

COMMISSION TO REVIEW SALARIES
OF CERTAIN STATE AND LOCAL
ELECTED OFFICIALS



Bulletin No. 91-22

LEGISLATIVE COMMISSION
OF THE
LEGISLATIVE COUNSEL BUREAU
STATE OF NEVADA

JANUARY 1991

COMMISSION TO REVIEW SALARIES OF CERTAIN
STATE AND LOCAL ELECTED OFFICIALS

BULLETIN NO. 91-22

LEGISLATIVE COUNSEL BUREAU

CARSON CITY, NEVADA

JANUARY 1991

TABLE OF CONTENTS

	<u>Page</u>
Senate Bill 154 Of The 1989 Legislative Session (Chapter 875, <u>Statutes of Nevada 1989</u> , Pages 2133- 2134).....	iii
Assembly Bill 322 Of The 1989 Legislative Session (Chapter 304, <u>Statutes of Nevada 1989</u> , Pages 641-642)..<	v
Summary Of Recommendations.....	vii
Letter Of Transmittal To The Members Of The 66th Session Of The Nevada Legislature.....	xi
Report To The 66th Session Of The Nevada Legislature By The Commission To Review Salaries Of Certain State And Local Elected Officials.....	1
I. Introduction.....	1
II. Background.....	2
III. Findings And Recommendations.....	3
A. Constitutional Changes.....	3
1. Method of Paying Legislators.....	3
2. Salary Changes During a Term of Office...	5
3. Responsibility for Setting Salaries of County Officials.....	5
B. Salaries.....	6
1. Salaries of Legislators.....	6
2. Salaries of Judges and Justices.....	7
C. Allowances And Reimbursements.....	8
1. Reimbursement of Certain Legislative Expenses.....	8
2. Legislative Per Diem Rate.....	10

	<u>Page</u>
D. Retirement.....	10
1. Retirement for Legislators.....	10
2. Retirement for Judges and Justices.....	11
3. Vesting in Retirement System.....	11
E. Miscellaneous Provisions.....	11
1. Benefits for Legislators.....	11
2. Accepting Outside Appearance or Speaking Fees.....	12
3. Commission to Review Salaries.....	12
F. Conclusion.....	13
IV. Credits.....	15
V. Selected Annotated Bibliography.....	17
VI. Appendices.....	19
Appendix A	
"National Conference Of State Legislatures-- States In Which Legislators' Salaries Are Tied Or Related To State Employees' Salaries-- As Of January 31, 1990".....	21
Appendix B	
"Fact Sheet--Nevada Retirement Benefits".....	25
Appendix C	
"National Conference Of State Legislatures-- Method Of Setting Legislative Compensation-- As Of January 31, 1990" and "National Conference Of State Legislatures--States With Legislative Compensation Commissions-- As Of January 31, 1990".....	29
Appendix D	
Suggested Legislation.....	35

CHAPTER..875.

AN ACT relating to public officers; creating a commission to review the salaries of legislators and other elected state and local government officers whose salaries are set by the legislature; providing its duties; making an appropriation to the legislative fund for the expenses incurred by the commission; and providing other matters properly relating thereto.

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

Section 1. Title 23 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 2 to 6, inclusive, of this act.

Sec. 2. 1. There is hereby created a commission to review the salaries of legislators and all other elected state and local government officers whose salaries are set by the legislature, consisting of seven members.

2. The governor shall appoint as members of the commission persons who have diverse personal and professional interests and reside in various geographical areas of the state.

3. The governor shall designate one of the members of the commission to be the chairman. The commission may elect such other officers from its membership as it deems necessary.

4. The governor shall not appoint as a member:

(a) Any person currently holding the office of state legislator; or

(b) Any current officer or employee of a county, city or other political subdivision of this state.

5. Not more than four of the members of the commission may be members of the same political party.

Sec. 3. 1. The term of each member expires on June 30 of the fourth year following appointment. Members are eligible for reappointment.

2. Any member may be removed by the governor before the expiration of his term for misconduct in office, incompetence or neglect of duty.

3. If a vacancy occurs in the membership of the commission, the governor shall appoint a person to fill the vacancy for the remainder of the unexpired term.

Sec. 4. 1. Each member of the commission is entitled to receive \$80 for each day during which he is in attendance at a regularly called meeting of the commission.

2. The chairman shall call meetings of the commission as often as he deems necessary.

3. The director of the legislative counsel bureau shall provide the commission with a person to act as its nonvoting recording secretary.

Sec. 5. A majority of the members of the commission constitutes a quorum to transact business. The affirmative vote of four members is required to approve the recommendations of the commission regarding salaries.

Sec. 6. The commission shall:

1. Review the amounts paid as salary to the members of the legislature during and between legislative sessions.

2. Review the amounts paid as salary to all other elected state and local government officers whose salaries are set by the legislature.

3. Hold public hearings to discuss the issues and receive public comment.

4. On or before February 1 of each odd-numbered year, present to the legislature its findings and any recommendations regarding the salaries.

Sec. 7. 1. There is hereby appropriated from the state general fund to the legislative fund the sum of \$6,900 for expenses incurred by the commission to review the salaries of legislators and all other elected state and local government officers whose salaries are set by the legislature in carrying out the provisions of sections 2 to 6, inclusive, of this act.

2. Any remaining balance of the appropriation made by this section must not be committed for expenditure after June 30, 1991, and reverts to the state general fund as soon as all payments of money committed have been made.

Sec. 8. 1. This act becomes effective on July 1, 1989.

2. Sections 1 to 6, inclusive, of this act, expire by limitation on June 30, 1991.

Assembly Bill No. 322—Committee on Ways and Means

CHAPTER 304..

