

SJR 11 - 2003

Introduced on: May 19, 2003

By Finance

Proposes to amend Nevada Constitution to provide for payment of compensation to members of Legislature for each day of service during regular and special sessions and to provide for payment of reasonable allowances to such members for postage, express charges, newspapers, telecommunications and stationery. (BDR C-1353)

Fiscal Notes [View Fiscal Notes](#)

Effect on Local Government: *No.*

Effect on State: *Yes.*

Most Recent History Action: File No. 87 (**Return to 2005 Session**)
(See full list below)

Past Hearings

Senate Finance	May-24-2003	Do pass
Assembly Elections, Procedures, and Ethics	May-27-2003	Do pass

Votes

Senate Final Passage	May-27	Yea 18,	Nay 3,	Excused 0,	Not Voting 0,	Absent 0
Assembly Final Passage	May-30	Yea 32,	Nay 10,	Excused 0,	Not Voting 0,	Absent 0

Bill Text (PDF) [As Introduced](#) [As Enrolled](#)

Bill Text (HTML) [As Introduced](#) [As Enrolled](#)

Amendments (HTML)

Bill History

May 19, 2003 Read first time. Referred to Committee on Finance. To printer.

May 20, 2003 From printer. To committee.

May 24, 2003 From committee: Do pass.

May 26, 2003 Read second time.

May 27, 2003 Read third time. Passed. Title approved. (Yeas: 18, Nays: 3) To Assembly. In Assembly.
Read first time. Referred to Committee on Elections, Procedures, and Ethics. To committee.

May 29, 2003 From committee: Do pass. Placed on Second Reading File. Read second time.

May 30, 2003 Read third time. Passed. Title approved. (Yeas: 32, Nays: 10). To Senate. In Senate. To enrollment.

May 31, 2003 Enrolled and delivered to Secretary of State. File No. 87

(Return to 2005 Session)

History created May 25, 2004



PREPARED BY
RESEARCH DIVISION
LEGISLATIVE COUNSEL BUREAU
Nonpartisan Staff of the Nevada State Legislature

BILL SUMMARY
72nd REGULAR SESSION
OF THE NEVADA STATE LEGISLATURE

SENATE JOINT RESOLUTION NO. 11

Topic

Senate Joint Resolution No. 11 proposes a constitutional amendment pertaining to legislative compensation and postage allowances.

Summary

This resolution proposes to amend the *Nevada Constitution* to provide that members of the Nevada Legislature are paid for each day of service during regular and special sessions. Additionally, S.J.R. 11 proposes another amendment that provides for reasonable allowances to members of the Nevada Legislature for expenses incurred for postage, express charges, newspapers, telecommunications, and stationery.

Effective Date

If approved in identical form by both the 2003 and 2005 Sessions of the Legislature, the proposal will be submitted to the voters for final approval or disapproval at the 2006 General Election.

Background Information

Currently, the *Nevada Constitution* limits the number of days for which members of the Nevada Legislature are paid to 60 in a regular session and 20 in a special session. The *Nevada Constitution* also limits the allowance for postage and stationery to \$60 per legislator.

LEGISLATIVE HEARINGS

MINUTES AND EXHIBITS

**MINUTES OF THE
SENATE COMMITTEE ON FINANCE**

**Seventy-second Session
May 24, 2003**

The Senate Committee on Finance was called to order by Chairman William J. Raggio, at 8:17 a.m. on Thursday, May 24, 2003, in Room 2134 of the Legislative Building, Carson City, Nevada. Exhibit A is the Agenda. Exhibit B is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator William J. Raggio, Chairman
Senator Raymond D. Rawson, Vice Chairman
Senator Dean A. Rhoads
Senator Barbara K. Cegavske
Senator Sandra J. Tiffany
Senator Bob Coffin
Senator Bernice Mathews

GUEST LEGISLATORS PRESENT:

Assemblyman Richard D. Perkins, Clark County Assembly District No. 23
Senator Maurice E. Washington, Washoe County Senatorial District No. 2
Senator Randolph J. Townsend, Washoe County Senatorial District No. 4

STAFF MEMBERS PRESENT:

Gary L. Ghiggeri, Senate Fiscal Analyst
Bob Guernsey, Principal Deputy Fiscal Analyst
Susan E. Scholley, Senior Research Analyst
Michael Archer, Committee Secretary

OTHERS PRESENT:

Lucille Lusk, Lobbyist, Nevada Concerned Citizens
David K. Schumann, Lobbyist, Nevada Committee for Full Statehood
Dr. Jane A. Nichols, Chancellor, System Administration Office, University and
Community College System of Nevada
Thalia M. Dondero, Board of Regents, University and Community College
System of Nevada
Dr. James Richardson, Lobbyist, Nevada Faculty Alliance
Scott G. MacKenzie, Lobbyist, Executive Director, State of Nevada Employees
Association
Robert E. Romer, Lobbyist, State of Nevada Employees Association
Diane R. Comeaux, Deputy Administrator, Division of Child and Family Services,
Department of Human Resources
Joyce Haldeman, Lobbyist, Clark County School District
Alfredo Alonzo, Lobbyist, Nevada Pari-Mutuel Wagering System
Michael Hillerby, Deputy Chief of Staff, Office of the Governor
Dave Hosmer, Chief, Nevada Highway Patrol, Department of Public Safety
Jim J. Avance, Lobbyist, Nevada Marine Association
John P. Comeaux, Director, Department of Administration

Senate Committee on Finance
May 24, 2003
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SENATOR RAGGIO:
Does staff have a report for us this morning?

GARY L. GHIGGERI, SENATE FISCAL ANALYST, FISCAL ANALYSIS DIVISION, LEGISLATIVE COUNSEL BUREAU:

I have distributed to the committee a current listing of the bills that are in the Senate Committee on Finance (Exhibit C). It indicates which bills are scheduled to be heard, which have not been heard, and which bills action has been taken on. The unappropriated General Fund balance shows an accumulative projected shortfall of \$829 million.

SENATOR RAGGIO:
Does that include the \$50 million to begin restoration of the Fund to Stabilize the Operation of State Government?

MR. GHIGGERI:
That is correct.

SENATOR RHOADS:
Are you aware of the \$10 billion that goes back to the states, and from which we should receive \$69 million?

MR. GHIGGERI:
You are referring to Title IV of the federal Jobs and Growth Tax Relief Reconciliation Act of 2003 (H.R. 2) Nevada will receive approximately \$100 million; \$67 million of that is not tied to any particular purpose, and the remaining funding, of about \$36 million, is due for an increased matching rate for Medicaid. None of this is reflected in the figures I just went over.

SENATOR RAGGIO:
We are looking at this as a potential source of revenue. The language in that bill indicates a certain amount of it would be mandated for Medicaid, and additional language states it is to help states with unfunded federal mandates. Based on these projected shortfalls, where do we stand on the balanced budget?

MR. GHIGGERI:
I am not sure because we do not know what tax package, or mixture of tax packages, will be approved. In order to balance the budget there is a need for \$393 million of new revenue in fiscal year (FY) 2004.

SENATOR RAGGIO:
We will open the hearing on Senate Joint Resolution (S.J.R.) 11.

SENATE JOINT RESOLUTION 11: Proposes to amend Nevada Constitution to provide for payment of compensation to members of Legislature for each day of service during regular and special sessions and to provide for payment of reasonable allowances to such members for postage, express charges, newspapers, telecommunications and stationery. (BDR C-1353)

LUCILLE LUSK, LOBBYIST, NEVADA CONCERNED CITIZENS:
I support a constitutional amendment that would extend the pay of Legislators. We appreciate those who have kept faith with the Nevada Constitution and not

tried to circumvent it through accounting practices. I ask the committee to amend the language so that there will be a 20-day limit on special sessions. Please see my handout of the proposed amendment (Exhibit D). There is currently no time limit on a special session. This proposal adds language to Section 9 of the Nevada Constitution that would limit special sessions to 20 days.

SENATOR RAGGIO:

The Governor currently has the right to not only call a special session, but to limit the length of that session. Is this change really needed?

Ms. LUSK:

While passing a constitutional provision that specifies Legislators are paid for each day of service, it is important for the people to know how many days of service that will be. If he chose, the Governor could call serial special sessions. I do not think this complicates the issue, but rather clarifies it for the voters.

DAVID K. SCHUMANN, LOBBYIST, NEVADA COMMITTEE FOR FULL STATEHOOD:

I support Ms. Lusk's proposal to constitutionally limit special sessions to 20 days. It will provide discipline for both the Legislature and Governor. I would further suggest that the amount of compensation should be determined solely by the Legislature during a regular session, and not by some anonymous commission. The Congress uses a commission for this purpose and it is wrong.

SENATOR CEGAVSKE:

Historically, have we ever gone over 20 days in a special session? Also, if you limited it to 20 days and it ended without completion of the work, would you have to reconvene another special session?

SENATOR RAGGIO:

I do not recall a special session that lasted more than a few days. In the situation you described, we would have to reconvene another special session. We will close the hearing on S.J.R. 11, and open the hearing on Assembly Bill (A.B.) 203.

ASSEMBLY BILL 203 (1st Reprint): Creates Committee to Evaluate Higher Education Programs. (BDR S-809)

ASSEMBLYMAN RICHARD D. PERKINS, CLARK COUNTY ASSEMBLY DISTRICT No. 23:

In the year 2000, 19.3 percent of Nevada adults over the age of 25 earned a bachelor or advanced degree, but the national average was 25.6 percent. If we want Nevada to participate in the growing knowledge-based economy, with high-income jobs, we must pay attention to these facts. Assembly Bill 203 calls for a committee to examine and evaluate existing and potential higher education programs, and recommend actions needed for a more efficient and effective higher education system. I see this bill as a companion bill to A.B. 148, which calls for a performance audit of the University and Community College System of Nevada (UCCSN).

