(Reprinted with amendments adopted on June 4, 2007)

**FOURTH REPRINT** **S.B. 516**

SENATE BILL NO. 516–COMMITTEE ON GOVERNMENT AFFAIRS

MARCH 26, 2007

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing the compensation and reimbursement of certain elected county officers. (BDR 20-225)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

CONTAINS UNFUNDED MANDATE (§§ 1, 3, 4)
(NOT REQUESTED BY AFFECTED LOCAL GOVERNMENT)

~

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

AN ACT relating to public officers; revising the provisions governing the compensation of certain elected county officers; revising certain provisions relating to the payment of per diem allowances and travel expenses; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

**Section 1** of this bill increases, by 4 percent for each of Fiscal Years 2007-2008, 2008-2009, 2009-2010 and 2010-2011, the maximum amount at which the board of county commissioners may set the annual salary for a county commissioner of that county. **Section 1** also increases the compensation to be paid to certain other elected county officers. For Fiscal Year 2007-2008, the total increase is 7 percent, which includes a base salary increase of 4 percent and an additional increase in compensation of 3 percent. For each of Fiscal Years 2008-2009, 2009-2010 and 2010-2011, the increase in compensation is 3 percent. (NRS 245.043)

Under existing law, a board of county commissioners must reimburse an eligible county or township officer or employee of the county for the actual living expenses incurred during travel conducted for the transaction of public business and may allow reimbursement for traveling by private conveyance, but if a private conveyance is used for reasons of personal convenience in the transaction of state business, the standard mileage reimbursement rate for traveling by private conveyance is limited to one-half the established rate for which a deduction is allowed for the purposes of federal income tax. (NRS 245.060, 281.160) **Section 2.5** of this bill allows the board of county commissioners of a county to provide to such an officer or employee a per diem allowance and travel expenses at the full rate established for employees of the Federal Government, provided that the travel for the transaction of public business is for a period of not more than 5 consecutive working days at a time.

Pursuant to **section 3** of this bill, the increases in salary and compensation applicable pursuant to **section 1** of this bill for: (1) Fiscal Year 2007-2008, become effective on July 1, 2007; (2) Fiscal Year 2008-2009, become effective on July 1, 2008; (3) Fiscal Year 2009-2010, become effective on July 1, 2009; and (4) Fiscal Year 2010-2011, become effective on July 1, 2010. However, **section 4** of this bill authorizes a county that has not commenced payment of the increased annual salaries to request and receive a waiver from payment of the increases based on insufficient financial resources. If a waiver is granted for any fiscal year, **section 4** prohibits retroactive payment of the increases for that fiscal year.

**Section 1** of this bill also changes the salary classification of Storey County to the category of a county of class 4, thereby increasing the amount of the annual salaries paid to its elected county officers. **Section 3.5** of this bill provides that the change in the salary classification of Storey County is retroactive to January 1, 2003, for the purpose of determining the maximum salary payable to members of the board of county commissioners of Storey County. **Section 2** of this bill clarifies that county commissioners are eligible for longevity pay. (NRS 245.044)

---

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

**Section 1.** NRS 245.043 is hereby amended to read as follows:

245.043 1. As used in this section:

(a) "County" includes Carson City.

(b) "County commissioner" includes the Mayor and supervisors of Carson City.

2. Except as otherwise provided by any special law, the elected officers of the counties of this State are entitled to receive ***, for the appropriate fiscal year,*** annual salaries in the base amounts specified in the following table. The annual salaries are in full payment for all services required by law to be performed by such officers. Except as otherwise provided by law, all fees and commissions collected by such officers in the performance of their duties must be paid into the county treasury each month without deduction of any nature.