AN ACT relating to legislators; creating a commission to review their compensation; providing its duties; and providing other matters properly relating thereto.

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

Section 1. Chapter 218 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.

Sec. 2. 1. *There is hereby created a commission to review the compensation of legislators, consisting of seven members.*

2. The governor shall appoint the members of the commission and designate one of the members to be the chairman. The commission may elect such other officers from its membership as it deems necessary.

3. The governor shall not appoint as a member:

(a) Any person currently holding the office of state legislator; or

(b) Any current officer or employee of a county, city or other political subdivision of the state.

Sec. 3. 1. *The term of each member expires on June 30 of the fourth year following appointment. Members are eligible for reappointment.*

2. Any member may be removed by the governor before the expiration of his term for misconduct in office, incompetence or neglect of duty.

3. If a vacancy occurs in the membership of the commission, the governor shall appoint a person to fill the vacancy for the remainder of the unexpired term.

Sec. 4. 1. *Each member of the commission is entitled to receive \$60 for each day during which he is in attendance at a regularly called meeting of the commission.*

2. The chairman shall call meetings of the commission as often as he deems necessary.

3. The director of the legislative counsel bureau shall designate one of his employees to act as a nonvoting recording secretary for the commission.

Sec. 5. *A majority of the members of the commission constitutes a quorum to transact business. The affirmative vote of four members is required to approve the recommendations of the commission regarding compensation.*

Sec. 6. *The commission shall:*

1. Review the amounts paid as compensation to the members of the legislature.

2. Hold public hearings to discuss the issue and receive public comment.

3. On or before February 1 of each odd-numbered year, present to the legislature its findings and any recommendations regarding the compensation.

Sec. 7. *Upon receipt of the findings and recommendations, if any, of the commission, the legislature shall consider them and take such action as the legislature deems appropriate. In no case, however, may the legislature increase the compensation of its members during their present terms of office.*

SUMMARY OF RECOMMENDATIONS

The Nevada Legislature's Commission to Review Salaries of Certain State and Local Elected Officials recommends that the 66th session of the Nevada Legislature:

CONSTITUTIONAL CHANGES

1. Amend Article 4, Section 33, of the Constitution of the State of Nevada by deleting the 60- and 20-day limits on legislator compensation during regular and special sessions of the Legislature.
2. Delete the portion of Article 4, Section 33, of the Constitution of the State of Nevada which presently reads:

* * * for not to exceed 60 days 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 members of the Legislature may incur for postage, express charges, newspapers and stationery not exceeding the sum of Sixty dollars for 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.
* * *

3. Amend Article 4, Sections 28 and 33; Article 6, Section 15; and Article 15, Section 9, of the Constitution of the State of Nevada to allow for adjustments to the salaries of legislators, constitutional officers, judges and justices during a term of office.
4. Amend Article 4, Section 32, of the Constitution of the State of Nevada to remove from the Legislature the power to fix the compensation of county elected officers whose salaries are paid by their respective counties.

SALARIES

5. At the time that the salaries of state employees in the classified service are modified by the Legislature pursuant to an adjusted pay plan, each elected official whose salary is set by the Legislature shall be entitled to receive a corresponding increase in his or her base salary.
6. Following a general election at which Recommendation No. 1 under "Constitutional Changes" is passed, provide legislators with a comprehensive annual salary of \$21,600 payable in the same manner as is used for state employees.
7. Following a general election at which Recommendation No. 3 under "Constitutional Changes" is passed, eliminate judges' and justices' mid-term salary adjustments currently used (additional pay for service on the Library Board of Trustees or State Board of Pardons).

ALLOWANCES AND REIMBURSEMENTS

8. Require a vouchered system of reimbursement for legislative travel, mileage, postage and telephone expenses.
9. Provide legislators with travel and per diem at the same rates provided by law for state employees, both between and during legislative sessions.

RETIREMENT

10. Merge the legislators' retirement system into the Public Employees' Retirement System (PERS).
11. Merge the judges' and justices' pension plan into PERS.
12. Allow legislators and judges and justices to vest in PERS after 5 years of qualified service.

MISCELLANEOUS PROVISIONS

13. Following a general election at which Recommendation Nos. 1 and 3 under "Constitutional Changes" are passed, treat legislators as state employees to allow the state to provide them with health insurance, PERS contributions, and other benefits.

14. Prohibit legislators from accepting outside appearance or speaking fees.
15. Make the Commission to Review Salaries of Certain State and Local Elected Officials, specified in Nevada Revised Statutes 281.112 through 281.118, permanent.
16. Include a statement in the commission's final report urging the Legislature to develop procedures for the disposal of unspent campaign contributions by candidates for public office.

LETTER OF TRANSMITTAL TO THE MEMBERS OF THE
66TH SESSION OF THE NEVADA LEGISLATURE

In accordance with Senate Bill 154 of the 1989 legislative session (Chapter 875, Statutes of Nevada 1989, pages 2133-2134), the following report by Nevada's Commission to Review Salaries of Certain State and Local Elected Officials (Nevada Revised Statutes 281.112 through 281.118) is submitted for review and possible action by the 66th session of the Nevada Legislature.

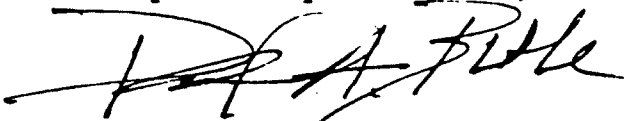
We were honored by our appointment to the commission by Acting Governor Robert J. Miller and were pleased to serve the state in this capacity. We stand ready to provide any information and assistance required by the Nevada Legislature in its deliberations on legislation and other actions necessary to carry out the recommendations contained in this report.

