

ASSEMBLY BILL NO. 606—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF DEPARTMENT OF ADMINISTRATION—BUDGET DIVISION)

MARCH 26, 2001

Referred to Committee on Ways and Means

SUMMARY—Makes various changes regarding base amount and periodic review and adjustment of compensation of certain state and local elected officers. (BDR 23-1435)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Contains Appropriation not included in Executive Budget.

CONTAINS UNFUNDED MANDATE (§ 10)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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EXPLANATION – Matter in ***bolded italics*** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to public officers; making various changes regarding the base amount and the periodic review and adjustment of compensation of certain state and local elected officers; making an appropriation; 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.** NRS 281.1571 is hereby amended to read as follows:
2 281.1571 1. There is hereby created a commission to review the
3 compensation of constitutional officers, legislators, supreme court justices,
4 district judges and elected county officers, consisting of ~~nine members.~~
5 ~~2. The members must be appointed by the following persons:~~
6 ~~(a) One member by the speaker of the assembly.~~
7 ~~(b) One member by the majority leader of the senate.~~
8 ~~(c) One member by the minority leader of the assembly.~~
9 ~~(d) One member by the minority leader of the senate.~~
10 ~~(e) Two members by the chief justice of the supreme court.~~
11 ~~(f) Three members by the governor.~~
12 ~~3. The commission shall elect a chairman and such other officers as it~~
13 ~~deems necessary from among its members.~~
14 ~~4. A current officer or employee of the state or any of its political~~
15 ~~subdivisions must not be appointed as a member of the commission.~~



1 ~~—5. The members appointed by the governor must be selected in the~~
2 ~~following manner:~~
3 ~~—(a) Two members, one from each congressional district, who do not~~
4 ~~belong to the same political party.~~
5 ~~—(b) One member from a list of three nominees submitted by the Nevada~~
6 ~~Association of Counties.] seven members appointed by the governor.~~
7 2. *The governor:*
8 (a) *Shall appoint as members of the commission persons who have*
9 *diverse personal and professional interests and reside in various*
10 *geographical areas of the state.*
11 (b) *Shall not appoint as a member:*
12 (1) *Any person who holds office as a state legislator; or*
13 (2) *Any officer or employee of the state or any of its political*
14 *subdivisions.*
15 *Not more than four of the members of the commission may be members*
16 *of the same political party.*
17 3. *The governor shall designate one of the members of the*
18 *commission to be the chairman. The commission may elect such other*
19 *officers from its membership as it deems necessary.*
20 Sec. 2. NRS 281.1572 is hereby amended to read as follows:
21 281.1572 1. ~~Members of the commission must be appointed on or~~
22 ~~before January 15 of each even-numbered year.]~~ *The governor shall notify*
23 *the director of the legislative counsel bureau* ~~must be notified~~ *of the*
24 *appointment of each member* ~~of the commission.~~
25 2. The term of each member of the commission expires ~~at the end of~~
26 ~~the next regular session of the legislature following the~~ *on June 30 of the*
27 *fourth year following his* appointment. Members are eligible for
28 reappointment.
29 3. A member of the commission may be removed by the governor
30 before the expiration of his term for misconduct in office, incompetence or
31 neglect of duty.
32 4. If a vacancy occurs in the membership of the commission, the
33 governor shall appoint a person to fill the vacancy for the remainder of the
34 unexpired term.
35 Sec. 3. NRS 281.1573 is hereby amended to read as follows:
36 281.1573 1. Each member of the commission is entitled to receive
37 \$80 for each day that he attends a regularly called meeting of the
38 commission.
39 2. The ~~first meeting of the commission must be held on or before June~~
40 ~~15 of the year in which the members are appointed. Thereafter, the~~
41 chairman *of the commission* shall call meetings of the commission as often
42 as he deems necessary.
43 3. The director of the legislative counsel bureau shall provide the
44 commission with administrative support.
45 Sec. 4. NRS 281.1574 is hereby amended to read as follows:
46 281.1574 A majority of the members of the commission constitutes a
47 quorum to transact business. The affirmative vote of ~~five~~ *four* members is
48 required to approve the recommendations of the commission regarding
49 compensation.