ASSEMBLY BILL 148: Requires Legislative Auditor to conduct audit of University and Community College System of Nevada and Board of Regents of University of Nevada. (BDR S-808)

SENATOR RAGGIO:

This is not uncommon to allow them to extend the funding in case they have not been able to expend it.

Ms. COMEAUX:

The only thing that will be extended in the reversion is the \$469,000 we appropriated for retirement buy-out costs. Because we delayed implementation of systems integration in Clark County, we are requesting those funds that were designated for Clark County be balanced forward into the next year which is when we are going to do the integration.

SENATOR TIFFANY:

We gave the Department of Information Technology (DoIT) an upgrade on the mainframes, so they should not have any problems.

Ms. COMEAUX:

I understand that, but it will take DoIT a while to implement that, and we are planning on going live in August 2003.

SENATOR RAGGIO:

We will close the hearing on A.B. 470.

SENATOR COFFIN MOVED TO DO PASS A.B. 470.

SENATOR RAWSON SECONDED THE MOTION.

THE MOTION CARRIED UNANIMOUSLY.

* * * * *

SENATOR RAGGIO:

We will now go back to Senate Joint Resolution (S.J.R.) 11. I think it would be better to process this bill as it is, without adding something in here about limiting the terms of a special session. I cannot imagine a Governor calling a special session for any purpose that would last more than 20 days. I suppose there could be something so complex someday that would require a special session to exceed that time frame. What does the committee have to say?

SENATOR RAWSON:

Assembly Joint Resolution (A.J.R.) 13 allows the Legislature to call a special session and limits it to 20 days. It is an issue that will probably end up on the ballot, so it is probably not necessary to put it in this bill.

ASSEMBLY JOINT RESOLUTION 13 (1st Reprint):: Proposes to amend Nevada Constitution to revise provisions regarding special sessions of Legislature. (BDR C-313)

SENATOR RAWSON MOVED TO DO PASS S.J.R. 11.

SENATOR RHOADS SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

* * * * *

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May 23, 2003

To: Senate Finance Committee

From: Lucille Lusk

Proposed Amendment to SJR 11

Statement of Intent

To establish a specific 20-day limit on the duration of a special session of the legislature.

Proposed Amendment

Add on page 2, following line 9:

And be it further

RESOLVED, That Section 9 of Article 5 of the Nevada Constitution be amended to read as follows:

[Sec: 9. The] Sec. 9. 1. The Governor may, on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses when organized, the purpose for which they have been convened, and the Legislature shall transact no legislative business, except that for which they were specially convened, or such other legislative business as the Governor may call to the attention of the Legislature while in Session.

2. The Legislature shall adjourn sine die a special session convened pursuant to this section not later than midnight of the 20th calendar day of that session. Any legislative action taken after midnight on the 20th calendar day is void.

Lucille Lusk
Nevada Concerned Citizens
775-884-3660 (weekdays)
702-870-9557 (weekends)
LKLusk@earthlink.net

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON ELECTIONS, PROCEDURES, AND ETHICS**

**Seventy-Second Session
May 27, 2003**

The Committee on Elections, Procedures, and Ethics was called to order at 4:00 p.m., on Tuesday, May 27, 2003. Chairwoman Chris Giunchigliani presided in Room 3138 of the Legislative Building, Carson City, Nevada. Exhibit A is the Agenda. Exhibit B is the Guest List. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

Note: These minutes are compiled in the modified verbatim style. Bracketed material indicates language used to clarify and further describe testimony. Actions of the Committee are presented in the traditional legislative style.

COMMITTEE MEMBERS PRESENT:

Ms. Chris Giunchigliani, Chairwoman
Mr. Marcus Conklin, Vice Chairman
Mr. Bernie Anderson
Mr. Bob Beers
Mr. Chad Christensen
Mr. Tom Grady
Ms. Kathy McClain
Mr. Bob McCleary
Ms. Peggy Pierce
Ms. Valerie Weber

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Assemblyman David Parks, Clark County, District No. 41

STAFF MEMBERS PRESENT:

Michelle Van Geel, Committee Policy Analyst
Kelly Fisher, Committee Secretary

policy for the state of Nevada as it relates to how do we regulate or not regulate that industry, or certain parts of that industry. AT&T would like to say that we do support the amendments as being proposed this afternoon by the Consumer Advocate's Office. I'm also hopeful, and I have been very sensitive to Mr. Schorr's concern with respect to broadband issues, because broadband was clearly one of the most heated debated issues in the context of S.B. 400. I think we can find some resolve to address Mr. Schorr's issues.

Also, I do believe it's appropriate to be more inclusive of this advisory committee. Mr. Hay did suggest an advisory position dealing with emerging technologies, and Madame Chair, to your comments yesterday and to Mr. Parks' comments this afternoon dealing with wireless, I think it's an appropriate place that the wireless industry be at the table on this matter. I think fixed wireless is clearly going to be among other, emerging technologies that are going to deliver a wide array of services in competition with all of the other technologies. That information, together with the information that all of the parties can bring to the table, will help the state, will help the Legislature, will help the industry better understand and better direct how we should regulate or forbear from regulating and how we can move public policy with respect to telecommunications in the state of Nevada. I think this is a wonderful resolution being brought forward at this time, given where we are with emerging technologies and given where we are with all of the debates we've been having on telecommunications in the state of Nevada. We do support A.C.R. 19 as amended and are hopeful that we can accommodate some of the concerns brought up this afternoon by Mr Schorr.

Chairwoman Giunchigliani:

I have no one else signed in. We'll close the hearing on A.C.R. 19. If I might ask the parties to get together. Maybe the advisory committee should be a little larger, maybe not more than 9 members. We might want to make sure that we cover who should be participating, maybe talk about Mr. Schorr's concerns to see if we can balance that language so people don't become fearful about it. If we don't resolve it tonight, we can take it up later. We will open the hearing on S.J.R. 11. Senator Raggio is in Senate Finance, so he's asked me to introduce the bill.

Senate Joint Resolution 11: Proposes to amend Nevada Constitution to provide for payment of compensation to members of Legislature for each day of service during regular and special sessions and to provide for payment of reasonable allowances to such members for postage, express charges, newspapers, telecommunications and stationery. (BDR C-1353)

It's a different approach. I think it makes sense. It's timely, and regardless of whether annual sessions move forward, I think it's high time the people at least get paid for the days they work. I think Lucille Lusk has also submitted a potential amendment (Exhibit D). I've sent that down to the Senator for him to take a look at. Mrs. Lusk's amendment would establish a specific 20-day limit on the duration of the special session of the Legislature. Apparently, she did recommend this to the Senate and they did not accept the amendment at that time.

Assemblyman Conklin:

Is there another bill out there?

Chairwoman Giunchigliani:

There's a legislative commission in Ways and Means. What we voted out in Ways and Means was to increase our actual salary, which is on the Floor, but there's nothing to actually deal...

Assemblyman Beers:

Actually, Madam Chair, that is on the Chief Clerk's desk. I think I noticed that.

Chairwoman Giunchigliani:

So, that's on the desk. This is the only one out there that deals with compensation for days that you actually work.

Assemblyman Conklin:

Then this amendment isn't really germane, and if the process would be that this would have to go to a vote of the people, and I think it would be really confusing to have this, plus this, which isn't germane, on the ballot.

Chairwoman Giunchigliani:

At least not complementary. I would agree, and that's probably why the Senate did not accept it. Michelle Van Geel said that she was listening during the testimony, and that is correct.

ASSEMBLYWOMAN PIERCE MOVED TO DO PASS S.J.R. 11.

ASSEMBLYMAN MCCLEARY SECONDED THE MOTION.

THE MOTION CARRIED.

Let's go into our work session document (Exhibit C). We have Assembly Concurrent Resolution 14. This is one that I actually submitted after working with the clerks during the interim session. What I'm going to suggest

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From: Lucille Lusk

Proposed Amendment to SJR 11

Statement of Intent

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Proposed Amendment

Add on page 2, following line 9:

And be it further

RESOLVED, That Section 9 of Article 5 of the Nevada Constitution be amended to read as follows:

[Sec: 9. The] Sec. 9. 1. The Governor may, on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses when organized, the purpose for which they have been convened, and the Legislature shall transact no legislative business, except that for which they were specially convened, or such other legislative business as the Governor may call to the attention of the Legislature while in Session.

2. The Legislature shall adjourn sine die a special session convened pursuant to this section not later than midnight of the 20th calendar day of that session. Any legislative action taken after midnight on the 20th calendar day is void.

Lucille Lusk
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FLOOR ACTIONS

AMENDMENTS ON SECOND READING FLOOR VOTES AND STATEMENTS OTHER ACTIONS

NOTE: THESE FLOOR ACTIONS ARE TAKEN FROM THE *DAILY JOURNALS* ([HTTP://WWW.LEG.STATE.NV.US/SESSION/72ND2003/JOURNAL/INDEX.CFM](http://www.leg.state.nv.us/session/72nd2003/journal/index.cfm)), WHICH ARE NOT THE OFFICIAL FINALIZED VERSIONS OF THE *JOURNALS*. CONSULT THE PRINT VERSION FOR THE OFFICIAL RECORD.

Floor Actions

May 27, 2003 *Senate Daily Journal*

Excerpt:

Senate Joint Resolution No. 11.

Resolution read third time.

Remarks by Senators Raggio and Neal.