Legislative Counsel Bureau (LCB) staff services for the salary commission were provided by Robert E. Erickson and Caren Jenkins of the Research Division (principal staff), James W. Penrose of the Legal Division (legal counsel) and Kay Graves of the Research Division (commission secretary).

In this report, we have attempted to present our findings and recommendations in a concise form. Only that information which bears directly upon the scope of the study and the commission's recommendations is included. All supporting documents and minutes are on file with the Research Library of LCB and are available for review.

This report is transmitted to the members of the 66th session of the Nevada Legislature for their consideration and appropriate action.

Respectfully submitted,



Paul A. Bible, Chairman



Leola H. Armstrong



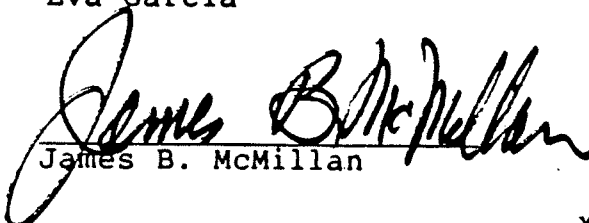
Daryl E. Capurro



Eva Garcia



John V. Giovenco



James B. McMillan



John C. Miller

REPORT TO THE 66TH SESSION OF THE NEVADA LEGISLATURE
BY THE COMMISSION TO REVIEW SALARIES OF CERTAIN
STATE AND LOCAL ELECTED OFFICIALS

I. INTRODUCTION

The 1989 Legislature considered several proposals addressing the broad subject of compensation of elected officials. Two of these proposals, approved in 1989, dealt with the establishment of independent citizen commissions to review certain salaries in detail.

1. Assembly Bill 322 of the 1989 legislative session (Chapter 304, Statutes of Nevada 1989, pages 641-642) created a commission to review the compensation of state legislators. The commission was to consist of seven members appointed by the governor. He was prohibited from appointing current state legislators and officers or employees of a county, city or other political subdivision in the state as members of the commission.

The commission was required to review the amounts paid as compensation to the members of the Legislature, hold public hearings to discuss the issue and receive public comment, and present its findings and any recommendations on compensation to the Legislature on or before February 1 of each odd-numbered year. The Legislature was required to consider the commission's findings and recommendations and take such action as it deemed appropriate. However, the bill specified that the Legislature could not increase the compensation of its members during their present terms of office.

The measure further provided for the standard operating procedures of the commission, methods of removal and filling vacancies of commission members, and their compensation and terms of office.

2. Senate Bill 154 of the 1989 legislative session (Chapter 875, Statutes of Nevada 1989, pages 2133-2134) created a commission to review the salaries of legislators and all other elected state and local government officers whose salaries are set by the Legislature. The governor was to appoint the commission's seven members who were required to have diverse personal and professional interests and reside in various geographical areas of the state. Current state legislators and local government officers and employees

were specifically excluded as members. The measure included provisions for the internal operation of the commission.

The commission was required, after review and public hearings, to present its findings and any salary recommendations to the Legislature on or before February 1 of each odd-numbered year. The act included a "sunset" provision for the commission to expire on June 30, 1991.

Acting Governor Robert J. Miller elected to appoint members to the latter commission only (created by S.B. 154), since S.B. 154 has a broader objective--to review the salaries of all elected officials whose salaries are set by the legislature--than the duties of the commission created by A.B. 322 which was directed to study only legislators' salaries.

II. BACKGROUND

The staff to the commission was asked to compile background information to assist the members in developing the study. Material was gathered from the National Conference of State Legislatures, Legislative Counsel Bureau (LCB), Administrative Office of the Courts, and Nevada Association of Counties, among others. The commission's major sources of information are listed in the attached bibliography, and are available for public inspection in the Research Library of LCB in Carson City, Nevada.

After reviewing information presented by staff and hearing public testimony around the state, the commission identified seven subject areas which comprise their recommendations. They include:

- Salary Changes During a Term of Office
- Salary, Retirement and Benefits for Legislators
- Reimbursement of Certain Legislative Expenses
- Legislators Accepting Outside Appearance or Speaking Fees
- Salary and Retirement for Judges and Justices
- Responsibility for Setting Salaries of County Officials
- Commission to Review Salaries of Elected Officials

Due to the inter-relationship of many statutory and constitutional provisions regarding salaries of elected officials, the commission developed a comprehensive approach to changing those salaries, and requests that its recommendations for action not be considered independent of one another. Commission members strongly support that the recommendations be accepted as a total package. Most members indicated a willingness to participate in public education campaigns prior to a general election which includes measures regarding related changes to Nevada's constitution. However, these members may choose not to endorse parts of the proposal which are taken out of the intended context.

III. FINDINGS AND RECOMMENDATIONS

A. CONSTITUTIONAL CHANGES

To amend Nevada's constitution, changes must be proposed and approved at two successive legislative sessions, and then ratified by a majority vote of the people. Starting from the 1991 legislative session, the earliest that the salary commission's recommendations for changes to the constitution could be implemented is November 1994. To be adopted, the recommendations will need to be introduced and passed by the 66th and 67th Nevada Legislatures, and placed on the general election ballot in 1994.

The salary commission found that the procedure for amending the constitution is sufficiently cumbersome to discourage all but the most significant proposals. This could be why, historically, certain constitutional provisions regarding the salaries of elected officials have been bypassed through changes to the statutes. The commission prefers a more straightforward approach to modifying salaries.

1. Method of Paying Legislators

Under existing law, Nevada legislators receive \$130 per day for the first 60 days of a regular legislative session. (The last increase was approved by the 1985 Legislature which raised the daily salary by \$26.) Beyond the 60th day, salaries cease by requirement of the Constitution of the State of Nevada (Article 4, Section 33). During special sessions, legislators may be paid for up to 20 days. At a regular session, the maximum salary a legislator may receive is \$7,800, or up to \$2,600 during a special session.