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1 **Sec. 5.** NRS 281.1575 is hereby amended to read as follows:

2 281.1575 1. The commission shall:

3 (a) Review the compensation paid to constitutional officers, supreme
4 court justices, district judges and elected county officers.

5 (b) Review the compensation paid to the members of the legislature
6 during and between legislative sessions.

7 (c) Hold public hearings to discuss the issues and receive public
8 comment.

9 (d) *Report its activities and findings to the governor, the supreme
10 court and the state legislature at least once every 4 years.*

11 (e) If it determines that changes in legislation are required, request the
12 assistance of the legislative counsel in the preparation of a bill draft ~~on or~~
13 ~~before November 15 of each~~ *before September 1 of an* even-numbered
14 year. Upon completion of the bill draft, the legislative counsel shall deliver
15 the bill draft to the appropriate standing committee of the assembly or
16 senate within the first week of the next regular legislative session for
17 introduction.

18 2. In reviewing the issues of compensation required by subsection 1,
19 the commission shall:

20 (a) Compare the current salaries of persons with similar qualifications
21 who are employed by the State of Nevada and in the public ~~sector;~~ *and*
22 *private sectors;*

23 (b) Determine the minimum salary required to attract and retain
24 experienced and competent persons; ~~and~~

25 (c) *Determine an appropriate manner to ensure equity in the provision*
26 *of compensation to supreme court justices and to district court judges;*
27 *and*

28 (d) Consider the average number of days that legislators serve during
29 their ~~term;~~ *terms*, the amount of work required of legislators when the
30 legislature is not in regular session ~~+~~ and the opportunities they have to
31 earn additional income from outside sources.

32 3. The commission may recommend that any increase in the
33 compensation of a county officer apply retroactively if not prohibited by
34 law.

35 **Sec. 6.** NRS 2.050 is hereby amended to read as follows:

36 2.050 1. Until the first Monday in January ~~1997;~~ *2003*, the justices
37 of the supreme court whose terms *of office* expire on the first Monday in
38 January ~~1997;~~ *2003* are entitled to receive an annual *base* salary of
39 ~~1997;~~ *2003* ~~\$85,000;~~ *\$107,600*. From and after the first Monday in January ~~1997;~~
40 ~~2003~~, their successors in office are entitled to receive ~~a salary of~~
41 ~~\$107,600;~~ *an annual base salary of \$150,000, cumulatively increased on*
42 *July 1, 2003, and on July 1 of each year thereafter, by any percentage by*
43 *which the average industrial hourly wage in the state increased during*
44 *the previous fiscal year, as determined on July 1 of each year by the*
45 *employment security division of the department of employment, training*
46 *and rehabilitation.*

47 2. Until the first Monday in January ~~1999;~~ *2005*, the justices of the
48 supreme court whose terms of office expire on the first Monday in January
49 ~~1999;~~ *2005* are entitled to receive an annual *base* salary of ~~\$85,000;~~



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1 ~~\$107,600.~~ From and after the first Monday in January ~~{1999,}~~ 2005, their
2 successors in office are entitled to receive ~~{a salary of \$107,600.}~~ *an*
3 *annual base salary equivalent to that to which the justices of the supreme*
4 *court described in subsection 1 are entitled to receive.*

5 3. Until the first Monday in January ~~{2001, the justice}~~ 2007, the
6 *justices* of the supreme court whose ~~{term}~~ *terms* of office ~~{expires}~~ *expire*
7 on the first Monday in January ~~{2001 is}~~ 2007 *are* entitled to receive an
8 annual *base* salary of ~~{85,000.}~~ *\$107,600.* From and after the first Monday
9 in January ~~{2001, his successor}~~ 2007, *their successors* in office ~~{is}~~ *are*
10 entitled to receive ~~{a salary of \$107,600.}~~

11 ~~—4.— The justices elected pursuant to subsection 4 of NRS 2.030 and their~~
12 ~~respective successors are entitled to receive a salary of \$107,600.~~

13 ~~—5.—~~ *an annual base salary equivalent to that to which the justices of the*
14 *supreme court described in subsection 1 are entitled to receive.*

15 4. All salaries provided for in this section are payable in biweekly
16 installments as other state officers are paid.