Roll call on Senate Joint Resolution No. 11:

YEAS—18.

NAYS—Care, Titus, Wiener—3.

Senate Joint Resolution No. 11 having received a constitutional majority, Madam President declared it passed.

Resolution ordered transmitted to the Assembly.

May 30, 2003 *Assembly Daily Journal*

Excerpt:

Senate Joint Resolution No. 11.

Resolution read.

Roll call on Senate Joint Resolution No. 11:

YEAS—32.

NAYS—Andonov, Angle, Christensen, Geddes, Gibbons, Goicoechea, Griffin, Hardy, Knecht, Mabey—10.

Senate Joint Resolution No. 11 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

BILLS AND AMENDMENTS

SEE LINKS ON BILL HISTORY PAGE
FOR COMPLETE TEXT

SJR11* of the 72nd Session - 2005

Introduced on: Feb 04, 2005

By: Finance

Proposes to amend Nevada Constitution to provide for payment of compensation to members of Legislature for each day of service during regular and special sessions and to provide for payment of reasonable allowances to such members for postage, express charges, newspapers, telecommunications and stationery. (BDR C-1353)

Fiscal Notes

Effect on Local Government: No.

Effect on State: Yes.

Most Recent History Action: File No. 74.
(See full list below)

Past Hearings

Senate Legislative Operations and Elections	Feb-15-2005 02:00 PM	Minutes	Do pass.
Assembly Elections, Procedures, Ethics, and Constitutional Amendments	May-10-2005 03:45 PM	Minutes	Do pass.

Votes

Senate Final Passage	Feb-22	Yea 16,	Nay 5,	Excused 0,	Not Voting 0,	Absent 0
Assembly Final Passage	May-13	Yea 40,	Nay 0,	Excused 2,	Not Voting 0,	Absent 0

Bill Text

[As Introduced](#)

[As Enrolled](#)

[Statutes of Nevada 2005, File No. 74](#)

[As Enrolled](#)

Bill History

Feb 07, 2005	Returned from Secretary of State. Read first time. Referred to Committee on Legislative Operations and Elections. To printer. From printer. To committee.
Feb 16, 2005	From committee: Do pass.
Feb 17, 2005	Read second time.
Feb 21, 2005	Taken from General File. Placed on General File for next legislative day.
Feb 22, 2005	Read third time. Passed. Title approved. (Yeas: 16, Nays: 5.) To Assembly.
Feb 23, 2005	In Assembly. Read first time. Referred to Committee on Elections, Procedures, Ethics, and Constitutional Amendments. To committee.
May 11, 2005	From committee: Do pass.
May 12, 2005	Read second time.
May 13, 2005	Read third time. Passed. Title approved. (Yeas: 40, Nays: None, Excused: 2.) To Senate.
May 16, 2005	In Senate. To enrollment.
May 18, 2005	Enrolled and delivered to Secretary of State. File No. 74.



PREPARED BY
RESEARCH DIVISION
LEGISLATIVE COUNSEL BUREAU
Nonpartisan Staff of the Nevada State Legislature

FLOOR STATEMENT
73rd REGULAR SESSION
OF THE NEVADA STATE LEGISLATURE

**SENATE JOINT RESOLUTION NO. 11
OF THE 72ND SESSION
(Enrolled)**

Topic

Senate Joint Resolution No. 11 of the 72nd Session proposes a constitutional amendment regarding legislative compensation and postage allowances.

Summary

Senate Joint Resolution No. 11 of the 72nd Session proposes to amend the *Nevada Constitution* to provide that members of the Nevada Legislature are paid for each day of service during regular and special sessions. Additionally, S.J.R. 11 proposes another amendment to provide “reasonable allowances” to legislators for expenses incurred for postage, express charges, newspapers, telecommunications, and stationery.

Effective Date

The measure was approved in identical form by the 2003 and 2005 Sessions of the Nevada Legislature. The proposal will be submitted to the voters for final approval or disapproval at the 2006 General Election.

Background Information

Currently, the *Nevada Constitution* limits the number of days for which members of the Nevada Legislature are paid to 60 in a regular session and 20 in a special session. The *Nevada Constitution* also limits the session allowance for postage and stationery to \$60 per legislator.

LEGISLATIVE HEARINGS

MINUTES AND EXHIBITS

**MINUTES OF THE
SENATE COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS**

**Seventy-third Session
February 15, 2005**

The Senate Committee on Legislative Operations and Elections was called to order by Chair Barbara Cegavske at 1:59 p.m. on Tuesday, February 15, 2005, in Room 2144 of the Legislative Building, Carson City, Nevada. Exhibit A is the Agenda. Exhibit B is the Attendance Roster. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Senator Barbara Cegavske, Chair
Senator William J. Raggio, Vice Chair
Senator Warren B. Hardy II
Senator Bob Beers
Senator Dina Titus
Senator Bernice Mathews
Senator Valerie Wiener

STAFF MEMBERS PRESENT:

Brenda J. Erdoes, Legislative Counsel
Michael Stewart, Committee Policy Analyst
Elisabeth Williams, Committee Secretary

OTHERS PRESENT:

Carole Vilardo, President, Nevada Taxpayers Association
Paul D. McKenzie, Operating Engineers Local Union No. 3
Lucille Lusk, Chair, Nevada Concerned Citizens
Paul J. Enos, Manager of Government Affairs, Retail Association of Nevada
Janine Hansen, Independent American Party; State President, Nevada Eagle Forum
David K. Schumann, Independent American Party
Leo Drozdoff, Administrator, Division of Environmental Protection, State Department of Conservation and Natural Resources
Lynn P. Chapman, State Vice President, Nevada Eagle Forum
Andrew List, Executive Director, Nevada Association of Counties
R. Ben Graham, Nevada District Attorney's Association

SENATOR RAGGIO:

I wanted to clarify the proposed amendment will be additionally modified to accommodate "as practicable."

CHAIR CEGAVSKE:

Yes, we will have the language "as practicable." We will be able to review this on the floor of the Senate. Everybody on the Committee will be able to make sure the wording is exactly what we wanted.

THE MOTION CARRIED. (SENATOR TITUS WAS ABSENT FOR THE VOTE.)

* * * * *

CHAIR CEGAVSKE:

We will open the hearing on Senate Joint Resolution 11 of the 72nd Session. Senator Raggio will give us some background information on this.

SENATE JOINT RESOLUTION 11 OF THE 72ND SESSION: Proposes to amend Nevada Constitution to provide for payment of compensation to members of Legislature for each day of service during regular and special sessions and to provide for payment of reasonable allowances to such members for postage, express charges, newspapers, telecommunications and stationery. (BDR C-1353)

SENATOR RAGGIO:

Senate Joint Resolution 11 of the 72nd Session is the joint resolution which passed the last Session of the Legislature. If it passes this Session, it would appear on the ballot to amend the Nevada Constitution. I am one of those who is reluctant to amend the Constitution unless there is some necessity. This should have been addressed some time ago and has not been done for different reasons. Session after session, we have been talking about legislative compensation, and we have had a lot of different people come forward, from in and outside the Legislature, to suggest there needs to be a change. We are still dealing with provisions on legislative pay in our Constitution from 1864, when Nevada became a state. What S.J.R. 11 of the 72nd Session does is quite obvious. We need to recognize something that has probably been in every other

state in the union. A member of the Legislature who is elected would get paid for each day of service during either the regular session or a special session. It would also delete the limitation of 20 days for special sessions.

At the time when Nevada became a state in 1864, I doubt anyone ever envisioned the affairs of the State would become so complex we would ever meet for more than 60 days. Well, as you know, we meet, and have met for decades now, for longer periods of time. I do not know how many people we had in 1864, but obviously it was a lot less than we have now. Now we are 2 million-plus people in the State of Nevada. We still have the "luxury" of having a Legislature which meets biennially. We are one of seven states which still meet biennially. We still have the luxury of a part-time Legislature, where people from all walks of life can seek election and service in an extremely important aspect of government. We are one of the three parts of government. We ought to recognize those who serve in the Legislature perform a valuable service and should not be penalized in a pecuniary way.

For lots of reasons, we have been reluctant to address this issue over a long period of time. I asked the Research Division of the LCB to provide information, and I appreciate them doing so on short order. In 1865, the First Session of the Legislature, those who were elected received the munificent sum of \$8 per day for not longer than 60 days. I do not know any year at the time when the Legislature ever exceeded 60 days. It was a long time ago, when we did not have a lot of bills, we did not have a lot of lobbyists, and we did not have a lot of media out there telling us what we should be doing. Twenty years later, for whatever reason, they decreased the pay to \$7 per day. It went up a little bit in 1915 to \$10 a day. I was looking at the time when I first entered the Legislature, and it was \$60 per day. It was in 1971 when they raised the pay. Today, the Legislators receive \$130-per-day pay. It was set for the last time in 1985.

SENATOR RAGGIO:

We used to look at this frequently and try to raise the pay, but still recognize whatever we raised it to was for a maximum period of 60 days. Originally, the reason was a legislature, and particularly one which was a part-time legislature, should not stay in session longer than necessary merely to receive pay. I do not know of many people in this 63-member body who desire to extend a legislative session merely because they might get another \$130 per day. To be quite frank,

most of the Legislators here give up remuneration from their outside interests in order to serve. Many give up all income from private endeavor or even their public positions. Without getting into that argument, the reasons, if they were valid at any time, have not existed for a long period of time.

