

Amendment No. 16

Senate Amendment to Senate Bill No. 30	(BDR 20-468)
Proposed by: Senate Committee on Government Affairs	
Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.

HAC/MSN



Date: 3/25/2015

S.B. No. 30—Authorizes a board of county commissioners to withhold longevity pay for certain elected county officers under certain circumstances. (BDR 20-468)



SENATE BILL NO. 30—COMMITTEE ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE NEVADA ASSOCIATION OF COUNTIES)

PREFILED DECEMBER 20, 2014

Referred to Committee on Government Affairs

SUMMARY—Authorizes ~~the board of county commissioners to withhold longevity pay for certain~~ an elected county officer to elect not to receive longevity pay. (BDR 20-468)

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

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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 counties; authorizing ~~the board of county commissioners to adopt a resolution withholding longevity pay for~~ an elected county officer to elect not to receive longevity pay; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law, with certain limitations, entitles an elected county officer, including a member of a board of county commissioners, who has served in his or her office for more than 4 years to receive an additional salary of 2 percent of his or her base salary for each full calendar year the officer has served in his or her office. (NRS 245.044) ~~Section 1 of this bill authorizes the board of county commissioners to adopt a resolution withholding such~~ This bill authorizes an elected county officer to elect not to receive all or a portion of the longevity pay to which he or she is entitled for any fiscal year. ~~Section 1 requires that the resolution: (1) be approved by a vote of at least two-thirds of the members of the board; (2) provide for withholding only the longevity pay due for the fiscal year for which the resolution is issued; (3) direct the county treasurer to withhold the longevity pay for each elected county officer; (4) include a finding that the financial resources of the county justify the withholding of the longevity pay; (5) expire by limitation at the end of the fiscal year for which the resolution is adopted; and (6) be transmitted to the county treasurer not less than 10 days after the adoption of the resolution. Section 1 further provides that, upon the expiration of the resolution, an elected county officer is not entitled to receive the withheld longevity pay retroactively, an additional pay in any subsequent fiscal year and that the fiscal year for which the longevity pay was withheld must be included in the calculation of full calendar years served by the officer for the purpose of calculating longevity pay in subsequent calendar years.~~

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

Section 1. ~~[Chapter 245 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~1. A board of county commissioners may, for any fiscal year, adopt a resolution withholding the additional salary of 2 percent to which an elected county officer is otherwise entitled pursuant to subsection 1 of NRS 245.044 for that fiscal year. A resolution adopted pursuant to this section must:~~

~~(a) Be approved by a vote of at least two thirds of the members of the board;~~

~~(b) Provide for withholding only that additional salary of 2 percent to which an elected county officer is otherwise entitled pursuant to subsection 1 of NRS 245.044 for the fiscal year for which the resolution is adopted;~~

~~(c) Direct the county treasurer to withhold the additional salary of 2 percent for each elected county officer;~~

~~(d) Include a finding by the board that the financial resources of the county for the fiscal year for which the resolution is adopted are insufficient to pay the additional salary of 2 percent to which the elected county officers are otherwise entitled pursuant to subsection 1 of NRS 245.044;~~

~~(e) Expire by limitation at the end of the fiscal year for which the resolution is adopted; and~~

~~(f) Be transmitted to the county treasurer not less than 10 days after the adoption of the resolution.~~

~~2. Upon the expiration of a resolution adopted by a board of county commissioners pursuant to this section:~~

~~(a) An elected county officer is not entitled to receive retroactively in any subsequent fiscal year the additional salary of 2 percent withheld pursuant to the resolution; and~~

~~(b) The fiscal year for which the additional salary of 2 percent was withheld pursuant to the resolution must be included in the calculation pursuant to subsection 2 of NRS 245.044 of full calendar years served by the elected county officer for the purposes of calculating additional salary to which the officer may be entitled in a subsequent fiscal year pursuant to subsection 1 of NRS 245.044.~~

(Deleted by amendment.)

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

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

2. The additional salary ~~[provided in this section for]~~ to which an ~~[eligible]~~ elected county officer ~~[is entitled pursuant to subsection 1:]~~

(a) Must be ~~[computed]~~ calculated 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 or her 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.

1 3. *Any elected county officer who is entitled to additional salary pursuant to*
2 *subsection 1 may elect not to receive the additional salary or any part of the*
3 *additional salary.*

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

8 **Sec. 3.** This act becomes effective on July 1, 2015.