17 **Sec. 7.** NRS 3.030 is hereby amended to read as follows:

18 3.030 1. Until the first Monday in January ~~{1997,}~~ 2003, the annual
19 base salary of each district judge is ~~{79,000.}~~ *\$100,000.* From and after
20 the first Monday in January ~~{1997, the annual base salary of}~~ 2003, each
21 district judge is ~~{100,000.}~~ *entitled to receive an annual base salary of*
22 *\$130,000, cumulatively increased on July 1, 2003, and on July 1 of each*
23 *year thereafter, by any percentage by which the average industrial hourly*
24 *wage in the state increased during the previous fiscal year, as determined*
25 *on July 1 of each year by the employment security division of the*
26 *department of employment, training and rehabilitation.*

27 2. If a district judge has served in his office for at least 4 years, he is
28 entitled to an additional salary of 2 percent of his *annual* base salary for
29 each year of service. The additional salary must not exceed 22 percent of
30 his *annual* base salary.

31 3. The *annual* base salaries and the additional salary for longevity
32 must be paid in biweekly installments out of the district judges' salary
33 account of the supreme court.

34 4. No salary of any district judge may be paid in advance.

35 **Sec. 8.** NRS 218.210 is hereby amended to read as follows:

36 218.210 ~~{Each}~~

37 1. *Except as otherwise provided in subsection 3, each* senator and
38 assemblyman is entitled to receive as compensation ~~{130}~~ *the amount set*
39 *forth in subsection 2* per day for each day of service:

40 ~~{1}~~ (a) During any regular session, for the number of days the
41 legislature is in session, or in adjournment for not more than 3 days, or the
42 maximum number of days for which compensation for a regular session is
43 permitted by the constitution, whichever is smaller; and

44 ~~{2}~~ (b) During any special session, for the number of days the
45 legislature is in session or the maximum number of days for which
46 compensation for a special session is permitted by the constitution,
47 whichever is smaller.



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1 2. *The amount each senator and assemblyman is entitled to receive*
2 *per day pursuant to subsection 1 is \$175, cumulatively increased on*
3 *July 1, 2003, and on July 1 of each year thereafter, by any percentage by*
4 *which the average industrial hourly wage in the state increased during*
5 *the previous fiscal year, as determined on July 1 of each year by the*
6 *employment security division of the department of employment, training*
7 *and rehabilitation.*

8 3. *The amount each senator or assemblyman elected before*
9 *November 5, 2002, or appointed to succeed a senator or assemblyman*
10 *elected before November 5, 2002, is entitled to receive per day pursuant*
11 *to subsection 1 is \$130.*

12 **Sec. 9.** NRS 218.210 is hereby amended to read as follows:

13 218.210 1. ~~{Except as otherwise provided in subsection 3, each}~~
14 *Each* senator and assemblyman is entitled to receive as compensation the
15 amount set forth in subsection 2 per day for each day of service:

16 (a) During any regular session, for the number of days the legislature is
17 in session, or in adjournment for not more than 3 days, or the maximum
18 number of days for which compensation for a regular session is permitted
19 by the constitution, whichever is smaller; and

20 (b) During any special session, for the number of days the legislature is
21 in session or the maximum number of days for which compensation for a
22 special session is permitted by the constitution, whichever is smaller.

23 2. The amount each senator and assemblyman is entitled to receive per
24 day pursuant to subsection 1 is \$175, cumulatively increased on July 1,
25 2003, and on July 1 of each year thereafter, by any percentage by which the
26 average industrial hourly wage in the state increased during the previous
27 fiscal year, as determined on July 1 of each year by the employment
28 security division of the department of employment, training and
29 rehabilitation.

30 ~~{3. The amount each senator or assemblyman elected before November~~
31 ~~5, 2002, or appointed to succeed a senator or assemblyman elected before~~
32 ~~November 5, 2002, is entitled to receive per day pursuant to subsection 1 is~~
33 ~~\$130.}~~

34 **Sec. 10.** NRS 245.043 is hereby amended to read as follows:

35 245.043 1. As used in this section:

36 (a) "County" includes Carson City.