We ought to encourage people to come to the Legislature to serve, recognizing that, obviously, there are some benefits. There are some personal reasons people seek these offices. They vary as much as the individuals who stand for the election process. We need to encourage people to run for these positions. It is hard enough today, whether it is the Legislature or the Executive Branch or whatever, to get good people to become candidates. There are a lot of reasons people give why they do not want to serve. The pay is not the only one, but is certainly a consideration. When we know we are going to serve here at least 120 days and only get paid for 60 days, although we get a per diem which does not go too far, there really is some disincentive for people to come forward as candidates. This is simply recognition that the language which now exists in this Constitution is archaic. It is certainly out of date and needs to be addressed.

The resolution, if it is adopted this Session, would go on the ballot. The public would have an opportunity to vote. I firmly believe once the public understands what we are talking about here, there is not going to be an overall reluctance to support this. The resolution would change the Constitution to allow a Legislator to receive a salary compensation for each day of service during either regular or special session. It would also allow the Legislator to receive reasonable allowances, which would be determined by the Legislature, for expenses incurred. If you look at the bill, it is for postage, express charges, newspapers, telecommunications and stationary. Each Legislator serving in any session cannot permit all of those items to exceed the sum of \$60. Although, the Speaker of the Assembly and the Lieutenant Governor are allowed an additional \$2 per day during the time of their actual attendance.

The reasons for this are obvious. In the last Session, this resolution passed overwhelmingly. In the Senate, it was 18 in favor and 3 against. In the Assembly, it was 32 in favor and 10 against. Some of that reluctance has been because some people who vote for anything like this feel they are going to be chastised since they are voting to raise their pay. This has been the reason since 1985; we have been unwilling at any time to even address a raise in

compensation. It is an outfall from the inappropriate request made at that time for a large pension increase. I happened to be one of those who voted against it, so I am free to speak about it. It was unfortunate, but it should not be constantly raised as a reason why somebody feels if they suggest any increase in the pay of Legislators, somehow, they are going to get beaten at the polls. There are more important reasons to support this and one is to recognize the worth of people who serve in these positions. This is not some munificent sum. It is reasonable, and I suggest we pass S.J.R. 11 of the 72nd Session and let the people of the State vote on this issue. If it is explained in this manner, the public will support the resolution. The public wants people who have a real interest in what they are doing and who are fairly compensated to serve in all of these positions.

CHAIR CEGAUSKE:

Thank you, Senator Raggio. I appreciate you speaking for our benefit. Also, I thank Michael Stewart, who put together a presentation for Committee members which indicated several things which occurred last Session (Exhibit D). There are minutes from the last hearing and also how the Senate and the Assembly voted on S.J.R. 11 of the 72nd Session. Are there any other comments from Committee members?

SENATOR HARDY:

I applaud the Senate Committee on Finance and Senator Raggio for bringing this forward. I am a strong supporter of the citizens' form of legislature we have. It is worth protecting at all costs. I get discouraged every interim when I talk to people who are otherwise interested in running for the Legislature, but really cannot do it. In 1991, as a 25-year-old college senior, I ran for the Legislature, but was so broke then, I told Senator Bob Beers I ran for reelection because I needed the money. I recognized, at that point, I could probably only serve a couple of terms at the most, and then I had to get on with a career of some kind. Every session, I talk to people who are somewhat established in their careers and say they would love to run for the Legislature, but cannot take the hit financially.

I would much rather deal with it this way, where we have an opportunity to go to the public and explain the situation. Nobody expects to get rich out of this

process. In the spirit of protecting the citizens' Legislature, we have to do something or we are going to have a philosopher-king legislature, because they will be the only ones who can afford to serve.

CHAIR CEGAUSKE:

This was a piece of legislation I, too, supported because, in talking to the citizens of the State of Nevada, north and south, the comments were we should be paid for the days we serve. There was no one I found who was opposed to it. The overwhelming thought is of being paid. Overcompensation was never in any of our arenas; this was just pay for the days you were here. It is a good piece of legislation that will go before the vote of the people. The education part will be to let them understand it is just for the days you serve.

I will open the meeting for public comment.

MR. SCHUMANN:

I favor this bill. My only catch with it is the being paid for days served. I testified in the last Session it should be a flat \$20,000 because it is a third of the year. The Legislators are worth at least \$60,000 per year. This "paid for days served" is as if you were digging ditches or something. When you are here and digging your ditches, I will pay you; and if you are sick and going to the hospital or something, I will not pay you. Now you have done it; it will go through as paid per day. I agree with everything Senator Raggio said about wishing to attract good folks. They are hesitant to do this if they cannot make a living. I also agree with Senator Hardy's point that if some 25-year-old recent graduate wanted to run for this, \$20,000 would keep the individual from taking the first job and going and doing this. You are doing the right thing.

SENATOR RAGGIO:

Thank you, Mr. Schumann. The other problem is we cannot change a word of this, or then, we are back to square one. We would have to start all over again.

CHAIR CEGAUSKE:

Next, we have Lucille Lusk. In your packet, we have a very nice letter you had presented to us last time in the hearings (Exhibit D). It is on page 9.

Ms. LUSK:

I am here in support of S.J.R. 11 of the 72nd Session. We do understand it must remain word perfect, as it was passed last time, in order to avoid having

to start over. We support the provisions based on the days you serve, that is the thing the people will most readily understand when it goes before them. People are generally fair-minded, and they like to compensate people for the days they work. It seems clear the original intent for passing the 60-day limit was a backhanded way of trying to limit the length of a session. Clearly, we all know history. We know it did not work, but we now have a 120-day limit. I believe the people will be quite comfortable in being able to budget for the amount it is going to cost. It is important to recognize it has been a long time that many of you, and others before you, have served with only partial compensation. To me, it is evident there are a great many who serve willingly for service and not as a matter of money. Even though that is the case, it still creates a hardship on many people. We want to have a citizen legislature. We want to have people be able to serve who are from every kind of economic and personal background. We support you in this effort.

SENATOR RAGGIO:

I neglected to mention the fiscal note. If you had the additional 60 days at the current rate of \$130 per day, it is simple math. It would add \$491,000 to the cost of a session. There is also something like \$63,000 additional, because you are talking about an estimate of about \$1,000 per member for postage, stationary and all of that. That is the expected fiscal impact on the current rate of \$130 per day.

LYNN P. CHAPMAN (State Vice President, Nevada Eagle Forum):

I have been speaking to a lot of people over the past couple of years about this. Everyone I have spoken to is in agreement, you do the work, you need to be compensated. The wording you want to add makes a lot more sense and is easier to read.

JANINE HANSEN (State President, Nevada Eagle Forum):

We did support this last Session. We feel it is important to maintain diversity in a citizen legislature, so people from all walks of life can participate. You know from my activities last Session on "Axe the Tax," I am very concerned about fiscal responsibility in the Legislature. However, we feel people do need to be paid for the time they are here. It will allow people, who otherwise would not be able to participate in the legislative process, to be able to serve. We put out a voter guide every year; we put out 50,000 statewide last year. One of the

things we do in the guide is publish a recommendation on the individual ballot questions. We will endorse this resolution in our voter guide next time and help promote the passage of it, with the understanding it is necessary in order to maintain a citizen legislature.

ANDREW LIST (Executive Director, Nevada Association of Counties):

As you may recall, this last Session, the counties had a bill working in conjunction with the Nevada District Attorney's Association and the Nevada Sheriffs' and Chiefs' Association to raise the salaries of our county elected officials. That is always something which is tough to do. I express my thanks to you folks for doing the right thing and getting the bill through for us.

Our policy reason for supporting S.J.R. 11 of the 72nd Session is the same as you mentioned earlier, which is to retain good people in the Legislature and keep the ordinary citizens paid so public service does not mean poverty. We absolutely support this bill and think the public will as well. Let me give you a reason. The bill you passed last Session allowed our county commissioners to vote their own raises. Every single county has done it without any backlash whatsoever. The public understands this, and they understand we need to compensate you for the work you are doing.

I would take it a step further and suggest you look into insurance benefits for State Legislators. Right now, you can buy into the State system, but that should be a part of the compensation package which should be looked at. Additionally, I would suggest funding for a salary commission, which already exists in statute, the citizen-appointed committee which looks at these salaries. The committee should be funded and look at this for the next interim.

CHAIR CEGAVSKE:

Senator Raggio indicated if we made any amendments to this, we would have to start all over again. That is our concern. Are you thinking of something for the future?

MR. LIST:

The salary commission can be done through statute by a small appropriation. I do not know if the insurance can be done with or without a constitutional

amendment, but is certainly something that should be looked into. Last Session, there were a couple of doctors in the Assembly who actually treated the children of their fellow Assemblymen, because some of them did not have insurance. That is something which should not happen.

SENATOR RAGGIO:

First of all, I do not want to add any more weight to the horse. This bill has nothing to do with raising the salaries of Legislators. It has nothing to do with the collateral issue of whether or not the Legislators' health premiums should be paid. This only extends, if approved by the voters, to the Legislator getting paid, whatever the rate, every day for the whole session. Those are other issues we can address without a constitutional amendment. The Legislature should have raised legislative pay from \$130 per day, which it last did in 1985, but everybody has been afraid to do it. I do not want to put anything else in this resolution. I want to make it clear, we are not doing that here.

MR. LIST:

Senator Raggio, I apologize for confusing the issue. I understand what this bill does and the Nevada Association of Counties supports it.

SENATOR RAGGIO:

I do not want to confuse the public. That is probably another thing we could look at.

R. BEN GRAHAM (Nevada District Attorney's Association):

I live in a home of six registered voters who, if this passes through the Senate and Assembly in this form, will be voting in favor of it. I am here on behalf of myself, as Ben Graham, but I know if the other 17 county district attorneys were here, they would also be supporting this measure.

