OVERVIEW OF THE LEGISLATIVE PROCESS, TIPS FOR TESTIFYING AND ADVOCATING FOR LEGISLATION
SEPTEMBER 15, 2022
OVERVIEW

• Legislative Structure
• The Legislative Counsel Bureau
• The Legislative Process

• Tips for Testifying Before Legislative Committees
• Tips for Advocating Your Issues
• Resources for Tracking Legislation
LEGISLATIVE STRUCTURE

Senate
21 Members, 4-Year Terms

Assembly
42 Members, 2-Year Terms

Regular Legislative Sessions—Biennial
• Regular sessions held in odd-numbered years
• Sessions begin on the first Monday in February
• Limited to 120-calendar days
• The 82\(^{nd}\) Legislative Session starts February 6, 2023

Legislative Interim
• 20 months between sessions
THE LEGISLATIVE COUNSEL BUREAU (LCB)

• The LCB is the nonpartisan, central staff for the Nevada Legislature
• No paid political staff is employed by the Bureau
• Lobbying by LCB staff is prohibited
  • No campaign or political activities
  • Cannot display items that advocate for candidate or partisan activity
THE LCB: Purpose of Design

- To discourage interference and limit political pressure
- To give staff independence that helps ensure lawmakers get unbiased information
- In some states, each house (even each party within the houses) has its own staff. Nevada’s LCB staff works for both houses and all members
- Ensure consistency in staffing from one session to the next
THE LCB: Today

- Approximately 285 permanent staff
- Additional temporary staff is hired for sessions only
- Consists of 5 divisions:
  - Administrative
  - Audit
  - Fiscal Analysis
  - Legal
  - Research
**THE LCB: Administrative Division**

- Includes Accounting, Broadcast and Production Services, Buildings and Grounds Maintenance, Information Technology Services, and the Legislative Police.
- Responsible for a broad range of activities that ensure the legislators and the Assembly, Senate, and LCB staff have what they need to do their jobs.
- This Division is key to providing public access to our online/virtual meetings and ensuring access to our online resources.
THE LCB: Audit Division

• Conducts audits of Executive and Judicial Branch agencies with the primary focus of improving government by ensuring the agencies audited are complying with state laws and using proper accounting methods

• Provides agencies with advice on improving their business practices

• Occasionally conducts special audits of local governments
THE LCB: Fiscal Analysis Division

• Analyzes the governor’s proposed budget and requests for transfers of funding and for emergency funding during the interim

• Compiles fiscal notes on legislation for the Legislature's consideration

• Provides staff services and revenue projections for the state's Economic Forum, an independent body responsible for determining the amount of revenue available for expenditure each biennium

• Provides primary committee staff services to the “money” and revenue committees during the legislative session and the interim
THE LCB: Legal Division

- Drafts all bills, resolutions, and amendments during session
- Publishes the *Statutes of Nevada* and codifies and publishes the *Nevada Revised Statutes*
- Drafts regulations for most state agencies during the interim
- Provides legal opinions to legislators and committees
- Represents the Legislative Branch in court when necessary and serves as attorney for the LCB
- Operates the Legislative Gift Shop and the State Printing Office
THE LCB: *Research Division*

- Provides policy analysis and prepares reports and publications on topics of interest to legislators and the public
- Houses the Research Library, an excellent source of information for legislative documents and research materials
- Contains a Constituent Services Unit that assists legislators with questions and requests from the voters in their districts
- Provides primary committee staff support to nearly all policy committees during the session and throughout the interim
LEGISLATIVE PROCESS

HOW A BILL BECOMES A LAW

1. Initial Steps by the Author
   Idea, Bill Draft Request (BDR)

2. Action in the House of Origin
   Introduction, Refer to Committee
   Public Hearing, Recommendation
   Read Bill 3 Times

3. Action in the Second House
   Same as House of Origin

4. Resolution of Differences
   Conference Committee

5. Role of the Governor
   Sign, Not Sign, Veto
LEGISLATIVE PROCESS

COMMITTEE HEARINGS – COMMON COMMITTEE ACTIONS

• Do Pass
• Amend and Do Pass
• Do Adopt
• Rerefer (with or without recommendation)
• Indefinitely Postpone (IP)
• No Action
LEGISLATIVE PROCESS