Commission members agreed that placing limits on the number of days for which legislators can be paid is an unfair and ineffective way to encourage shorter legislative sessions.

Even with no pay after the 60th day, the 1987 and 1989 sessions exceeded 150 days.

In 1989, certain measures were enacted to make the legislative process more efficient. One example is Assembly Concurrent Resolution No. 54 (File No. 180, Statutes of Nevada 1989, page 2358) which requires the Legal Division of LCB to complete 1,000 bill drafts before the first day of the 66th legislative session. This type of measure, intended to help reduce the length of legislative sessions, is expected to be more effective than placing limits on the number of days for which a legislator may be paid.

Commission members concurred that, if a daily salary is provided, legislators should be paid for each day they are in session. The salary commission, therefore, recommends that the 66th session of the Nevada Legislature take the appropriate action to:

Amend Article 4, Section 33, of the Constitution of the State of Nevada by deleting the 60- and 20-day limits on legislator compensation during regular and special sessions of the Legislature.

The commission also agreed that: (1) legislative leaders should not be eligible to receive any allowances in addition to those provided to other legislators; (2) modifying the salary of a legislator during a term of office should be allowed; and (3) the legislative "postage" allowance should be removed from the constitution.

The portion of the constitution which addresses these issues includes the limitation on the number of days of a session for which a legislator may be paid. To consolidate these ideas, the salary commission recommends that the 66th session of the Nevada Legislature take the appropriate action to:

Delete the portion of Article 4, Section 33, of the Constitution of the State of Nevada which presently reads:

*** * * for not to exceed 60 days 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 members of the Legislature may incur for postage, express charges,**

newspapers and stationery not exceeding the sum of Sixty dollars for 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. * * *

2. Salary Changes During a Term of Office

Currently, members of the assembly serve 2-year terms; senators, constitutional officers and elected county officials serve 4-year terms; and supreme court justices and district court judges serve 6-year terms of office. The constitution currently prohibits these elected officials, excluding the lieutenant governor and county officers, from receiving a salary increase during a term of office. Commission members agreed that cost of living adjustments (either up or down) to these salaries during a term of office should be permitted, and that the removal of this prohibition would allow a more straightforward approach to compensation than is currently in place.

The salary commission, therefore, recommends that the 66th session of the Nevada Legislature take the appropriate action to:

Amend Article 4, Sections 28 and 33; Article 6, Section 15; and Article 15, Section 9, of the Constitution of the State of Nevada to allow for adjustments to the salaries of legislators, constitutional officers, judges and justices during a term of office.

3. Responsibility for Setting Salaries of County Officials

The commission members agreed that any salaries paid from county funds should be established at the county level. Alternatives discussed include the development of local salary commissions, combined efforts by a group of counties, or delegation of this power to an independent statewide salary commission.

The salary commission, therefore, recommends that the 66th session of the Nevada Legislature take the appropriate action to:

Amend Article 4, Section 32, of the Constitution of the State of Nevada to remove from the Legislature the power to fix the compensation of county elected officers whose salaries are paid by their respective counties.

B. SALARIES

The Legislature usually considers cost of living salary increases for employees of the state during each legislative session. The amount of these increases may be affected by the state's fiscal health, including available revenues and economic conditions, and the rate of inflation. In recent years, an increase in the second year of a biennium has been approved contingent on the state's general fund surplus reaching a specified threshold. Typically, any increases granted are a percentage of current salary rather than a flat dollar amount.

One proposal presented to the salary commission regarding the modification of elected officials' salaries would have tied the salaries of elected officials to the annual percent of increase or decrease in pay received by the average Nevada working person in the private sector.

The salary commission proposes that the salaries of all elected officials--legislators, constitutional officers, judges and justices, and county officials--be modified by the percentage of cost of living adjustment granted to state employees (see Appendix A). This recommendation could take effect only after the constitutional prohibition is removed to allow salaries to be adjusted during a term of office. It is proposed that the base salary not be changed--only modified by a cost of living adjustment. The only positions exempt from the constitutional prohibition are county officials and the lieutenant governor. They would be eligible to receive salary adjustments upon passage of the legislative measure regardless of the constitutional proposal.

The salary commission, therefore, recommends that the 66th session of the Nevada Legislature take the appropriate action so that:

At the time that the salaries of state employees in the classified service are modified by the Legislature pursuant to an adjusted pay plan, each elected official whose salary is set by the Legislature shall be entitled to receive a corresponding increase in his or her base salary.

1. Salaries of Legislators

At the present time, legislators receive no regular salary or stipend between legislative sessions even though they continue to provide services to their constituents. The salary commission recognized that legislative service has many of the responsibilities of a full-time job.

Over time, legislators' overall compensation package has been enhanced in a number of ways such as interim meeting salaries and flat telephone allowances, but commission members expressed a preference for a more straightforward approach. By recommending a comprehensive annual salary, it is the commission's intent that no additional money be available to legislators for attending meetings during the interim, nor for performing any other related duties.

In determining an appropriate salary level for legislators, the commission evaluated the salaries of the lieutenant governor, the chairman of the Nevada Gaming Commission, and the county commissioners of Clark and Washoe Counties. These positions, like that of legislators, are not considered to require full-time, year-round employment. In 1991, the lieutenant governor's annual salary will be \$20,000; the chairman of the Nevada Gaming Commission now receives \$24,000; and the annual salaries of Clark and Washoe County commissioners are \$45,000 and \$33,000, respectively. The commission heard testimony that the county commissioners of Nevada's two largest counties are required to spend more time at their jobs than are members of the Legislature, and that legislative pay should not be equal to these positions. The salary level recommended was based on the commission's determination that the duties, responsibilities and time required of the lieutenant governor, the chairman of the Nevada Gaming Commission and a member of the Legislature are comparable, and that the salary levels for each of these positions should be consistent.