CHAIR CEGAUSKE:

We will close the hearing on S.J.R. 11 of the 72nd Session. I did ask staff when this law would take effect. Certification of the 2006 vote by the Supreme Court would be by the end of November 2006, so this would be for the Legislative Session of 2007.

SENATOR MATHEWS MOVED TO DO PASS S.J.R. 11 OF THE 72ND SESSION.

SENATOR BEERS SECONDED THE MOTION.

THE MOTION CARRIED. (SENATORS TITUS AND WIENER VOTED NO.)

* * * * *

CHAIR CEGAUSKE:

We are going to have a presentation regarding ethics in government by Stacy Jennings, the executive director of the Nevada Commission on Ethics.

STACY M. JENNINGS (Executive Director, Commission on Ethics):

The Commission on Ethics has five main functions under State law. We interpret and provide guidance on ethics and government law. We adjudicate ethics complaints and campaign practices complaints. We provide advisory opinions to public officers on their past, present or future conduct. We provide training on ethics laws. Finally, we accept financial disclosure statements of certain public officers, those appointed public officers who make more than \$6,000 per year from that office.

This is a work chart of the Commission (Exhibit E, original is on file at the Research Library). The Commission is a legislative executive commission, which means if you look at the organization chart of the Nevada State Government, it floats between the Executive and Legislative Branches. Our Commission has eight members, of which four are appointed by the Legislative Commission, and four are appointed by the Governor to four-year terms. Of the four members you appoint as a Legislature, statute requires at least two be former public officers, and at least one be an attorney. There is one change since I have prepared my presentation. Merle Berman has resigned from the Commission because she is running for Secretary of State. We now have a vacancy which needs to be filled by the Legislative Commission.

Our commissioners, while they serve, are prohibited from doing three things. They are not allowed to hold any other political office. They are not allowed to be actively involved in the work of any political party or any political campaign. They are not allowed to lobby the Legislature on behalf of anyone other than the Commission or themselves.

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SJR 11 - 2003

Introduced on: May 19, 2003

By Finance

Proposes to amend Nevada Constitution to provide for payment of compensation to members of Legislature for each day of service during regular and special sessions and to provide for payment of reasonable allowances to such members for postage, express charges, newspapers, telecommunications and stationery. (BDR C-1353)

Fiscal Notes [View Fiscal Notes](#)

Effect on Local Government: *No.*

Effect on State: *Yes.*

Most Recent History Action: File No. 87 (Return to 2005 Session)
(See full list below)

Past Hearings

Senate Finance	May-24-2003	Do pass
Assembly Elections, Procedures, and Ethics	May-27-2003	Do pass

Votes

Senate Final Passage May-27 Yea 18, Nay 3, Excused 0, Not Voting 0, Absent 0

Assembly Final Passage May-30 Yea 32, Nay 10, Excused 0, Not Voting 0, Absent 0

Bill Text (PDF)	As Introduced	As Enrolled
Bill Text (HTML)	As Introduced	As Enrolled
Amendments (HTML)		

Bill History

May 19, 2003 Read first time. Referred to Committee on Finance. To printer.

May 20, 2003 From printer. To committee.

May 24, 2003 From committee: Do pass.

May 26, 2003 Read second time.

May 27, 2003 Read third time. Passed. Title approved. (Yeas: 18, Nays: 3) To Assembly. In Assembly.
Read first time. Referred to Committee on Elections, Procedures, and Ethics. To committee.

May 29, 2003 From committee: Do pass. Placed on Second Reading File. Read second time.

May 30, 2003 Read third time. Passed. Title approved. (Yeas: 32, Nays: 10). To Senate. In Senate. To enrollment.

May 31, 2003 Enrolled and delivered to Secretary of State. File No. 87

(Return to 2005 Session)

History created May 25, 2004



PREPARED BY
RESEARCH DIVISION
LEGISLATIVE COUNSEL BUREAU
Nonpartisan Staff of the Nevada State Legislature

BILL SUMMARY
72nd REGULAR SESSION
OF THE NEVADA STATE LEGISLATURE

SENATE JOINT RESOLUTION NO. 11

Topic

Senate Joint Resolution No. 11 proposes a constitutional amendment pertaining to legislative compensation and postage allowances.

Summary

This resolution proposes to amend the *Nevada Constitution* to provide that members of the Nevada Legislature are paid for each day of service during regular and special sessions. Additionally, S.J.R. 11 proposes another amendment that provides for reasonable allowances to members of the Nevada Legislature for expenses incurred for postage, express charges, newspapers, telecommunications, and stationery.

Effective Date

If approved in identical form by both the 2003 and 2005 Sessions of the Legislature, the proposal will be submitted to the voters for final approval or disapproval at the 2006 General Election.

Background Information

Currently, the *Nevada Constitution* limits the number of days for which members of the Nevada Legislature are paid to 60 in a regular session and 20 in a special session. The *Nevada Constitution* also limits the allowance for postage and stationery to \$60 per legislator.

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON ELECTIONS, PROCEDURES, ETHICS, AND
CONSTITUTIONAL AMENDMENTS**

**Seventy-Third Session
May 10, 2005**

The Committee on Elections, Procedures, Ethics, and Constitutional Amendments was called to order at 3:55 p.m., on Tuesday, May 10, 2005. Co-Chairwoman Ellen Koivisto presided in Room 3142 of the Legislative Building, Carson City, Nevada. Exhibit A is the Agenda. All exhibits are available and on file at the Research Library of the Legislative Counsel Bureau.

COMMITTEE MEMBERS PRESENT:

Mrs. Ellen Koivisto, Co-Chairwoman
Mr. Harry Mortenson, Co-Chairman
Mr. Marcus Conklin, Co-Vice Chairman
Mr. Bob McCleary, Co-Vice Chairman
Mrs. Sharron Angle
Mr. Mo Denis
Mrs. Heidi S. Gansert
Ms. Chris Giunchigliani
Mr. Brooks Holcomb
Ms. Kathy McClain
Mr. Harvey J. Munford
Mr. Bob Seale
Mr. Scott Sibley

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

Senator Dennis Nolan, Clark County Senatorial District No. 9
Senator William J. Raggio, Washoe County Senatorial District No. 3
Senator John J. Lee, Clark County Senatorial District No. 1

[The Committee on Elections, Ethics, and Procedures reconvened as the Committee on Constitutional Amendments at 4:14 p.m.]

Co-Chairman Mortenson:

We will open the hearing on S.J.R. 11 of the 72nd Legislative Session.

Senate Joint Resolution 11 of the 72nd Session: Proposes to amend Nevada Constitution to provide for payment of compensation to members of Legislature for each day of service during regular and special sessions and to provide for payment of reasonable allowances to such members for postage, express charges, newspapers, telecommunications and stationery. (BDR C-1353)

Senator William J. Raggio, Washoe County Senatorial District No. 3:

This bill would amend the *Constitution* to provide compensation to members of the Legislature for the full time that we serve. If this resolution passes, the measure goes on the ballot and the public will have an opportunity to vote. There has been a lot of misrepresentation about this measure. When it was passed again this session in the Senate, the headlines were that the Legislature is trying to double its salary. I guess that is one way you can look at it. We ought to look at the history for compensation for legislators. I have an editorial (Exhibit D) that was in the *Reno Gazette-Journal* on February 16. I think that will help you understand it.

Let me set the tone for this. The provision in the *Constitution* was put there in 1864. It provided that members of the Legislature would receive compensation fixed by law for a period not to exceed 60 days. In 1864, no one had any belief whatsoever that a Legislature could go as long as 60 days. I would submit that a lot has changed in the intervening time. I wish we could get through all of the complex matters that we have in 60 days. We still meet every two years. We are one of only seven states that still have a biennial legislative session. I guess the public can be thankful for that, because if we met every year, we could raise their taxes every year.

It no longer makes any sense to retain that in the *Constitution*. For a long time, we have had to go more than 60 days in a legislative session. In fact, if you will recall, we have gone 170 days in recent times. We have limited our regular sessions to 120 days. That is consistent with about 36 states. The *Constitution* says that we must complete our regular session in 120 days. We as legislators are entitled like any working person to be paid for each day we work. That is

essentially what this bill would say. It says that if you put in a day's work, you get a day's pay.

[Senator Raggio, continued.] Let's talk about the pay for a moment. It is not exactly munificent. I don't know too many people who come here because they are going to get the salary we are paid for 60 days. I admit that the price of bread has gone up since 1865, but at that time, legislators received \$8 a day. In 1885, twenty years later, they reduced it to \$7 a day. In 1915, legislators received \$10 a day. It went up in 1945 to \$15 a day. In 1957, 12 years later, the Legislature again raised the pay to \$25 a day. In 1963, it was raised to \$40 a day. In 1971, I received \$60 a day for our legislative service up to the sixtieth day. In 1977, we recognized that there was some inflation, and the legislators passed the measure to increase the pay to \$80 a day. In 1981, it went up to \$104 a day. Then in 1985, 20 years ago, the Legislature raised the pay to \$130 a day, which is not too competitive when you look around to see what the pay is for employment. As a result of a misguided effort on the part of the Legislature to increase pensions in this Body, which caused a great deal of public stir and was ill-advised, the reaction was such that the Legislature has been reluctant to even address raising salaries. We have been very reluctant to do that, and we should have at least raised the daily pay for legislators.

