

Amendment No. CA39

First Conference Committee Amendment to (BDR 1-654)
Assembly Bill No. 246 Second Reprint

Proposed by: First Conference Committee

Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

Adoption of this amendment will MAINTAIN the unfunded mandate requested by the affected local government to A.B. 246 (§§ 1.5, 2).

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

MSN/RBL



Date: 6/4/2007

A.B. No. 246—Makes various changes concerning district judges. (BDR 1-654)



ASSEMBLY BILL NO. 246—COMMITTEE ON WAYS AND MEANS

(ON BEHALF OF THE NEVADA SUPREME COURT)

MARCH 5, 2007

Referred to Concurrent Committees on
Judiciary and Ways and Means

SUMMARY—Makes various changes concerning district judges. (BDR 1-654)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Contains Appropriation not included in
Executive Budget.

CONTAINS UNFUNDED MANDATE (§§ ~~1.1~~ 1.5, 2)
(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 courts; ~~creating a Tenth Judicial District;~~ increasing the number of district judges in the Second and Eighth Judicial Districts; increasing the number of district judges in the Second and Eighth Judicial Districts who must be judges of the family court; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

~~Section 1 of this bill creates a Tenth Judicial District for the Counties of Churchill and Mineral consisting of two district judges. Churchill County is removed from the Third Judicial District in section 1.3 and the number of judges in that district is reduced from three to two.~~

Section 1.5 of this bill increases the number of district judges in the Second Judicial District, which includes Washoe County, from 12 to 14. (NRS 3.010, 3.012) Both of the additional district judges must be judges of the family court, increasing the number of judges of the family court in the Second Judicial District from 4 to 6. (NRS 3.012)

Section 2 of this bill increases the number of district judges in the Eighth Judicial District, which includes Clark County, from 37 to 43. (NRS 3.010, 3.018) Five of the 6 additional district judges must be judges of the family court, increasing the number of judges of the family court in the Eighth Judicial District from 13 to 18. (NRS 3.018)

Sections 4 and 4.5 of this bill make an appropriation to pay for the salaries of the additional district judges.

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

Section 1. ~~[Chapter 3 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~**For the Tenth Judicial District there must be two district judges.] (Deleted by amendment.)**~~

Sec. 1.3. ~~[NRS 3.010 is hereby amended to read as follows:~~

~~3.010 The State is hereby divided into [nine] 10 judicial districts, as follows:~~

~~**First Judicial District.** Carson City and the County of Storey constitute the First Judicial District.~~

~~**Second Judicial District.** The County of Washoe constitutes the Second Judicial District.~~

~~**Third Judicial District.** The [Counties of Churchill and] County of Lyon [constitute] constitutes the Third Judicial District.~~

~~**Fourth Judicial District.** The County of Elko constitutes the Fourth Judicial District.~~

~~**Fifth Judicial District.** The Counties of [Mineral,] Esmeralda and Nye constitute the Fifth Judicial District.~~

~~**Sixth Judicial District.** The Counties of Lander, Pershing and Humboldt constitute the Sixth Judicial District.~~

~~**Seventh Judicial District.** The Counties of Eureka, White Pine and Lincoln constitute the Seventh Judicial District.~~

~~**Eighth Judicial District.** The County of Clark constitutes the Eighth Judicial District.~~

~~**Ninth Judicial District.** The County of Douglas constitutes the Ninth Judicial District.~~

~~**Tenth Judicial District.** The Counties of Churchill and Mineral constitute the Tenth Judicial District.] (Deleted by amendment.)~~

Sec. 1.5. NRS 3.012 is hereby amended to read as follows:

3.012 For the Second Judicial District there must be ~~[22]~~ 14 district judges, ~~[4]~~ 6 of whom must be judges of the family court.

Sec. 1.7. NRS 3.013 is hereby amended to read as follows:

3.013 For the Third Judicial District there must be ~~[three]~~ two district judges.

Sec. 2. NRS 3.018 is hereby amended to read as follows:

3.018 For the Eighth Judicial District there must be ~~[37]~~ 43 district judges, ~~[13]~~ 18 of whom must be judges of the family court.

Sec. 3. The additional district judges required for the Second Judicial District pursuant to section 1.5 of this act ~~[,]~~ and the additional district judges required for the Eighth Judicial District pursuant to section 2 of this act ~~[and the additional district judge required for the Tenth Judicial District pursuant to section 1 of this act]~~ must be selected at the general election held on November 4, 2008, and take office on January 5, 2009. The terms of these judges expire on January 5, 2015.

Sec. 4. 1. There is hereby appropriated from the State General Fund to the District Judges' Salary Account the sum of ~~[\$959,616]~~ \$852,992 for the salaries of the additional district judges required pursuant to sections ~~[1,]~~ 1.5 and 2 of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2009, and reverts to the State General Fund as soon as all payments of money committed have been made.

Sec. 4.5. 1. There is hereby appropriated from the State General Fund to the District Judges' Salary Account the sum of ~~[\$787,779]~~ \$700,248 for the salaries

of the additional district judges required pursuant to sections ~~4.1~~ 1.5 and 2 of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2009, and reverts to the State General Fund as soon as all payments of money committed have been made.

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. 1. This section and sections 3 and 5 of this act become effective on October 1, 2007.

2. Section 4 of this act becomes effective on July 1, 2008, if Senate Bill No. 248 of this Session is enacted by the Legislature and approved by the Governor.

3. Section 4.5 of this act becomes effective on July 1, 2008, only if section 4 of this act does not become effective.

4. Sections 1 to 2, inclusive, of this act become effective on January 5, 2009.