The salary commission, therefore, recommends that the 66th session of the Nevada Legislature:

Following a general election at which Recommendation No. 1 under "Constitutional Changes" is passed, provide legislators with a comprehensive annual salary of \$21,600 payable in the same manner as is used for state employees.

2. Salaries of Judges and Justices

The commission confronted two significant issues while considering the salaries of justices and judges. They are: (1) comparing 6-year terms, and a longer period between salary adjustments in the judicial branch versus 2- or 4-year terms in the executive and legislative branches of government; and (2) the staggered terms of supreme court justices.

Judges and justices serve 6-year terms of office. Most other elected officials' terms are 4 years in length, except assemblymen who serve 2-year terms. Under the present

constitutional provisions, the salaries for these positions may not be adjusted during a term of office. This prohibition puts the judicial branch of government at a distinct disadvantage.

To correct the discrepancy between the salaries of senior justices and their more recently elected counterparts, supreme court justices are eligible to receive supplemental pay for service on the State Board of Pardons. With this additional pay, the total salary each justice receives is the same, regardless of tenure. Without supplemental pay, it is feasible that the chief justice of the Supreme Court, because of staggered terms of office, could have the lowest salary and the heaviest responsibility among the justices. A related problem exists for district court judges who receive supplemental pay for service on the Library Board of Trustees. This supplemental pay was implemented to keep district court judges' salaries in line with the cost of living over a 6-year term.

If salaries were allowed to be adjusted during a term of office, there would be no need for these "gimmicks" to allow each judge and justice to receive a salary equal to that of his peers or to keep pace with the cost of living.

The salary commission, therefore, recommends that the 66th session of the Nevada Legislature:

Following a general election at which Recommendation No. 3 under "Constitutional Changes" is passed, eliminate judges' and justices' mid-term salary adjustments currently used (additional pay for service on the Library Board of Trustees or State Board of Pardons).

C. ALLOWANCES AND REIMBURSEMENTS

1. Reimbursement of Certain Legislative Expenses

In addition to salary, legislators are entitled to be reimbursed for the financial demands placed upon them as a result of their legislative duties. For example, they receive the federal per diem rate in effect for Carson City to cover expenses for meals and lodging when the state Legislature is in session. The most recent federal rate is \$66 per day. When the Legislature is not in session, state law says that per diem, while on official legislative business, is reimbursable at \$58 per day. Legislators are paid per diem and actual travel expenses for moving to and returning from a legislative session, and for attending a pre-session orientation program.

Legislators also have access to a travel allowance of up to \$6,800 during regular sessions, and \$1,000 during special sessions. According to statute, they also receive a telephone allowance of \$2,800 for use during regular sessions, and \$300 during special sessions.

Additionally, lawmakers are entitled, by the Nevada Constitution, to receive \$60 for postage, and are permitted, by statute, to receive allotments of stationery, envelopes and business cards from the State Printing and Micrographics Division of the Department of General Services.

When the Legislature is not in session, legislators on official business are entitled to receive a regular daily salary for attending meetings and the same per diem allowance and travel expenses provided by law to state employees. The per diem rate in Nevada is currently set at \$58 per day. Out-of-state per diem is a maximum of \$24 per day for meals, plus a reasonable room rate.

These allowances could be construed as enhancements to legislators' salaries, since, in most cases, no documentation is required to show that the allowed funds relate in any way to actual expenses. The salary commission wishes to provide legislators an annual salary with no other sources of funds available which could be perceived as additional income.

The only way to ensure that the true costs of legislative travel, mileage, postage and telephone charges are reimbursed is to require the submission of receipts or vouchers. The commission agreed that no limits be placed on these costs but that legislators' claims for reimbursement be public records to encourage that public funds are spent in a reasonable manner. The availability of public inspection of all legislators' claims for reimbursement will further this goal. The commission discussed whether requiring a vouchered system with no maximum limits could permit excessive travel, postage and telephone charges. Commission members trust that the media will inform the public of any seemingly excessive travel, postage or telephone claims, and that any abusers of the system must explain their conduct to the voters.

The salary commission, therefore, recommends that the 66th session of the Nevada Legislature take the appropriate action to:

Require a vouchered system of reimbursement for legislative travel, mileage, postage and telephone expenses.

2. Legislative Per Diem Rate

The commission agreed that a per diem allowance is a legitimate way to reimburse legislators for meals and overnight lodging. However, legislators currently receive one rate of per diem during a legislative session and another between sessions. Per diem is provided during the interim at the same rate received by state employees, and at a slightly higher rate during the session. The commission saw no reason for this discrepancy.

The salary commission, therefore, recommends that the 66th session of the Nevada Legislature take the appropriate action to:

Provide legislators with travel and per diem at the same rates provided by law for state employees, both between and during legislative sessions.

D. RETIREMENT

The commission found that several different retirement systems exist for elected officials. These separate systems have:

- Additional administrative costs--approximately 0.15 percent for the Public Employees' Retirement System (PERS);
- Separate investing or lack thereof. Both the PERS and legislators' systems are actuarially-based and invested, but the judges and justices' pension plan is funded biennially through a direct appropriation from the Legislature; and
- Differences in vesting policies. State employees vest after 5 years of qualified service, but legislators, judges and justices, according to state law, must have 10 years of qualified service to vest.

Commission members suggested that all existing systems be merged into PERS, but recognized the complexity of this proposal (see Appendix B).