I believe very firmly that the public ought to have a right to vote on this. I don't see this as legislators raising their pay by saying that we should get paid for each day that we serve. We are not doubling our pay. The effect is that we would get paid whatever the rate of compensation is for the 120 days that we serve. It would also change the archaic provision in here that says that the legislators would get reasonable allowances for expenses incurred. That means that you would have to submit what you actually expended for postage, express charges, newspapers, telecommunications, and stationery. It is still in the *Constitution* that, for all of that, you are entitled to \$60. You know how many letters that is going to mail and how many phone calls that is going to provide for. This removes some very archaic provisions in the *Constitution*.

I think this is important, whether you do it or some future Legislature does. We ought to let the voters decide. I think if the case was put before them, the voters would support this measure. That is what you are asking for. If they want people to come to the Legislature and serve well, then they will approve this. People will say, "Yes, you should be paid for the time you spend here." The salary is not ever going to be so great for that to be the reason people come here. If they give up their time, their profession, their business, and their family, they ought to at least be compensated and reimbursed for reasonable

expenses. I don't think the public expects legislators to come here and pay out of their pocket for things like postage.

[Senator Raggio, continued.] I would refer you to the editorial I provided. I think it is well expressed and doesn't take the position that I have read that this is an attempt to double our salaries. It just says that public service should not be the road to riches, but neither should it be the road to the poorhouse. That is really what this is about. We have a citizen legislature in Nevada. People come from all walks of life and I think that we should retain that for as long as we can. There are states that have professional legislatures, like California, Ohio, Michigan, or New York, and that is fine. That is what those people do full-time, all year round. I think there is a benefit to having a citizen legislature, where people from all walks of life can serve. I think we ought to do things that encourage people to run for these jobs. I know a lot of people that I have tried to ask to run for this Legislature who said that they just couldn't afford it. This isn't going to make that much difference, but it is going to make some. I don't understand the argument that this has been in the State's *Constitution* since 1864 and that we knew about it when we ran, so why should we change it? I have a hard time accepting that as an argument.

This passed the last session of the Legislature and it has to be passed in the same form to go on the ballot. Then it is up to ourselves and others to make the case to the public that if they want good legislators, they ought to at least get paid for the time that they serve.

Assemblyman Conklin:

You gave some numbers for the pay in 1915; what was the pay back then?

Assemblyman Seale:

It was \$10.

Assemblyman Conklin:

That is great, because it is a nice round number. I just want to point out to the Committee that in real dollars today, that would be \$180 a day. They made this in 1915. We actually make less today in relative dollars if you factor in inflation. They probably had a 60-day legislature back then.

Senator Raggio:

Probably less than that.

Assemblyman Conklin:

I look at this bill as a great equalizer. I think there are a lot of great potential candidates that can't run and volunteer two months out of their life. That is exactly what it is; it is unpaid volunteerism to work for the State. I think it is admirable—everyone who comes up here to do it—but it does cost a significant amount to everyone. They have to have the resources to do so, especially those from Clark County or some of the rural counties. It is a burden.

Senator Raggio:

I hadn't computed that, because dollars were obviously worth a lot more than they are today. You are exactly right.

Assemblywoman Giunchigliani:

This is long overdue. We have talked about it and around it. The public overwhelmingly supports people being paid for the days that they work, separate from the issue of what our daily rate is. Just last session, we voted a bill out of Ways and Means with Democrat and Republican support to look at the issue of the rate of pay. That didn't move forward, but I still think there is time for discussion, because you cannot continue to track and retain people to leave their businesses and families with this kind of wage. It is not even minimum wage. We have to stop hiding behind it. I think most of the public, if you are honest with them, will be okay with it. We can't just sit back. If this is on the ballot, then we have an obligation to meet with editorial boards and talk to people, not just assume they will understand what we are trying to do. I think that we have an obligation as a legislative body—once it is on the ballot—as well.

Senator Raggio:

People have been reluctant to even raise the issue. They have been reluctant to raise pay, even though a lot has happened in 20 years. We used to deal with it. About every four years we would recognize COLA (cost-of-living-adjustment) and raise the legislators' pay. Since that event, everybody is afraid to raise the issue. I thought that it should be raised last session and our committee decided that, so we introduced the resolution.

Assemblywoman Giunchigliani:

This session, we have a bill on salaries for the Governor and the Controller. They are eight years behind. We have to stop hiding behind this and just build in a reasonable cost of living so that people know up front. Then, you are hit with such a large increase that the perception is skewed. We were trying to do a four-year term on them and got behind again, which is unfortunate.

Lynn Chapman, Vice President, Nevada Eagle Forum:

We are in favor of this bill. We did support it last time as well. We don't like to have to refer to you as slave labor; that is my label. I am an unpaid citizen lobbyist. I come down here on my own dime. You guys need to be paid for all of the work that you do and we appreciate all the work that you do. You do need to be paid for it.

Carole Vilardo, President, Nevada Taxpayers Association:

Please pass the bill. We are in support of it. We have been supportive of a pay increase. We have even gone to the Legislative Commission and asked for a pay increase bill to be passed. We are willing to go out there, and we believe that our membership understands the work you do. We may not always agree with you, but that is not the point. You deserve to be paid a living wage for the amount of time that you spend here. I can't be as eloquent as Senator Raggio or Assemblywoman Giunchigliani. All I ask is that you put it on the ballot, at the very least, so that you can get paid for every day.

Ron Dreher, Private Citizen, Reno, Nevada:

I took off my lobbyist badge, and as a taxpayer from Washoe County, I want to echo what Senator Raggio said. For over 20 years, I have been negotiating collective bargaining agreements for law enforcement agencies. One of the things that you look at is the cost of doing business for recruitment. In this case, you are the policymakers, like unpaid lobbyists, because you make important decisions that will affect all of our lives. I am here asking you to support this and send it to the voters. The cost of doing business should not be borne out of your own pockets.

In this last election for city council in Reno, they raised the rates for the city council office almost 100 percent. It went from somewhere around \$30,000 a year to \$60,000 a year. That is a part-time job. You meet a couple of times a month. Let's be real as to what legislators do. In addition to sitting here 120 days a year plus special sessions, you are also involved in interim sessions and committees. It doesn't go away at the end of a 10-hour day. My point in speaking here is to tell you that from a collective bargaining standpoint, you all deserve the same rights as the rest of the people. The cost of doing business is not a lot. To be paid for what you are worth and for the days that you have worked is not unreasonable. That is all it is.

You heard Senator Nolan earlier asking for just a couple of dollars so that you guys can be reimbursed. That is ridiculous and has been. It wouldn't affect any of you today; it wouldn't go into effect until the voters approve it. I am quite sure that they will. I will be out there supporting it for you.

Janine Hansen, Executive Director, Independent American Party of Nevada:

We were on the record last session supporting this. We support it this time. It is only reasonable and contributes to having a citizens' legislature, which we fully support. People should be paid for what they do. We support this and we will encourage others. We put out 50,000 voter guides and will have an endorsement for this in there.

ASSEMBLYWOMAN KOIVISTO MOVED TO DO PASS
SENATE JOINT RESOLUTION 11 OF THE 72ND LEGISLATIVE
SESSION.

ASSEMBLYMAN SIBLEY SECONDED THE MOTION.

THE MOTION CARRIED. (Assemblywoman Giunchigliani was not present for the vote.)

Co-Chairman Mortenson:

We will close the hearing on S.J.R. 11 of the 72nd Legislative Session.

[Reconvened meeting of the Committee on Elections, Procedures, and Ethics.]

Co-Chairwoman Koivisto:

In keeping with the same subject, we will open the hearing on S.B. 346.

Senate Bill 346: Revises provisions relating to Legislators' Retirement System.
(BDR 17-970)

Senator John J. Lee, Clark County Senatorial District No. 1:

Today seems to be legislative enhancement day. Senate Bill 346 does not remove the retirement plan from anyone wanting to participate. It is not a privatization plan, only an opt-out provision of the plan. Currently, you can serve a total of 24 years—12 years as an Assemblyman and 12 years as a Senator. Years ago the retirement plan went up to 30 years. You would contribute for that 30 years and then get a monthly stipend of \$750. Now, you won't ever meet the max, but you can—at 10 years of service, age 60, or have a disability option—get this retirement plan. You figure \$25 for each year of service. If you serve for 10 years, you get \$250. We had a gentleman here named Bob Price

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RENO GAZETTE-JOURNAL

Legislators should be paid for entire session

Editorial
RENO GAZETTE-JOURNAL
2/16/2005 10:22 pm

Public service should not be the road to riches, but neither should it be the road to the poorhouse.

Yet that's exactly the path that Nevadans have chosen for their lawmakers, who are expected to serve the state for half of every legislative session for free.

The legislators, who began their 120-day biennial marathon two weeks ago, are paid a salary of \$130 per day for 60 days, a limit set by the Nevada Constitution. For the remainder of the session, they receive only expenses and their living allowance.

As a result, the concept of the "citizens legislature," so beloved by Nevadans, is slowly eroding. Already it is difficult to find candidates for the Legislature who can afford to take time off from their jobs to serve in Carson City for five months; that's asking a lot of an employer. But it's asking even more of the senator or assemblyman to offer them meager pay for only part of the time they're on the job.

A resolution adopted by the Senate Legislative Operations and Elections Committee on Tuesday is a small step toward changing that restriction and ensuring that legislators are paid for the 120 days they actually serve. (It also would provide legislators with "reasonable allowances" for postage, newspapers and stationery.) Because it seeks to change the state constitution, the resolution would have to be approved by voters in 2006 to become law — no sure bet. [You can find the text of Senate Joint Resolution 11 on the Web at www.leg.state.nv.us/73rd/reports/.]

The resolution deserves support, not to make legislators rich but to pay them an honest day's wage for an honest day's work. Working 120 days rates pay for 120 days.