ANNUAL SALARIES

| Class | County | District Attorney | Sheriff | County Clerk | County Assessor | County Recorder | County Treasurer | Public Administrator |
|---|---|---|---|---|---|---|---|---|
| 1 | Clark | ~~[$155,745~~ | ~~$134,263~~ | ~~$91,138~~ | ~~$91,138~~ | ~~$91,138~~ | ~~$91,138~~ | ~~$91,138]~~ |
| | ***FY 2007-2008*** | ***166,647*** | ***143,661*** | ***97,518*** | ***97,518*** | ***97,518*** | ***97,518*** | ***97,518*** |
| | ***FY 2008-2009*** | ***171,647*** | ***147,971*** | ***100,443*** | ***100,443*** | ***100,443*** | ***100,443*** | ***100,443*** |
| | ***FY 2009-2010*** | ***176,796*** | ***152,410*** | ***103,456*** | ***103,456*** | ***103,456*** | ***103,456*** | ***103,456*** |
| | ***FY 2010-2011*** | ***182,100*** | ***156,983*** | ***106,560*** | ***106,560*** | ***106,560*** | ***106,560*** | ***106,560*** |
| 2 | Washoe | ~~[137,485~~ | ~~110,632~~ | ~~83,543~~ | ~~83,543~~ | ~~83,543~~ | ~~83,543~~ | ~~83,543]~~ |
| | ***FY 2007-2008*** | ***147,109*** | ***118,376*** | ***89,391*** | ***89,391*** | ***89,391*** | ***89,391*** | ***89,391*** |
| | ***FY 2008-2009*** | ***151,522*** | ***121,928*** | ***92,073*** | ***92,073*** | ***92,073*** | ***92,073*** | ***92,073*** |

