Records

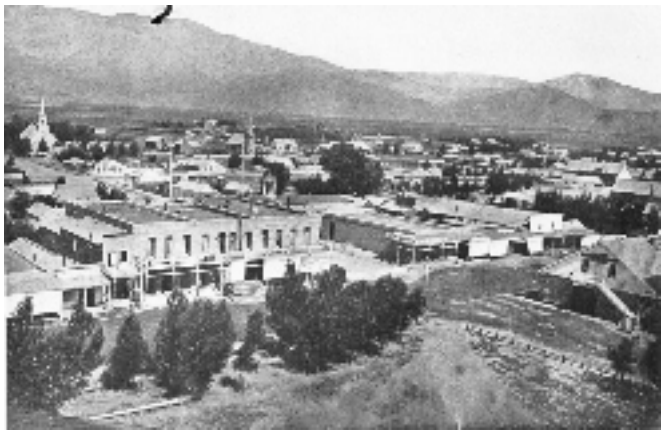
**THE NEVADA LEGISLATURE:**
**A BRIEF HISTORY**

Taken from *Political History of Nevada*, 2006 edition, updated By Michael J. Stewart, Principal Research Analyst, Legislative Counsel Bureau

In 1861, Governor James Nye declared Carson City the site for the First Territorial Legislature. That Legislature designated Carson City as the capital of Nevada Territory, which was reaffirmed by the Nevada Constitution in 1864. Consequently, the Legislature has always met in Carson City. However, it has not always met in the same building.

The First Territorial Legislature was held at Abraham Curry's Warm Springs Hotel, located east of Carson City where the Nevada State Prison now stands. Mr. Curry provided the territorial legislators a rent-free room, divided by a canvas partition; furnishings for the room and clean sawdust on the floor that served as both carpet and spittoon; and transportation to downtown Carson City, some 1½ miles to the west, by a horse-drawn streetcar on wooden rails. As Mark Twain noted in *Roughing It,* no one in Carson City had offered to assist the Territorial Legislature, ". . . but when Curry heard of the difficulty, he came forward, solitary and alone, and shouldered the Ship of State over the bar and got her afloat again . . . . But for him the

legislature would have been obliged to sit in the desert."



Legislative sessions from 1862 to 1869 were held in the original Ormsby County building, located on the west side of Carson Street between King and Musser Streets. For the next 100 years, from 1871 until 1969, the Legislature met in the State Capitol Building. Since 1971, legislative sessions have been held in the Legislative Building, located just south of the Capitol Building. In the mid- 1990s, the Legislative Building was renovated and expanded to include a four story section in the rear of the original building, adding more office space and numerous committee meeting rooms. The building has also been enhanced to accommodate many modern technologies, including wireless Internet access. Nevada is one of only three states in the Nation with its legislative chambers located in a building separate from its Capitol.

The Nevada Constitution directed that the first session of the Legislature would begin on the second Monday of December 1864 and the second regular session on the first Monday of January 1866. The third regular session, which would be the first of the biennial sessions, commenced on the first Monday of January 1867. In a special election in 1889, the voters approved a constitutional amendment that changed the first day of each session from the first Monday to the third Monday in January. In 1998, Nevada's voters approved a constitutional

amendment limiting each regular legislative session to 120 days and changing the first day of session to the first Monday in February.

Regular sessions have been held every odd-numbered year since 1867, except for the regular session held in 1960. In 1958, the voters approved a constitutional amendment providing for annual sessions. Two years later, however, the voters approved an initiative returning to biennial sessions. Therefore, 1960 was the only regular annual session of the Legislature held in an even-numbered year.

In addition to the regular sessions, 26 special sessions have been held. The last 10 special sessions were held in the period following the 2001 regular session until 2010 and addressed topics such as reapportionment and redistricting, medical malpractice, taxation, budget reductions and the impeachment of one of Nevada's constitutional officers. A special session must be called by the Governor and the Legislature can only consider those items specified by the Governor.

Originally, the Nevada Constitution called for regular sessions to be no more than 60 days in length and the first Legislatures remained within this time frame. In fact, no session during the 1890s exceeded 55 days. However, all but five sessions during the 20th Century continued for more than 60 days. From 1909 to 1957, the sessions were officially recorded as 60 days long, even though they actually extended beyond the limitation. During these sessions, if it was determined that legislative business could not be completed by the 60th day, the Legislature would "cover the clock" and proceed as if the 60th day consisted of an unlimited number of hours. In 1958, the voters removed this limitation from the Constitution, allowing sessions to continue as long as necessary. This amendment, while it tacitly authorized increasing the length of sessions, limited legislators' salaries to 60 days. After that period has expired, members receive per diem, but no salary.