1. Retirement for Legislators

The Public Employees' Retirement System currently administers the legislators' retirement system, but it is managed separately from PERS and its assets are segregated from those of PERS. Tremendous controversy arose during and after the 1989 legislative session when a 300 percent increase in retirement benefit was approved, and later repealed, for state legislators.

The salary commission, therefore, recommends that the 66th session of the Nevada Legislature take the appropriate action to:

Merge the legislators' retirement system into PERS.

2. Retirement for Judges and Justices

The current judicial pension plan is not a part of PERS. Contributions are appropriated directly from the state's general fund as judges and justices become eligible to receive benefits. No investments are made with judicial retirement funds because the state "pays-as-it-goes."

The salary commission, therefore, recommends that the 66th session of the Nevada Legislature take the appropriate action to:

Merge the judges' and justices' pension plan into PERS.

3. Vesting in Retirement System

To offer the same retirement package to all those participating in a retirement system, sponsored by the State of Nevada, the required service at which an employee vests must be addressed. To be a "qualified plan," according to the United States Internal Revenue Service, an employee must be able to vest in the retirement system after 5 years of qualified service. As stated earlier, state employees vest after 5 years, legislators, justices and judges after 10 years. The commission desires to correct this inequitable situation.

The salary commission, therefore, recommends that the 66th session of the Nevada Legislature take the appropriate action to:

Allow legislators and judges and justices to vest in PERS after 5 years of qualified service.

E. MISCELLANEOUS PROVISIONS

1. Benefits for Legislators

Currently, elected officials and state employees are eligible to participate in the state's program of group insurance. If an employee elects to participate, the agency which employs him or her is required to pay the premium for the employee's coverage. Likewise, elected officials, excluding legislators, are provided with coverage under the state's group insurance plan. A legislator, however, must pay the premium himself.

Since July 1, 1985, PERS retirement contributions for all new state employees are employer-paid. Judges and justices do not make contributions toward their pension plan, since the state funds the system on an "as-needed" basis. Legislators currently have 15 percent of their pay withheld as a contribution to the legislators' retirement system.

The treatment of legislators as state employees for health benefits and retirement contributions will help to minimize the inequality among benefits available to legislators, and those provided to other elected officials and state employees. The salary commission, therefore, recommends that the 66th session of the Nevada Legislature:

Following a general election at which Recommendation Nos. 1 and 3 under "Constitutional Changes" are passed, treat legislators as state employees to allow the state to provide them with health insurance, PERS contributions, and other benefits.

2. Accepting Outside Appearance or Speaking Fees

The commission expressed that, since it is recommending a \$21,600 annual legislative salary and asking for public support for this change, it should clearly explain its desire to prohibit any additional income or special allowances for legislative service. The commission also wished to urge the Legislature to develop procedures for the disposal of unspent campaign contributions by candidates for public office, although a recommendation regarding the topic was beyond its scope. Honoraria, gifts and donations, and other extra compensation by legislators were discussed, and a state law clarifying these matters seems appropriate and timely.

The salary commission recommends that the 66th session of the Nevada Legislature take the appropriate action to:

Prohibit legislators from accepting outside appearance or speaking fees.

3. Commission to Review Salaries

The commission discovered that determining adequate salaries for elected officials is a difficult and controversial task. In their deliberations, members of the commission gained an appreciation for the time and debate that ensues when this issue is considered by legislators during a session. The problem is compounded when legislators periodically must increase their own salaries to keep up with the cost of living.

The salary commission agreed that adjustments to the salaries of elected officials should be derived in an objective manner through an independent salary commission (see Appendix C). This mechanism would save time during a legislative session and make salary and expense allowance adjustments more palatable to the public, since recommendations would be provided through a public study process. Commission members also suggested that LCB, in its role as an objective, nonpartisan information agency, continue to provide staff support for the salary commission.

The salary commission, therefore, recommends that the 66th session of the Nevada Legislature take the appropriate action to:

Make the Commission to Review Salaries of Certain State and Local Elected Officials, specified in Nevada Revised Statutes 281.112 through 281.118, permanent.

F. CONCLUSION

Because Nevada legislators traditionally have been considered part-time employees, various "remedies" have been developed over the years to make the compensation package more nearly match the responsibilities of the job. With regard to legislative salaries, the commission believes that the time has come for an adequate salary for legislators to ensure that the ongoing responsibilities of this branch of government are carried out. However, all "extras" associated with the job must either be eliminated or closely regulated and monitored.

The salary commission also recognizes the need to standardize the manner in which salaries, allowances and benefits are provided to elected officials in Nevada. It has developed a comprehensive approach to compensating all elected officials more equitably. Again, the commission strongly encourages that its recommendations be considered as a package proposal for consideration by the 1991 Legislature.

IV. CREDITS

Knight Allen
Private Citizen
Las Vegas, Nevada

Jim Bagwell
Sheriff
Humboldt County, Nevada

Jean E. Ford
Former Nevada Legislator
Carson City, Nevada

Don Gustavson
Private Citizen
Reno, Nevada

Robert S. Hadfield
Executive Director
Nevada Association of Counties
Carson City, Nevada

John Hawley
Staff Counsel to Chief Justice C. Clifton Young
Nevada's Supreme Court
Carson City, Nevada

Frank C. Hulse
Recorder-Auditor
Lincoln County, Nevada

Wilbur K. Keating
Executive Officer
Public Employees' Retirement System
Carson City, Nevada

Ken Mahal
Private Citizen
Las Vegas, Nevada

John McCloskey
Chief Accountant
Administrative Division
Legislative Counsel Bureau
Carson City, Nevada

Paul McGrath
Sheriff
Carson City, Nevada

Donald J. Mello, Jr.
Director
Administrative Office of the Courts
Nevada's Supreme Court
Carson City, Nevada

William Petrak
Private Citizen
Las Vegas, Nevada

James Richardson
Chairman
Committee on Group Insurance for the State of Nevada
Reno, Nevada

Joe Robertson
Member
State Board of Directors
Common Cause of Nevada
Reno, Nevada

Caesar Salicchi
County Fiscal Officers' Association
Elko, Nevada

Thomas L. Springfield
District Judge
District Judges' Association
Elko, Nevada

Vincent Swinney
Sheriff
Washoe County, Nevada

V. SELECTED ANNOTATED BIBLIOGRAPHY

1. "Information on Legislators' Compensation," National Conference of State Legislatures, March 15, 1990.