RESOLUTION OF HOUSE DIFFERENCES (IF NECESSARY)

- If the bill has no amendments in the second house, it goes to the Governor.
- If the bill is amended by second house:
  - Does the first house “Concur” with the second house’s amendment? If so, the bill goes to the Governor.
  - If the first house does not concur (does not agree with) the second house amendment, does the second house “Recede” its amendment? If so, the bill goes to the Governor.
  - If the second house does not recede, the bill is assigned to a conference committee.
LEGISLATIVE PROCESS

ROLE OF THE GOVERNOR

• Sign the bill

• Within 5 days if Legislature in session (excluding the day of receipt and Sundays)

• Within 10 days if Legislature has adjourned (excluding the day of receipt and Sundays)

• Veto the bill

• Not sign the bill within the period allowed (effectively allowing the bill to go into law without his signature)
LEGISLATIVE PROCESS

Committee chair schedules bills:
• Agendas are posted
• All meetings are public
• Most meetings are videoconferenced from Carson City to Las Vegas and the public is encouraged to participate

Sponsor’s responsibilities include:
• Presenting the bill (sometimes with the help of interested constituents or bill proponents)
• Identifying and notifying speakers
• Keeping the committee chair informed
• Follow the bill

COMMITTEE HEARINGS

• Same process in Senate and Assembly
PROVIDING TESTIMONY TO THE LEGISLATURE: Preparation

- Understand the process
- Be flexible on the presentation length
- Be strategic with your goals
- Be aware of the rules and what the chair wants

- Check the schedule and be at the right place at the right time
- Watch a committee meeting ahead of time
- Check media for breaking news
- PRACTICE
- Remember the legislative meetings are now conducted both in person and virtually
| Guidelines | | Guidelines |
|------------|------------------------------------------------|
| Dress professionally | | Use handouts sparingly |
| First 30 seconds are very important | | Use PowerPoint presentations selectively |
| Know how to greet the chair and audience | | Remember: YOU are the expert |
| Summarize, be accurate but not too technical | | Be flexible – sometimes agenda items are taken out of order |
| Avoid jargon | | Make eye contact |
Providing Testimony to the Legislature: Questions

- Try to anticipate
- "I don't know" is often the correct answer
- Think before answering
- Go through the chair when responding (the chair may then permit you to respond directly to the committee member)

IMPORTANT – Triple check your facts and figures and be prepared to explain the source of your data. Remember, what you say will become part of the public record.
ADVOCATING YOUR ISSUES

Do:

• Choose a legislator(s) who you think will support your position
• Explain the positive aspects and benefits of your suggested legislation
• Explain what the opposition might be
• Prepare the legislator
ADVOCATING YOUR ISSUES

Do:

• Be calm, controlled, and prepared
• Think your position through and weigh all sides of the issue
• Present your position in a non-threatening and professional manner
ADVOCATING YOUR ISSUES

Do Not:

- Make demands or threaten legislators
- Disrupt the meeting
- Use civil disobedience
- Lecture or talk down to legislators
- Be disrespectful toward members of the public or staff
WAYS TO STAY INFORMED AND INVOLVED

• Sign up for Bill Tracking

• Search the bill draft request (BDR) list (limited information until introduction)

• Listen to or watch current or passed hearings online

• Check website for updates: www.leg.state.nv.us

• Track legislative documents using “NELIS”

• Get to know legislators and legislative staff
WAYS TO STAY INFORMED AND INVOLVED

• Attend hearings or floor sessions
• Sign up to be a presenter at a hearing
• Submit comments to the committee in writing
• Talk to the legislators
BILL TRACKING

Nevada Electronic Legislative Information System (NELIS)

Information always available:
Bills – Reports – Bill Actions and Status

Personalized Legislative Tracking (PLT)

- Subscription to BDRs, Bills, and Budgets (Up to 10 bills for free)
- Notifications of Hearings and Status (*not a free option*)
- Various Subscription Levels

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