The length of each regular session steadily increased between 1965 and 1997. From 1989 through 1997, sessions were no less than 161 calendar days—an almost threefold increase over the original length—with the longest sessions occurring in 1995 and 1997 at 169 days. These prolonged sessions have generated interest among some legislators for a return to annual sessions. During each session since 1973, resolutions to amend the Constitution to provide annual sessions have been introduced, but none have been successful. While efforts to establish annual sessions have been unsuccessful, the Legislature did approve Senate Joint Resolution No. 3 of the 68th Session in 1995 and 1997, which placed a 120-day limit on legislative sessions. As noted above, the voters approved this constitutional amendment in 1998.

Terms of office for Senators are four years; for Assemblymen, two years. An initiative proposal approved in the mid-1990s set a maximum of three terms for Senators and six terms for Assembly Members—a total of 12 years in each house. The Legislature is the judge of its own membership and may seat or unseat whomever it chooses. Over the years, the body has not removed any members and has censured few. Contests of election are not unusual but typically have not caused a reversal in the outcome of an election.

As Nevada has grown, the State Legislature has also changed. For decades, for each bill on General File, the members voted by voice response to an alphabetical roll call. In 1973, the Legislature added voting machines with a display board that allows for simultaneous electronic voting. During the first sessions, few bills were printed and legislators had to rely on a reading of each bill. Over time, legislators, staff, and public have been able to obtain printed bills and amendments quickly; huge bill books have been a common sight on each member's desk. Beginning in 1997, the Legislature utilized computers more fully. Today, each member is issued a laptop computer that provides a wide range of instantaneous electronic information, including bill text, fiscal notes, committee minutes, live audio and video feeds of committee meetings, agendas, and more—all at the touch of a finger.

Committees and staff support have also changed over the years. Early legislatures created numerous committees—for example, the First Session's Senate had 22 committees; the 1949 Assembly, 44—but they rarely met. When they did, it was at a legislator's desk, in a small closet in the Capitol Building, or, perhaps, at a nearby tavern. There were no posted agendas, periods for public testimony, or minutes. There were no secretaries to take the minutes, lawyers to draft bills, or researchers to provide background data. Today, legislative committees operate according to specific rules, and often meet simultaneously in Carson City and Las Vegas, via video conferencing. In addition, the current Legislature is supported by a highly-educated, well-trained staff. During session, the number of staff almost doubles, particularly in the secretarial ranks. As a response to the growing complexity of legislative business, the Legislative Counsel Bureau (LCB) was created in 1945 and charged with assisting the Legislature in finding facts concerning government, proposed legislation, and various other public matters. In particular, the 1945 Legislature established the Legislative Commission to exercise general authority over legislative issues that arise between sessions and to supervise the LCB.

In 1963, the Legislature reorganized the LCB, giving it the structure and responsibilities similar to those it has today. Nine years later, the Interim Finance Committee was added to administer a contingency fund for state agencies between sessions. Nevada's LCB—consisting of the Administrative, Audit, Fiscal Analysis, Legal, and Research Divisions—is a nonpartisan

centralized agency of more than 200 people who serve both houses and members of all political parties. In 1999, the Research Division created the Constituent Services Unit, which assists legislators in responding to a wide range of constituent questions and requests.

The Nevada Legislature has come a long way from the First Session (1864- 1865) that met for 90 days and approved 147 bills out of 647 introduced. That session was conducted in a makeshift space for which both heat and chairs had to be found. The 2011 Session, 147 years later, met in a 190,000-square-foot building that is well-equipped to conduct legislative business. Out of 1,096 measures introduced, 616 were passed and 580 were ultimately approved (36 were vetoed by the Governor). Nevada's exploding population, coupled with the increasing use of new technology in the Legislative process, ensures that the Nevada Legislature will continue to change.

The Research Division of the Legislative Counsel Bureau has compiled several interesting fact sheets:

**Legislator Information** http://www.leg.state.nv.us/Division/Research/LegInfo/index.cfm

**Historical Information:**

- Legislators with 20 Years of Service or More
- Majority Party
- Minority Party
- Nevada Legislators, 1861-Current (searchable database)

- Nevada Legislators, 1861-2011 (printable booklet)
- Nevada Legislature Oral History Project
- Selected Officers of the Nevada Legislature, 1864-2011

**Women in the Nevada Legislature:**

- Women in the Nevada Legislature
- Background Paper 03-01: Women in the Nevada Legislature 1919-2003

Photographs: all photos courtesy of the Nevada State Archives.
Top: Warm Springs Hotel which served both as the Nevada State Prison and site of Legislative sessions.
2nd from top: St. James Hotel at the corner of Musser and Carson Streets, ca 1871. This photo was taken from the roof of the new capitol building which was still under construction.
3rd from top: Nevada State Capitol, ca 1880. The landscape plants are still small but the iron fence is in place.
Bottom: Governor Bob Miller's State of the State address to the Nevada Legislature, 1989.