37 (b) "County commissioner" includes the mayor and supervisors of
38 Carson City.

39 2. Except as otherwise provided *in subsection 3 or* by any special law,
40 the elected officers of the counties of this state are entitled to receive
41 annual salaries in the base amounts specified in the following table. The
42 annual salaries are in full payment for all services required by law to be
43 performed by such officers. Except as otherwise provided by law, all fees
44 and commissions collected by such officers in the performance of their
45 duties must be paid into the county treasury each month without deduction
46 of any nature.



~~ANNUAL SALARIES~~

3	County		District	County	County	County	County	Public		
4	Class	County	Commissioner	Attorney	Sheriff	Clerk	Assessor	Recorder	Treasurer	Administrator
5	1	Clark.....	\$54,000	\$100,800	\$84,000	\$72,000	\$72,000	\$72,000	\$72,000	\$72,000
6	2	Washoe.....	39,600	96,000	78,000	66,000	66,000	66,000	66,000	66,000
7	3	Carson City.....	18,000	72,360	60,000	51,360	51,360		51,360	
8		Churchill.....	18,000	72,360	60,000	51,360	51,360	51,360		
9		Douglas.....	18,000	72,360	60,000	51,360	51,360	51,360		
10		Elko.....	18,000	72,360	60,000	51,360	51,360	51,360	51,360	
11		Lyon.....	18,000	72,360	60,000	51,360	51,360	51,360		
12		Nye.....	18,000	72,360	60,000	51,360	51,360	51,360	51,360	
13	4	Humboldt.....	18,000	68,340	54,000	42,840	42,840	42,840	42,840	
14		Lander.....	18,000	68,340	54,000	42,840	42,840	42,840	42,840	
15		White Pine.....	18,000	68,340	54,000	42,840	42,840	42,840	42,840	
16	5	Eureka.....	15,240	60,300	43,200	38,400	38,400	38,400		
17		Lincoln.....	15,240	60,300	43,200	38,400	38,400	38,400	38,400	
18		Mineral.....	15,240	60,300	43,200	38,400	38,400	38,400		
19		Pershing.....	15,240	60,300	43,200	38,400	38,400	38,400		
20	6	Esmeralda.....	12,000	47,880	38,400	33,600	33,600	33,600		
21		Storey.....	15,240	47,880	43,200	38,400	38,400	38,400		

ANNUAL SALARIES

		County	District		County	County	County	County	Public	
	Class	County	Commissioner	Attorney	Sheriff	Clerk	Assessor	Recorder	Treasurer	Administrator
25										
26										
27	1	Clark	\$68,580	\$128,016	\$106,680	\$91,440	\$91,440	\$91,440	\$91,440	\$91,440
28	2	Washoe.....	50,292	121,920	99,060	83,820	83,820	83,820	83,820	83,820
29	3	Carson City.	22,860	91,897	76,200	65,227	65,227	-----	65,227	-----
30		Churchill.....	22,860	91,897	76,200	65,227	65,227	65,227	-----	-----
31		Douglas.....	22,860	91,897	76,200	65,227	65,227	65,227	-----	-----
32		Elko.....	22,860	91,897	76,200	65,227	65,227	65,227	65,227	-----
33		Humboldt	22,860	91,897	76,200	65,227	65,227	65,227	65,227	-----
34		Lyon	22,860	91,897	76,200	65,227	65,227	65,227	-----	-----
35		Nye.....	22,860	91,897	76,200	65,227	65,227	65,227	65,227	-----
36	4	Lander.....	22,860	86,792	68,580	54,407	54,407	54,407	54,407	-----
37		White Pine...	22,860	86,792	68,580	54,407	54,407	54,407	54,407	-----
38	5	Eureka	19,355	76,581	54,864	48,768	48,768	48,768	-----	-----
39		Lincoln.....	19,355	76,581	54,864	48,768	48,768	48,768	48,768	-----
40		Mineral	19,355	76,581	54,864	48,768	48,768	48,768	-----	-----
41		Pershing	19,355	76,581	54,864	48,768	48,768	48,768	-----	-----
42		Storey.....	19,355	76,581	54,864	48,768	48,768	48,768	-----	-----
43	6	Esmeralda...	15,240	60,808	48,768	42,672	42,672	42,672	-----	-----