A comprehensive, annual 50-state survey on legislators' salaries, reimbursements, allowances, travel and benefits.

2. "Blue Ribbon Commission on Legislative Process," Bulletin No. 89-7, Legislative Commission of the Legislative Counsel Bureau, September 1988.

An examination and analysis of the structure, functions and procedures associated with the legislative branch of government. Includes recommendations made to the 1989 Legislature regarding maintaining a citizen legislature and legislative compensation.

3. "Legislative History of Senate Bill 9 of the 1989 Legislative Session," Nevada Legislature, 1989.

Minutes of committee discussions regarding a bill developed from one of the recommendations of the Blue Ribbon Commission on Legislative Process. Senate Bill 9 proposed revisions to the compensation and allowances for certain expenses provided to legislators.

4. "Commission Information Binder," Commission to Review Salaries of Certain State and Local Elected Officials (NRS 281.112 through 281.118), 1990.

Information and resource materials provided to members of the commission during the study process. Includes charts, staff responses to commission inquiries and other information related to the salaries of elected officials.

VI. APPENDICES

	<u>Page</u>
Appendix A - "National Conference Of State Legisla- tures--States In Which Legislators' Salaries Are Tied Or Related To State Employees' Salaries--As Of January 31, 1990".....	21
Appendix B - "Fact Sheet--Nevada Retirement Benefits"..	25
Appendix C - "National Conference Of State Legisla- tures--Method Of Setting Legislative Compensation--As Of January 31, 1990" and "National Conference Of State Legislatures--States With Legislative Compensation Commissions--As Of January 31, 1990".....	29
Appendix D - Suggested Legislation.....	35

APPENDIX A

"NATIONAL CONFERENCE OF STATE LEGISLATURES--STATES IN WHICH
LEGISLATORS' SALARIES ARE TIED OR RELATED TO STATE
EMPLOYEES' SALARIES--AS OF JANUARY 31, 1990"

National Conference of State Legislatures

States in Which Legislators' Salaries
are Tied or Related to State Employees' Salaries

As of January 31, 1990

<u>State</u>	<u>Provisions</u>
Florida	Tied to average percentage increase for state career service employees for the fiscal year just concluded. [Florida Statutes, Sec. 11.13(1)(b).]
Georgia	Legislators receive a cost of living adjustment equal to one-half the percentage increase given to executive, legislative and judicial employees.
Kansas	Legislators receive same margin of increase given to civil service employees.
Missouri	Legislators receive all cost of living raises that state employees receive.
Montana	Tied to statutory value of a Grade 8 Step 2 classified state employee. For a given biennium, value remains as it was set on the first day of the session.
North Carolina	Increases are made in amounts equal to the average increases for state employees [N.C.G.S. 120-3(b)].
Oregon	Increases are tied to State Management Service Schedule for state employees.
Wisconsin	Legislators' salary level is recommended by Director of Dept. of Employment Relations to Joint Committee on Employment Relations, which sets salary and per diem.

APPENDIX B

"FACT SHEET--NEVADA RETIREMENT BENEFITS"

FACT SHEET

NEVADA RETIREMENT BENEFITS

PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS)

5 years of service	benefits at 65 years of age
10 years of service	benefits at 60 years of age
30 years of service	benefits at any age

The benefits paid are computed at 2.5% for each year of service multiplied by the "average compensation." The employee's highest average salary over 36 consecutive months of service constitutes the "average compensation." The benefit generally may not exceed 75% of "average compensation." A maximum 90% benefit would be possible for an employee who joined the system before July 1, 1985 and worked 36 years.

JUDGES' AND JUSTICES' PENSION PLANS

At age 60	After 10 years of service, benefits are 25% of the salary paid during the last year of employment
At age 60	After more than 22 years of service, benefits are 75% of the salary paid during the last year of employment
At age 60	Between 10 and 22 years of service, benefits are 25% of the salary paid during the last year of employment PLUS 4.166% per year of service beyond 10 years
Under age 60	Benefits are reduced 4% for each year pensioner is under age 60

LEGISLATIVE RETIREMENT SYSTEM (10 years of service minimum)

At age 60	\$25 per month for each year of service up to 30 years (\$9000 per year maximum)
Under age 60	Benefit is reduced 6% for each year legislator is under age 60

APPENDIX C

"NATIONAL CONFERENCE OF STATE LEGISLATURES--METHOD OF
SETTING LEGISLATIVE COMPENSATION--AS OF JANUARY 31, 1990"
AND "NATIONAL CONFERENCE OF STATE LEGISLATURES--STATES
WITH LEGISLATIVE COMPENSATION COMMISSIONS--
AS OF JANUARY 31, 1990"

National Conference of State Legislatures
Method of Setting Legislative Compensation
As of January 31, 1990

