making the judgment at that time.

Senator Wilson offered a question of Mr. Daykin. He related that a lot of trouble had ensued when the agencies got their material in late to Mr. Daykin and asked to what extent that had contributed to the difficulty. Mr. Daykin responded that in terms of bills considered to be important being late, the delay was substantial. Senator Wilson said his committee had ended up being a conduit for a lot of agency bills that seemed to be priority, so they brought them to the bill drafters, which really compounded their problem. Mr. Daykin agreed this was true for two reasons. First of all bills had come in late so they had to compete with those last individual requests, and they also got to Senator Wilson late. As they amended them all they had been short of time.

Senator Wilson added that if they could properly police and manage the executive bill draft requests, much burden would be reduced on the week or two following the 40th day, or whenever they set the bill-drafting cutoff date. Mr. Daykin said this

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would not substantially reduce the problem immediately after the deadline, but over all the session it would help. He said that, for instance, if they had received the insurance bills in September or October before the election, there would have been more time available to work on them.

Senator Wilson asked the next logical question, What can be done effectively to make the executive comply with his own deadline? He stated part of the problem is in the source agency, and part of the problem is in Mr. Barrett's office. He said Mr. Barrett considered some of the bills a month before sending them out. Mr. Daykin replied he did not know how to solve that problem without the full cooperation of the Governor, who had requested this procedure be followed.

Mr. Daykin noted there is a deadline in law, which is October 1, and under that law they have the right to refuse. Senator Wagner stated that one way to solve the problem would be not to introduce agency requests.

Senator Gibson asked Mr. Daykin if his staff had been adequate this session. Mr. Daykin felt his staff had been adequate, with the full number of persons authorized. If he had twice the number of staff, he advised he would have to get those persons on the level of competence to be worthwhile. He had not hired all of those who were qualified, he said, if that had been the case he would have been dropping over the plateau of efficiency or quality of applicants. He said there would be a problem of supervision of those persons unless there was a large, continuing experienced staff. There is sufficient work for their attorneys in the interim under the present setup with the administrative code and with the studies. But to have very many more, he felt there would be idleness, unnecessary expense and bad work habits.

Senator Ford asked how many of his current staff intend to return at the next session. Mr. Daykin had no indication of them leaving but there was nothing definite. Today, he said there are no pending bills except the last minute ones, such as the general appropriation bill and others, which are being drafted. He said they are now working full-steam on amendments and are within a day or so on those. There are states restricting individual requests to the day the session opens, or the request must come in through a committee.

Senator Wilson suggested the committee meet with or have a subcommittee meet with Mr. Barrett to stimulate and police the work

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on bills. Senator Gibson suggested having a standing committee nucleus working during the session so that those matters could be worked into the mill when they develop. Senators Ford and Wagner felt this was an answer but it had been rejected. Senator Ford asked whether there was any value in moving the rule to 20 days for introductions. Senator Wilson opposed this suggestion. He did not feel legislators should be required to pick up the bill when the system breaks down.

SENATE CONCURRENT RESOLUTION NO. 72--Directs legislative commission to study needs of certain minorities.

Senator Wagner moved for adoption of Senate Concurrent Resolution No. 72. (Exhibit C)

Senator Ford seconded the motion.

The motion carried, unanimously. (Senator Gibson was absent).

Since there was no other business to consider, the meeting adjourned at 2:45 p.m.

Respectfully submitted by:

Betty Nader
Betty Nader, Secretary

APPROVED BY:

Eugene Echols
Senator Eugene Echols, Chairman

DATE: _____

SENATE AGENDA
COMMITTEE MEETINGS

9:00 a.m.
Posted 5/27/81

Committee on Legislative Affairs, Room 243
Day Thursday, Date May 28, 1981, Time 2:00 p.m.

S.C.R. No. 72--Directs legislative commission to study
needs of certain minorities. (BDR 2144)

Following for Committee Work, Only

Discussion of individual bill-draft requests for the
1983 session.

Any items referred to the Committee between now and Thursday
will be added to the agenda, as received.

S. C. R. 72

SENATE CONCURRENT RESOLUTION NO. 72—
COMMITTEE ON GOVERNMENT AFFAIRS

MAY 26, 1981

Referred to Committee on Legislative Affairs

SUMMARY—Directs legislative commission to study needs
of certain minorities. (BDR 2144)

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

SENATE CONCURRENT RESOLUTION—Directing the legislative commission
to study the needs of certain minorities.

- 1 WHEREAS, Nevada has experienced a rapid increase in the population
2 of racial and ethnic minorities; and
3 WHEREAS, Members of these minorities often face special difficulties
4 in the areas of educational, employment, housing and other opportuni-
5 ties; now, therefore, be it
6 *Resolved by the Senate of the State of Nevada, the Assembly concur-*
7 *ring,* That the legislative commission is hereby directed to study the
8 problems of the ethnic and racial minorities of this state, especially con-
9 sidering:
10 1. Their access to public education;
11 2. Their need for public services, including without limitation, legal,
12 social, physical health and mental health services;
13 3. Their employment opportunities;
14 4. The degree to which federal and state programs are assisting
15 minorities to reach parity representation within the labor force in this
16 state;
17 5. Any problems concerning civil or human rights;
18 6. The proportion of business in the different areas of the state which
19 are owned or operated by persons who are members of an ethnic or racial
20 minority;
21 7. The availability of adequate and affordable housing; and
22 8. Any other problems of which the commission becomes aware; and
23 be it further
24 *Resolved,* That the legislative commission appoint to the subcommittee
25 appointed pursuant to this resolution five members of the Nevada legisla-
26 ture and two members of the minority community; and
27 be it further
28 *Resolved,* That the legislative commission report the results of the

1 study, together with any recommendations for legislation, to the 62d ses-
2 sion of the Nevada legislature.