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Assembly Elections, Procedures, Ethics & Constitutional Amendments

Date: 5/10 Exhibit: D Page 1 of 1

Submitted by: Senator Raggio

FLOOR ACTIONS

AMENDMENTS ON SECOND READING FLOOR VOTES AND STATEMENTS OTHER ACTIONS

NOTE: THESE FLOOR ACTIONS ARE TAKEN FROM THE *DAILY JOURNALS* ([HTTP://WWW.LEG.STATE.NV.US/SESSION/73RD2005/JOURNAL/](http://www.leg.state.nv.us/session/73rd2005/journal/)), WHICH ARE NOT THE OFFICIAL FINALIZED VERSIONS OF THE *JOURNALS*. CONSULT THE PRINT VERSION FOR THE OFFICIAL RECORD.

THE SIXTEENTH DAY

CARSON CITY (Tuesday), February 22, 2005

Senate called to order at 11:04 a.m.

President Hunt presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Brian Bilbrey.

Loving, heavenly Father, today, we come to You in this quiet moment to ask Your blessing upon the members of this Chamber and to thank You for Your grace and goodness. We ask that You lead us into all truth and prepare our hearts and minds for the business of this day.

Our Father, we request that Your hand of protection and safety be upon our soldiers abroad who lay down their lives for freedom and democracy.

Lord, we now ask that Your Spirit will be upon each one of us that we might reflect Your character.

We ask these things in the Name of our Lord and Savior.

AMEN.

Pledge of allegiance to the Flag.

Senator Raggio moved that further reading of the Journal be dispensed with, and the President and Secretary be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Madam President:

Your Committee on Human Resources and Education, to which was referred Senate Bill No. 22, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MAURICE E. WASHINGTON, *Chair*

Madam President:

Your Committee on Judiciary, to which was referred Senate Bill No. 43, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and refer to the Committee on Finance.

MARK E. AMODEI, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, February 21, 2005

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 34.

DIANE KEETCH

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Titus moved that Senate Bill No. 36 be taken from the Second Reading File and placed on the Secretary's desk.

Remarks by Senator Titus.

Motion carried.

By Senators Heck, Nolan, Amodei, Washington; Assemblymen Anderson, Conklin, Oceguela and Sibley:

Senate Bill No. 119—AN ACT relating to privileges; expanding the medical review committees that may refuse to disclose and to prevent other persons from disclosing certain information from their proceedings; providing that the proceedings and records of those review committees are not subject to discovery proceedings; and providing other matters properly relating thereto.

Senator Heck moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Assembly Bill No. 34.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 3.

Bill read third time.

Remarks by Senator Hardy.

Roll call on Senate Bill No. 3:

YEAS—21.

NAYS—None.

Senate Bill No. 3 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 24.

Bill read third time.

Remarks by Senators Schneider, Titus and Washington.

Roll call on Senate Bill No. 24:

YEAS—21.

NAYS—None.

Senate Bill No. 24 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 11 of the 72nd Session.

Resolution read third time.

Remarks by Senators Raggio and Nolan.

Senator Raggio requested that the following remarks be entered in the Journal.

SENATOR RAGGIO:

Senate Joint Resolution No. 11 of the 72nd Session passed both Houses last session by an overwhelming majority. Misinformation and a misunderstanding of this measure have reached the media. I will address this issue taking full responsibility for my statements.

This resolution proposes a constitutional amendment regarding legislative compensation and allowances for items such as postage. It proposes to amend the *Nevada Constitution* to provide that members of the Legislature be paid for each day of service during both a regular and a special session. It proposes another amendment to provide what is called "reasonable allowances" for Legislators for expenses including postage, express charges, newspapers, telecommunications and stationery. If it is approved in this session, it is then submitted to the voters for the next election. Not anyone voting for this is going to be considered as increasing his or her salary. This is proposed to amend the Constitution and must be supported by the voters. I have every confidence that the voters of this State, when they understand the situation, will support this measure.

The Constitution, enacted in 1864, limited the number of days for which members of the Legislature were paid. That was for 60 days in a regular session and 20 days for a special session. At that time, it was inconceivable that a legislative session could last even 60 days. There were no limits on it. Theoretically, it could go on forever. In their wisdom, the framers of the Constitution decided there should be some limit because they could not tell what the Legislators might do. Some people believed the Legislators would stay on and on just to receive the \$8-a-day salary. In 1885, the salary was reduced to \$7 a day. I mention this because, without this change in the Constitution, we could raise our salary.

This is not about raising our salary. We receive \$130 a day as Legislators for 60 days. The last time we changed the amount was in 1985. Twenty years ago, we raised our salary and have not done so since. It used to be raised frequently to keep up with the cost of living. We felt Legislators, just like anyone else, were entitled to fair compensation. In 1985, the infamous pension bill was introduced, and I voted against it. As a result of the clamor it caused, every Legislator since that time has been reluctant to raise the salary. This is unfortunate.

What we do here is important. Like anyone else who puts in a working day, a Legislator should be paid for the days worked. This resolution is about changing an archaic provision in the Constitution which limits the time a Legislator may be paid to 60 days. The public voted for the change to limit the session to 120 days so it is no longer sensible to restrict the days of pay to 60. We did not change part of the Constitution concerning the number of days for which a Legislator may be paid.

We should encourage people to run for the Legislature. Members of the Legislature give up time and money to serve here. This is an important branch of our government. There must be an incentive encouraging people to serve rather than the disincentive presently in the Constitution. Many people cannot afford to come here to serve for the time required for session. Whatever the time a Legislator spends here, for each day of service, that person should be paid whatever the salary is.

We should also remove from the Constitution the provision that we receive the huge sum of \$60 to cover all of our telephone bills and postage. Postage was much less at the time the Constitution was written. We need to bring things up to date and in keeping with the times we live in. Please do not look upon this as raising the salaries; it is not. I would like to read an editorial from the *Reno Gazette-Journal* from February 16. This will put to rest some of the misinterpretation out there.

Public service should not be the road to riches, but neither should it be the road to the poorhouse. Yet, that is exactly the path that Nevadans have chosen for their lawmakers, who are expected to serve the State for half of every legislative session for free.

The Legislators, who began their 120-day biennial marathon two weeks ago, are paid a salary of \$130 per day for 60 days, a limit set by the Nevada Constitution. For the remainder of the session, they receive only expenses and their living allowance.

As a result, the concept of the "citizens legislature," so beloved by Nevadans, is slowly eroding. Already it is difficult to find candidates for the Legislature who can afford to take time off from their jobs to serve in Carson City for five months; that's asking a lot of an employer. But, it is asking even more of the Senator or Assemblyman to offer them meager pay for only part of the time they're on the job.

A resolution adopted by the Senate Legislative Operations and Elections Committee on Tuesday is a small step toward changing that restriction and ensuring that Legislators are paid for the 120 days they actually serve. (It also would provide Legislators with

"reasonable allowances" for postage, newspapers and stationery.) Because it seeks to change the State Constitution, the resolution would have to be approved by voters in 2006 to become law.

The resolution deserves support, not to make Legislators rich but to pay them an honest day's wage for an honest day's work. Working 120 days rates pay for 120 days.

That is better than I can say it. The fiscal note if it is adopted by the voters at the current rate of \$130 a day is under \$500,000 for the cost of the session. The staff is paid for each day. It makes no sense for Legislators to be paid for only 60 days. I urge each of you to vote for this, and if there are complaints, direct people to call me.

SENATOR NOLAN:

I, too, rise in support of Senate Joint Resolution No. 11 of the 72nd Session. I am pleased Senator Raggio read the accurate and responsible editorial published by the *Reno Gazette-Journal*. In my opinion, there was an ill-conceived editorial which appeared in a weekend edition of the *Las Vegas Review-Journal*. It has been the source of numerous e-mails and much discussion. The editorial implied it would be fine to raise Legislators' salaries providing we pass tax relief and we not work beyond 120 days. None of us want to be here beyond 120 days.

Following the 72nd Session, two special sessions were conducted to complete the work started. I ended up owing the Legislative Counsel Bureau \$1,100 in additional expenses for travel, room and board. This came from the same capped stipend we received.

On the property-tax issue, the editor might have forgotten we, Legislators, are taxpayers too. All Nevadans in the north and the south are experiencing the same rate of inflation in tax rates. A tremendous amount of our time and resources are dedicated to solving this issue during this session. We will do our best to handle the property-tax issue.

The editorial enumerated the lavish expenses allocated to travel. They failed to mention that our housing allowance, furniture rental, car rental and airfare come out of that travel budget. Those of us traveling to Carson City will have exhausted our travel budget by the third month of this Legislative Session. A remedy bill is being considered to increase the cap in the travel budget to accommodate our expenses this session. Last session, some of us finished with out-of-pocket expenses.

It is right to pay anyone, including Legislators, for each day they work. I am certain the editor at the *Las Vegas Review-Journal* receives a salary for each day he works. It is important to ensure every person have the ability and the right to run for a legislative seat. Every person with that right should also expect to be paid while serving in the Legislature. I urge my colleagues to support Senate Joint Resolution No. 11 of the 72nd Session.

Roll call on Senate Joint Resolution No. 11 of the 72nd Session:

YEAS—16.

NAYS—Care, Horsford, Lee, Titus, Wiener—5.

Senate Joint Resolution No. 11 of the 72nd Session having received a constitutional majority, Madam President declared it passed.