3. On July 1, 2002, and on July 1 of each year thereafter, the board of county commissioners of a county shall cumulatively increase the



1 *annual salaries of the elected officers of the county set forth in*
2 *subsection 2 by the lesser of:*

3 *(a) The average percentage by which the salaries of all employees of*
4 *the county were increased during the previous fiscal year; or*

5 *(b) The percentage by which the average industrial hourly wage in the*
6 *county increased during the previous fiscal year, as determined on July 1*
7 *of each year by the employment security division of the department of*
8 *employment, training and rehabilitation.*

9 *4. On or before July 1 of each fiscal year, the board of county*
10 *commissioners of a county may apply to the committee on local*
11 *government finance for a waiver from the requirement of granting an*
12 *increase in the annual salaries of the elected officers of the county for*
13 *the next fiscal year pursuant to subsection 3 if the board determines that*
14 *the financial resources of the county are insufficient to pay the increase*
15 *in the next fiscal year. The committee on local government finance shall*
16 *grant such a waiver if it finds that the financial resources of the county*
17 *are insufficient to pay the increase in the next fiscal year.*

18 **Sec. 11.** Section 9 of chapter 433, Statutes of Nevada 1997, as
19 amended by section 40 of chapter 105, Statutes of Nevada 1999, at page
20 459, is hereby amended to read as follows:

21 Sec. 9. 1. Sections ~~1 to 6, inclusive,~~ **1, 2, 3, 5 and 6** of this act
22 ~~to~~ expire by limitation on the date on which the qualified electors of
23 this state approve a constitutional amendment that establishes an
24 intermediate court of appeals within the State of Nevada.

25 2. Notwithstanding the provisions of subsection 1, the additional
26 justices whose positions are abolished by the establishment of an
27 intermediate court of appeals must be permitted to serve the
28 remainder of the terms to which they were elected. At the end of those
29 terms, the positions of the additional justices must be abolished, along
30 with the positions of any staff hired directly to support the additional
31 justices.

32 **Sec. 12.** 1. There is hereby appropriated from the state general fund
33 to the legislative fund the sum of \$12,000 for expenses incurred by the
34 commission to review the compensation of constitutional officers,
35 legislators, supreme court justices, district judges and elected county
36 officers which is created pursuant to NRS 281.1571, to carry out the
37 provisions of NRS 281.157 to 281.1575, inclusive.

38 2. Any remaining balance of the appropriation made by subsection 1
39 must not be committed for expenditure after June 30, 2003, and reverts to
40 the state general fund as soon as all payments of money committed have
41 been made.

42 **Sec. 13.** On or before July 1, 2001, the board of county
43 commissioners of a county may apply to the committee on local
44 government finance for a waiver from the applicability of the amendatory
45 provisions of subsection 2 of section 10 of this act for fiscal year
46 2001-2002, if the board determines that the financial resources of the
47 county are insufficient to pay the increases set forth in those amendatory
48 provisions. The committee on local government finance shall grant such a
49 waiver for a period of not more than 1 year if it finds that the financial



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1 resources of the county are insufficient to pay the increases set forth in the
2 amendatory provisions of subsection 2 of section 10 of this act for fiscal
3 year 2001-2002. The board of county commissioners may apply to the
4 committee on local government finance for one or more extensions of the
5 waiver granted to the county pursuant to this section. The committee on
6 local government finance shall extend such a waiver for a period of not
7 more than 1 year for each requested extension if it finds that the financial
8 resources of the county continue to be insufficient to pay the increases set
9 forth in the amendatory provisions of subsection 2 of section 10 of this act.

10 **Sec. 14.** The provisions of subsection 1 of NRS 354.599 do not apply
11 to any additional expenses of a local government that are related to the
12 provisions of this act.

13 **Sec. 15.** 1. This section and sections 1 to 8, inclusive, and 10 to 14,
14 inclusive, of this act become effective on July 1, 2001.

15 2. Section 9 of this act becomes effective on November 2, 2004.