| Class | County | District Attorney | Sheriff | County Clerk | County Assessor | County Recorder | County Treasurer | Public Administrator |
|---|---|---|---|---|---|---|---|---|
| | *FY 2009-2010* | *$156,068* | *$125,585* | *$94,835* | *$94,835* | *$94,835* | *$94,835* | *$94,835* |
| | *FY 2010-2011* | *160,750* | *129,353* | *97,680* | *97,680* | *97,680* | *97,680* | *97,680* |
| 3 | Carson City | ~~[98,707~~ | ~~81,846~~ | ~~65,012~~ | ~~65,012~~ | ~~--------~~ | ~~65,012~~ | ~~--------]~~ |
| | *FY 2007-2008* | *105,616* | *87,575* | *69,563* | *69,563* | *69,563* | *69,563* | |
| | *FY 2008-2009* | *108,785* | *90,202* | *71,650* | *71,650* | *71,650* | *71,650* | |
| | *FY 2009-2010* | *112,049* | *92,909* | *73,799* | *73,799* | *73,799* | *73,799* | |
| | *FY 2010-2011* | *115,410* | *95,696* | *76,013* | *76,013* | *76,013* | *76,013* | |
| | Churchill | ~~[98,707~~ | ~~81,846~~ | ~~65,012~~ | ~~65,012~~ | ~~65,012~~ | ~~--------~~ | ~~--------]~~ |
| | *FY 2007-2008* | *105,616* | *87,575* | *69,563* | *69,563* | *69,563* | *69,563* | |
| | *FY 2008-2009* | *108,785* | *90,202* | *71,650* | *71,650* | *71,650* | *71,650* | |
| | *FY 2009-2010* | *112,049* | *92,909* | *73,799* | *73,799* | *73,799* | *73,799* | |
| | *FY 2010-2011* | *115,410* | *95,696* | *76,013* | *76,013* | *76,013* | *76,013* | |
| | Douglas | ~~[98,707~~ | ~~81,846~~ | ~~65,012~~ | ~~65,012~~ | ~~65,012~~ | ~~--------~~ | ~~--------]~~ |
| | *FY 2007-2008* | *105,616* | *87,575* | *69,563* | *69,563* | *69,563* | *69,563* | |
| | *FY 2008-2009* | *108,785* | *90,202* | *71,650* | *71,650* | *71,650* | *71,650* | |
| | *FY 2009-2010* | *112,049* | *92,909* | *73,799* | *73,799* | *73,799* | *73,799* | |
| | *FY 2010-2011* | *115,410* | *95,696* | *76,013* | *76,013* | *76,013* | *76,013* | |
| | Elko | ~~[98,707~~ | ~~81,846~~ | ~~65,012~~ | ~~65,012~~ | ~~65,012~~ | ~~65,012~~ | ~~--------]~~ |
| | *FY 2007-2008* | *105,616* | *87,575* | *69,563* | *69,563* | *69,563* | *69,563* | |
| | *FY 2008-2009* | *108,785* | *90,202* | *71,650* | *71,650* | *71,650* | *71,650* | |
| | *FY 2009-2010* | *112,049* | *92,909* | *73,799* | *73,799* | *73,799* | *73,799* | |
| | *FY 2010-2011* | *115,410* | *95,696* | *76,013* | *76,013* | *76,013* | *76,013* | |
| | Humboldt | ~~[98,707~~ | ~~81,846~~ | ~~65,012~~ | ~~65,012~~ | ~~65,012~~ | ~~65,012~~ | ~~--------]~~ |
| | *FY 2007-2008* | *105,616* | *87,575* | *69,563* | *69,563* | *69,563* | *69,563* | |
| | *FY 2008-2009* | *108,785* | *90,202* | *71,650* | *71,650* | *71,650* | *71,650* | |
| | *FY 2009-2010* | *112,049* | *92,909* | *73,799* | *73,799* | *73,799* | *73,799* | |
| | *FY 2010-2011* | *115,410* | *95,696* | *76,013* | *76,013* | *76,013* | *76,013* | |
| | Lyon | ~~[98,707~~ | ~~81,846~~ | ~~65,012~~ | ~~65,012~~ | ~~65,012~~ | ~~--------~~ | ~~--------]~~ |
| | *FY 2007-2008* | *105,616* | *87,575* | *69,563* | *69,563* | *69,563* | *69,563* | |
| | *FY 2008-2009* | *108,785* | *90,202* | *71,650* | *71,650* | *71,650* | *71,650* | |
| | *FY 2009-2010* | *112,049* | *92,909* | *73,799* | *73,799* | *73,799* | *73,799* | |
| | *FY 2010-2011* | *115,410* | *95,696* | *76,013* | *76,013* | *76,013* | *76,013* | |
| | Nye | ~~[98,707~~ | ~~81,846~~ | ~~65,012~~ | ~~65,012~~ | ~~65,012~~ | ~~65,012~~ | ~~--------]~~ |
| | *FY 2007-2008* | *105,616* | *87,575* | *69,563* | *69,563* | *69,563* | *69,563* | |
| | *FY 2008-2009* | *108,785* | *90,202* | *71,650* | *71,650* | *71,650* | *71,650* | |
| | *FY 2009-2010* | *112,049* | *92,909* | *73,799* | *73,799* | *73,799* | *73,799* | |
| | *FY 2010-2011* | *115,410* | *95,696* | *76,013* | *76,013* | *76,013* | *76,013* | |
| 4 | Lander | ~~[93,223~~ | ~~73,662~~ | ~~54,227~~ | ~~54,227~~ | ~~54,227~~ | ~~54,227~~ | ~~--------]~~ |
| | *FY 2007-2008* | *99,749* | *78,818* | *58,023* | *58,023* | *58,023* | *58,023* | |
| | *FY 2008-2009* | *102,741* | *81,183* | *59,764* | *59,764* | *59,764* | *59,764* | |
| | *FY 2009-2010* | *105,823* | *83,618* | *61,556* | *61,556* | *61,556* | *61,556* | |
| | *FY 2010-2011* | *108,998* | *86,127* | *63,403* | *63,403* | *63,403* | *63,403* | |
| | *Storey* | | | | | | | |
| | *FY 2007-2008* | *99,749* | *78,818* | *58,023* | *58,023* | *58,023* | *58,023* | |
| | *FY 2008-2009* | *102,741* | *81,183* | *59,764* | *59,764* | *59,764* | *59,764* | |
| | *FY 2009-2010* | *105,823* | *83,618* | *61,556* | *61,556* | *61,556* | *61,556* | |
| | *FY 2010-2011* | *108,998* | *86,127* | *63,403* | *63,403* | *63,403* | *63,403* | |
| | White Pine | ~~[93,223~~ | ~~73,662~~ | ~~54,227~~ | ~~54,227~~ | ~~54,227~~ | ~~54,227~~ | ~~--------]~~ |
| | *FY 2007-2008* | *99,749* | *78,818* | *58,023* | *58,023* | *58,023* | *58,023* | |
| | *FY 2008-2009* | *102,741* | *81,183* | *59,764* | *59,764* | *59,764* | *59,764* | |