Resolution ordered transmitted to the Assembly.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections the President and Secretary signed Senate Concurrent Resolution No. 4.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Lee, the privilege of the floor of the Senate Chamber for this day was extended to the following Boy Scouts of America and Leaders: Gary Vetsch, Jeniffer Vetsch, Robert Park, Pam Park, Anthony Stinnett, Sherry Stinnett, Tyler Stinnett, Ricky Buma, Skyler Jarvis, Edward

NEVADA LEGISLATURE

Seventy-Third Session, 2005

ASSEMBLY DAILY JOURNAL

THE NINETY-SIXTH DAY

CARSON CITY (Friday), May 13, 2005

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Carpenter and Hardy, who were excused.

Prayer by the Chaplain, Pastor Albert Tilstra.

For the members of this Body, we ask Your guidance. But we do not want to forget the support personnel who make it possible for these women and men to function as they do. We thank You today for all the staff who work so faithfully to do the work behind the scenes. For the secretaries and clerks and, yes, even the janitors. We lift up those at the Front Desk who work so hard each day, for our Chief Clerk and all her helpers we give You thanks.

Help us always to be grateful for those around us who give us support for what we do.

AMEN.

Pledge of Allegiance to the Flag.

Assemblyman Ocegüera moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Elections, Procedures, Ethics, and Constitutional Amendments, to which were referred Senate Bill No. 19; Senate Joint Resolution No. 12, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Elections, Procedures, Ethics, and Constitutional Amendments, to which was referred Senate Bill No. 303, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and rerefer to the Committee on Ways and Means.

ELLEN KOIVISTO, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 321, 424, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID PARKS, *Chairman*

Senate Bill No. 199 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 417.

Bill read third time.

Roll call on Senate Bill No. 417:

YEAS—40.

NAYS—None.

EXCUSED—Carpenter, Hardy—2.

Senate Bill No. 417 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 449.

Bill read third time.

Remarks by Assemblywoman Allen.

Roll call on Senate Bill No. 449:

YEAS—40.

NAYS—None.

EXCUSED—Carpenter, Hardy—2.

Senate Bill No. 449 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 11 of the 72nd Session.

Resolution read third time.

Remarks by Assemblymen McCleary and Hettrick.

Roll call on Senate Joint Resolution No. 11 of the 72nd Session:

YEAS—40.

NAYS—None.

EXCUSED—Carpenter, Hardy—2.

Senate Joint Resolution No. 11 of the 72nd Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Bonnie Anderson, Eddie Anderson, Peggy Nolan and Paddy Nolan.

On request of Assemblyman Goicoechea, the privilege of the floor of the Assembly Chamber for this day was extended to Michelle Rebaleati.

On request of Assemblyman Hettrick, the privilege of the floor of the Assembly Chamber for this day was extended to Susan Hoffman, Christy Shultz, Benjamin Browning, Brayden Campbell, C.J. Davis, Lauren Ferro, Nick Fickle, Gumaro Gomez, Becky Grabow,

BILLS AND AMENDMENTS

SEE LINKS ON BILL HISTORY PAGE
FOR COMPLETE BILL TEXT

State of Nevada

**Statewide
Ballot Questions**

2006



**To Appear on the November 7, 2006
General Election Ballot**

**Issued by
Dean Heller
Secretary of State**

QUESTION NO. 11

Amendment to the Nevada Constitution

Senate Joint Resolution No. 11 of the 72nd Session

CONDENSATION (Ballot Question)

Shall the *Nevada Constitution* be amended to provide for the payment of compensation to members of the Nevada Legislature for each day of service during regular and special sessions and to provide for the payment of reasonable allowances to legislators for postage, newspapers, telecommunications, and stationery?

Yes.....	<input type="checkbox"/>	165,127
No.....	<input checked="" type="checkbox"/>	391,442

EXPLANATION (Ballot Question)

Currently, the *Nevada Constitution* limits the number of days for which members of the Nevada Legislature are paid to 60 days in a regular session and 20 days in a special session. The *Nevada Constitution* also limits each legislator's allowance for postage and stationery to \$60 per legislative session. The proposed amendment would change this language to provide that legislators are paid for each day of service during regular and special sessions and to provide "reasonable allowances" to legislators for expenses incurred for postage, express charges, newspapers, telecommunications, and stationery. The proposed amendment does not change the amount of daily compensation for legislators, which is currently set by law at \$130.

A "Yes" vote would amend the language in Section 33, Article 4 of the *Nevada Constitution* referring to the compensation of legislators for days of service and the amount allocated to legislators for postage and stationery.

A "No" vote would allow the language of this provision to remain unchanged.

ARGUMENTS FOR PASSAGE

Nevadans who are elected to serve in the State Legislature perform a valuable public service and should be compensated for the days they work during session. In 1998, Nevada's voters limited the length of regular legislative sessions, which are conducted once every two years, to 120 days. However, no provisions were made at that time to compensate legislators beyond 60 days of service. Nevada's constitutional framers fully intended to pay legislators for each day of the session. Prior to 1958, the *Constitution* limited legislative sessions to 60 days and did not set a limit on the number of days legislators would be paid. Approval of this proposal would once again realign the compensation structure so legislators are paid for each day of the legislative session as the constitutional framers intended.

It is not fair to expect any wage earner to work without being paid. The compensation rate for Nevada legislators is among the lowest in the United States and the current 60-day limit on legislator salary may discourage some Nevadans from seeking legislative office. Many people cannot afford to serve in the Legislature. Most lawmakers must give up considerable income from their outside employment and make significant family sacrifices in order to serve in the Legislature. Legislators deserve a compensation package that pays them for their time worked while the Legislature is meeting.

The provision in the *Nevada Constitution* allocating \$60 per legislative session for postage, express charges, newspapers, and stationery was established in 1864 and is outdated. Legislators should be compensated reasonably for postage, mailing, and telecommunications expenses incurred while conducting legislative business. The proposed amendment provides a more rational approach by authorizing a reasonable allowance for these items. Through the legislative process, the Legislature would have the authority to determine what allowance would be considered reasonable. The population of the State of Nevada is growing rapidly and the need for communications with members of the public, both in writing and via telephone, has increased dramatically.

ARGUMENTS AGAINST PASSAGE

Amendment of the *Nevada Constitution* should be a rare undertaking and constitutional language should not be changed simply to alter the number of days legislators receive compensation. The 60-day limit on legislator salary has been in the *Constitution* since 1958 and candidates for legislative office are well aware of this provision when they file their declarations of candidacy. Nevada has a part-time, “citizen legislature” and providing a salary for days worked will increase the cost of conducting legislative sessions. In addition to their existing salary, legislators already receive certain allowances, including a per diem to cover lodging and meals for each day the Legislature is in session. These allowances and the current compensation level have been adequate to attract candidates for legislative office. Finally, a change to this provision may discourage lawmakers from completing their work before the maximum constitutionally-mandated session limit of 120 days.

With the increased use of electronic mail, there is less need for postage, stationery, and telecommunication services. The use of the term “reasonable allowances” as set forth in the proposed amendment would need to be defined in state law and could increase further the cost of operating the State Legislature.

FISCAL NOTE

FINANCIAL IMPACT – YES

The proposal to amend the *Nevada Constitution* would provide compensation to the members of the Legislature for each day of service during a regular session and any special session. Additionally, the proposal would increase the allowance for expenses incurred for postage, express charges, newspapers, telecommunications, and stationery. Approval of the proposal is estimated to increase the total cost of a regular session by \$554,400.

Currently, the *Nevada Constitution* provides for compensation of \$130 per day for a maximum of 60 days during a regular session and a maximum of 20 days for a special session. Approval of this proposal would require up to 60 days of additional compensation for each legislator during a regular session, which would increase personnel expenses by \$491,400. Inasmuch as recent special sessions have lasted for less than 20 days, approval of the proposal is not projected to increase personnel expenses associated with a special session.

Currently, the *Nevada Constitution* provides Legislators a maximum allowance of \$60 per regular or special session for expenses incurred for postage, express charges, newspapers, and stationery. The proposal would allow for the inclusion of telecommunications within the allowed expenses and change the fixed sum of \$60 to a “reasonable allowance.” An actual dollar amount for the reasonable allowance would need to be established by law at a later date, but for the purposes of estimating the financial impact, it is assumed that \$1,060 is a reasonable allowance based on available information. This results in an estimated net increase in operational expenses during a regular session of \$63,000. It should be noted that it is within the Legislature’s authority to specify the actual amount for the reasonable allowance for each session.

FULL TEXT OF THE MEASURE

Senate Joint Resolution No. 11–Committee on Finance

FILE NUMBER.....

SENATE JOINT RESOLUTION—Proposing to amend the Nevada Constitution to provide for the payment of compensation to the members of the Legislature for each day of service during regular and special sessions and to provide for the payment of reasonable allowances to such members for postage, express charges, newspapers, telecommunications and stationery.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That Section 33 of Article 4 of the Nevada Constitution be amended to read as follows:

~~{See:}~~ **Sec.** 33. The members of the Legislature shall receive for their services, a compensation to be fixed by law and paid out of the public treasury, for ~~{not to exceed 60 days}~~ **each day of service** during any regular session of the legislature and ~~{not to exceed 20 days}~~ during any special session convened by the governor; but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected Provided, that an appropriation may be made for the payment of ~~{such actual expenses as}~~ **reasonable allowances to** members of the Legislature ~~{may incur}~~ **for expenses incurred** for postage, express charges, newspapers, telecommunications and stationery ~~{not exceeding the sum of Sixty dollars for}~~ **during** any general or special session . ~~{to each member; and Furthermore Provided, that the Speaker of the Assembly, and~~

~~Lieutenant Governor, as President of the Senate, shall each, during the time of their actual attendance as such presiding officers receive an additional allowance of two dollars per diem.]~~

20~~~~~03