

ASSEMBLY BILL NO. 319—COMMITTEE ON WAYS AND MEANS

MARCH 14, 2007

Referred to Committee on Ways and Means

SUMMARY—Makes various changes concerning public employees. (BDR 17-750)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

~

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

AN ACT relating to public employees; repealing various provisions concerning compensation for employees of the Legislature; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 **Section 2** of this bill repeals a prohibition against compensating the Secretary
2 of the Senate and the Chief Clerk of the Assembly for overtime. **Section 3** of this
3 bill repeals certain provisions concerning the definition of “compensation” for
4 certain legislative employees for the purposes of the Public Employees’ Retirement
5 System.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** NRS 218.195 is hereby amended to read as follows:

3 218.195 1. The compensation of the Secretary of the Senate
4 and the Chief Clerk of the Assembly must be provided for in the
5 budget for the Legislature for the ensuing biennium. The
6 compensation ~~is:~~

7 ~~—(a) Must~~ ***must*** include an annual salary payable on a biweekly
8 basis. The salary must not be increased during the biennium unless
9 otherwise provided by a legislative act. ~~It; and~~

10 ~~—(b) Must not include compensation for overtime.~~

11 2. Except as otherwise provided in this section, the Secretary of
12 the Senate and the Chief Clerk of the Assembly are subject to the



* A B 3 1 9 R 3 *

1 same requirements of and entitled to the same benefits and rights as
2 specified for employees of the Legislative Counsel Bureau. For the
3 purposes of this subsection, references in the statutes and in the
4 rules and policies of the Legislative Counsel Bureau to the chief of a
5 division or the Director of the Legislative Counsel Bureau must be
6 replaced by:

7 (a) The Majority Leader of the Senate in the case of the
8 Secretary of the Senate.

9 (b) The Speaker of the Assembly in the case of the Chief Clerk
10 of the Assembly.

11 3. Notwithstanding the provisions of subsection 2, the
12 Secretary of the Senate and the Chief Clerk of the Assembly are not
13 employees of the Legislative Counsel Bureau.

14 **Sec. 3.** Sections 1 and 11 of Assembly Bill No. 593 of this
15 session are hereby repealed.

16 **Sec. 4.** This act becomes effective upon passage and approval
17 and applies retroactively to November 1, 2006.

TEXT OF REPEALED SECTION

Section 1 of Assembly Bill No. 593 of this session:

Section 1. Chapter 218 of NRS is hereby amended by adding thereto a new section to read as follows:

1. For the purposes of NRS 286.025, salary paid for all hours worked by an executive, administrative, professional or supervisory employee of the Legislative Counsel Bureau in addition to the employee's regularly scheduled workday or 40-hour workweek in the fiscal year that includes a regular session of the Legislature, up to a maximum number of hours designated as required for the classification by the Director of the Legislative Counsel Bureau and approved by the Legislative Commission, constitutes "compensation." The Legislative Counsel Bureau and such employees shall make the appropriate contributions to the Public Employees' Retirement System for such compensation.

2. The maximum number of additional hours that may be designated as required for a classification pursuant to subsection 1 is 750.



* A B 3 1 9 R 3 *

Section 11 of Assembly Bill No. 593 of this session:

Sec. 11. A person who worked hours before and during the 2007 regular session of the Legislature that would have been considered as compensation pursuant to the provisions of section 1 of this act, had that section been in effect, may elect to have his payment for those hours, up to the limit established for his classification, and in no case more than 750 hours, considered as compensation by:

1. Notifying the Public Employees' Retirement System of his election; and

2. Paying the amount necessary to make both the employer and employee contributions to the System on the payment for the additional hours that the person desires to have considered as compensation. The Legislative Counsel Bureau shall not make any portion of the required contribution.

➤ The election and payment must be made on or before January 1, 2008.