| Class | County | District Attorney | Sheriff | County Clerk | County Assessor | County Recorder | County Treasurer | Public Administrator |
|---|---|---|---|---|---|---|---|---|
| | ***FY 2009-2010*** | ***$105,823*** | ***$83,618*** | ***$61,556*** | ***$61,556*** | ***$61,556*** | ***$61,556*** | |
| | ***FY 2010-2011*** | ***108,998*** | ***86,127*** | ***63,403*** | ***63,403*** | ***63,403*** | ***63,403*** | |
| 5 | Eureka | ~~[82,256~~ | ~~58,929~~ | ~~48,607~~ | ~~48,607~~ | ~~48,607~~ | ~~-------~~ | ~~-------]~~ |
| | ***FY 2007-2008*** | ***88,014*** | ***63,054*** | ***52,009*** | ***52,009*** | ***52,009*** | ***52,009*** | |
| | ***FY 2008-2009*** | ***90,654*** | ***64,946*** | ***53,570*** | ***53,570*** | ***53,570*** | ***53,570*** | |
| | ***FY 2009-2010*** | ***93,374*** | ***66,894*** | ***55,177*** | ***55,177*** | ***55,177*** | ***55,177*** | |
| | ***FY 2010-2011*** | ***96,175*** | ***68,901*** | ***56,832*** | ***56,832*** | ***56,832*** | ***56,832*** | |
| | Lincoln | ~~[82,256~~ | ~~58,929~~ | ~~48,607~~ | ~~48,607~~ | ~~48,607~~ | ~~48,607~~ | ~~-------]~~ |
| | ***FY 2007-2008*** | ***88,014*** | ***63,054*** | ***52,009*** | ***52,009*** | ***52,009*** | ***52,009*** | |
| | ***FY 2008-2009*** | ***90,654*** | ***64,946*** | ***53,570*** | ***53,570*** | ***53,570*** | ***53,570*** | |
| | ***FY 2009-2010*** | ***93,374*** | ***66,894*** | ***55,177*** | ***55,177*** | ***55,177*** | ***55,177*** | |
| | ***FY 2010-2011*** | ***96,175*** | ***68,901*** | ***56,832*** | ***56,832*** | ***56,832*** | ***56,832*** | |
| | Mineral | ~~[82,256~~ | ~~58,929~~ | ~~48,607~~ | ~~48,607~~ | ~~48,607~~ | ~~-------~~ | ~~-------]~~ |
| | ***FY 2007-2008*** | ***88,014*** | ***63,054*** | ***52,009*** | ***52,009*** | ***52,009*** | ***52,009*** | |
| | ***FY 2008-2009*** | ***90,654*** | ***64,946*** | ***53,570*** | ***53,570*** | ***53,570*** | ***53,570*** | |
| | ***FY 2009-2010*** | ***93,374*** | ***66,894*** | ***55,177*** | ***55,177*** | ***55,177*** | ***55,177*** | |
| | ***FY 2010-2011*** | ***96,175*** | ***68,901*** | ***56,832*** | ***56,832*** | ***56,832*** | ***56,832*** | |
| | Pershing | ~~[82,256~~ | ~~58,929~~ | ~~48,607~~ | ~~48,607~~ | ~~48,607~~ | ~~-------~~ | ~~-------]~~ |
| | ***FY 2007-2008*** | ***88,014*** | ***63,054*** | ***52,009*** | ***52,009*** | ***52,009*** | ***52,009*** | |
| | ***FY 2008-2009*** | ***90,654*** | ***64,946*** | ***53,570*** | ***53,570*** | ***53,570*** | ***53,570*** | |
| | ***FY 2009-2010*** | ***93,374*** | ***66,894*** | ***55,177*** | ***55,177*** | ***55,177*** | ***55,177*** | |
| | ***FY 2010-2011*** | ***96,175*** | ***68,901*** | ***56,832*** | ***56,832*** | ***56,832*** | ***56,832*** | |
| | ~~[Storey]~~ | ~~[82,256~~ | ~~58,929~~ | ~~48,607~~ | ~~48,607~~ | ~~48,607~~ | ~~-------~~ | ~~-------]~~ |
| 6 | Esmeralda | ~~[65,314~~ | ~~52,382~~ | ~~42,531~~ | ~~42,531~~ | ~~42,531~~ | ~~-------~~ | ~~-------]~~ |
| | ***FY 2007-2008*** | ***69,886*** | ***56,049*** | ***45,508*** | ***45,508*** | ***45,508*** | | |
| | ***FY 2008-2009*** | ***71,983*** | ***57,730*** | ***46,873*** | ***46,873*** | ***46,873*** | | |
| | ***FY 2009-2010*** | ***74,142*** | ***59,462*** | ***48,280*** | ***48,280*** | ***48,280*** | | |
| | ***FY 2010-2011*** | ***76,366*** | ***61,246*** | ***49,728*** | ***49,728*** | ***49,728*** | | |

3. A board of county commissioners may, by a vote of at least a majority of all the members of the board, set the annual salary for the county commissioners of that county, but in no event may the annual salary exceed an amount which equals ~~[126.65]~~ ***:***

***(a) For Fiscal Year 2007-2008, 131.716*** percent ***;***

***(b) For Fiscal Year 2008-2009, 136.985 percent;***

***(c) For Fiscal Year 2009-2010, 142.464 percent; and***

***(d) For Fiscal Year 2010-2011, 148.163 percent,***

➥ of the amount of the annual salary for the county commissioners of that county that was in effect by operation of statute on January 1, 2003.

**Sec. 2.** NRS 245.044 is hereby amended to read as follows:

245.044 1. On and after July 1, 1973, if an elected county officer has served in his office for more than 4 years, he is entitled to an additional salary of 2 percent of his base salary ***for the appropriate fiscal year as*** provided in ***subsection 2 of*** NRS 245.043 ***or his annual salary set pursuant to subsection 3 of NRS 245.043, as applicable,*** for each full calendar year he has served in his office.

2. The additional salary provided in this section for an eligible county officer:

(a) Must be computed on July 1 of each year by multiplying 2 percent of the base salary ***for the appropriate fiscal year as*** provided in ***subsection 2 of*** NRS 245.043 ***or the annual salary set pursuant to subsection 3 of NRS 245.043, as applicable,*** by the number of full calendar years the elected county officer has served in his office; and

(b) Must not exceed 20 percent of the base salary ***for the appropriate fiscal year as*** provided in ***subsection 2 of*** NRS 245.043 ~~[.]~~ ***or the annual salary set pursuant to subsection 3 of NRS 245.043, as applicable.***

3. Service on the Board of Supervisors of Carson City for the initial term which began on July 1, 1969, and ended on the first Monday of January, 1973, shall be deemed to constitute 4 full calendar years of service for the purposes of this section.

**Sec. 2.5.** NRS 245.060 is hereby amended to read as follows:

245.060 ~~[If]~~ ***1. Except as otherwise provided in subsection 2, if*** a county or township officer or an employee of the county is entitled to receive reimbursement for his necessary traveling expenses for the transaction of public business, such reimbursement must include actual living expenses, but the amount allowed for traveling by private conveyance must not exceed the amount charged by public conveyance. Where it appears to the satisfaction of the board of county commissioners that travel by private conveyance is more economical, or where it appears that, owing to train, airplane or bus schedules or for other reasons, travel by public conveyance is impractical, or in case a part of the route traveled is not covered by public conveyance, the board of county commissioners, in its discretion, may allow for traveling by private conveyance an amount not to exceed the maximum per-mile allowance for travel by private conveyance of state officers and employees specified in subsection 3 of NRS 281.160.

***2. The board of county commissioners of a county may provide, to any county or township officer or employee of the county who is required to travel for the transaction of public business for a period of not more than 5 consecutive working days at a time, a per diem allowance and travel expenses at the same rate as the comparable rate established for employees of the Federal Government by the Administrator of General Services pursuant to 5 U.S.C. § 5707, excluding any federal requirement, restriction or other condition which is applicable to that comparable rate.***

**Sec. 3.** Except as otherwise provided in section 4 of this act, each county shall commence payment of the increased annual salaries of the elected officers of the county set forth in the table of annual salaries contained in subsection 2 of NRS 245.043, as amended by section 1 of this act:

1. For Fiscal Year 2007-2008, on July 1, 2007.
2. For Fiscal Year 2008-2009, on July 1, 2008.
3. For Fiscal Year 2009-2010, on July 1, 2009.
4. For Fiscal Year 2010-2011, on July 1, 2010.

**Sec. 3.5.** For the purposes of calculating the maximum salary that may be paid to a county commissioner pursuant to the provisions of subsection 3 of NRS 245.043, as amended by section 1 of this act, Storey County shall be deemed to have been categorized as a county of class 4 on January 1, 2003.

**Sec. 4.** 1. Except as otherwise provided in subsection 3, a board of county commissioners may apply to the Committee on Local Government Finance for a waiver from the requirement to increase the annual salaries of elected officers of the county to the annual salaries set forth in the table contained in subsection 2 of NRS 245.043, as amended by section 1 of this act, for any of Fiscal Years 2007-2008, 2008-2009, 2009-2010 or 2010-2011, if the board determines that the financial resources of the county are insufficient to pay those increased annual salaries in the applicable fiscal year. The Committee on Local Government Finance shall grant such a waiver if it finds that the financial resources of the county are insufficient to pay those increased annual salaries in the applicable fiscal year.

2. A board of county commissioners that has been granted a waiver for a fiscal year as described in subsection 1 may apply to the Committee on Local Government Finance for an additional waiver for the next consecutive fiscal year if the board determines that the financial resources of the county continue to be insufficient to pay the increased annual salaries of the elected officers of the county set forth in the table contained in subsection 2 of NRS 245.043, as amended by section 1 of this act, in that fiscal year. There is no limitation on the number of waivers for consecutive fiscal years that the board of county commissioners may be granted if the board determines that the financial resources of the county continue to be insufficient to pay the increased annual salaries of the elected officers of the county set forth in the table contained in subsection 2 of NRS 245.043, as amended by section 1 of this act, in that fiscal year.

3. After commencing payment of the increased annual salaries of the elected officers of the county set forth in the table contained in subsection 2 of NRS 245.043, as amended by section 1 of this act,

in any fiscal year, a board of county commissioners may not apply for a waiver in any subsequent fiscal year.

4. The increased annual salaries of the elected officers of the county set forth in the table contained in subsection 2 of NRS 245.043, as amended by section 1 of this act, must not be paid retroactively for any fiscal year for which a waiver was granted to the county pursuant to subsection 1.

**Sec. 5.** The provisions of subsection 1 of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

**Sec. 6.** This act becomes effective on July 1, 2007.

㉚