	<u>Constitution</u>	<u>Legislature</u>	<u>Legislature and Compensation Commission</u>
ALABAMA	X		
ALASKA		x ¹	
ARIZONA	(AZ Compensation Cmsn. submits recommendation to vote of people.)		
ARKANSAS	X		
CALIFORNIA		x ²	
COLORADO		X	
CONNECTICUT			X
DELAWARE			X
FLORIDA		X	
GEORGIA		X	
HAWAII			X
IDAHO			X
ILLINOIS			X
INDIANA		X	
IOWA			X
KANSAS		X	
KENTUCKY		X	
LOUISIANA		X	
MAINE			X
MARYLAND			X
MASSACHUSETTS		X	
MICHIGAN			X
MINNESOTA			X
MISSISSIPPI		X	
MISSOURI		X	
MONTANA		X	
NEBRASKA	X		
NEVADA		X	
NEW HAMPSHIRE	X		
NEW JERSEY		X	
NEW MEXICO		X	
NEW YORK		X	
NORTH CAROLINA		X	
NORTH DAKOTA			X
OHIO		X	
OKLAHOMA	(OK Compensation Board sets salary without legislative action.)		
OREGON		X	
PENNSYLVANIA		X	
RHODE ISLAND	X		
SOUTH CAROLINA		X	
SOUTH DAKOTA		X	
TENNESSEE		X	
TEXAS	X		
UTAH			X
VERMONT		X	
VIRGINIA		X	
WASHINGTON			X
WEST VIRGINIA			X
WISCONSIN		X	
WYOMING		X	
DIST. OF COLUMBIA		X	

¹Salary commission is non-binding.

²California constitution allows statutory increases not to exceed 5% per year.

National Conference of State Legislatures
STATES WITH LEGISLATIVE COMPENSATION COMMISSIONS

As of January 31, 1990

<u>State</u>	<u>Description</u>
Alaska	Commission makes report, but doesn't have constitutional power to change salary, which is set by statute.
Arizona	Commission meets every two years; recommendation submitted to voters.
Connecticut	Legislature enacts salary and can make adjustments to commission's recommendation.
Delaware	Commission meets every four years. Recommendation goes into effect automatically if legislature doesn't reject it.
Florida	Commission serves as an advisory body to study trends and developments in compensating public officers. It reports its findings and recommendations to the legislature not later than March 1 of every odd-numbered year.
Hawaii	Legislature must disapprove by a certain date or recommendation goes into effect automatically.
Idaho	Salary recommendation goes into effect unless rejected by the 25th legislative day by concurrent resolution of the legislature.
Illinois	Compensation Review Board makes recommendation and legislature sets salary (can reject or reduce recommendation).
Iowa	Salary set by statute; commission meets every two years to make recommendation.
Maine	State Compensation Commission recommends annually in the form of a bill that legislature can enact or not.
Maryland	The recommendation of the General Assembly Compensation Commission is presented to the legislature in January of the final year of a four-year term. The legislative body can accept or reduce, but not increase, commission's proposal.
Massachusetts	Compensation commission reports findings in each odd-numbered year. Findings have no effect without legislative action.
Michigan	Two-thirds vote of each house can reject but not modify recommendation.
Minnesota	Compensation Council recommends percentage, which can be modified or ratified by legislature.

<u>State</u>	<u>Description</u>
Nevada	New compensation commission will make recommendations each biennium for consideration by legislature, which will have the option of rejecting the recommendation.
North Dakota	Legislature can statutorily approve, reject, or modify the recommendation of the Legislative Compensation Commission.
Oklahoma	Constitutional provision gives salary commission authority to set salary. (Commission's biennial recommendation goes into effect without legislative action.)
Utah	Legislature can approve, reject, or lower, but not raise, recommended salary.
Washington	Salary commission sets salary and effective date.
West Virginia	Constitutional provision sets up Citizens' Legislative Compensation Commission, which meets every four years to recommend salary. Legislature sets salary statutorily.

Kentucky*	[Kentucky statutes (KRS 6.191) provide for a Legislative Compensation Commission, but the commission is not active.]
-----------	--

Wisconsin*	[Salary recommended by director of Department of Employment Relations to Joint Committee on Employment Relations, which sets salary and per diem with governor's approval.]
------------	---

* Kansas and Wisconsin do not have "compensation commissions" as such.

APPENDIX D

Suggested Legislation

	<u>Page</u>
BDR C-922.....Proposes to amend Nevada constitution to remove limitations on midterm changes in amount of compensation paid to state officers.....	37
BDR C-923.....Proposes to amend Nevada constitution to remove certain limitations on legislative compensation and allowances..	41
BDR C-924.....Proposes to amend Nevada constitution to remove power of legislature to set salaries of certain county officers.....	43
BDR 17-1268...Makes various changes relating to compensation of legislators.....	45
BDR 18-1269...Makes various changes relating to compensation of certain public officers..	91

SUMMARY--Proposes to amend Nevada constitution to remove limitations on
midterm changes in amount of compensation paid to state
officers. (BDR C-922)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

ASSEMBLY JOINT RESOLUTION--Proposing to amend the constitution of
the State of Nevada to remove various limitations on midterm
changes in the amount of compensation paid to judges, legislators and
other state officers.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF
NEVADA, JOINTLY, That sections 28 and 33 of article 4, section 15 of article
6 and section 9 of article 15 of the constitution of the State of Nevada be
amended to read respectively as follows:

[Sec:] Sec. 28. No money shall be drawn from the State Treasury as salary
or compensation to any officer or employee of the Legislature, or either branch
thereof, except in cases where [such] *the salary or compensation of that officer
or employee* has been fixed by a law in force prior to the election or
appointment of [such] *the officer or employee* . [; and the salary or
compensation so fixed, shall neither be increased nor diminished so as to apply
to any officer or employee of the Legislature, or either branch thereof at such

Session; Provided, that this restriction shall not apply to the first session of the Legislature.]

[Sec:] 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 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] An appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers and stationery not exceeding the sum of Sixty dollars for any general or special session to each member . [; and Furthermore Provided, that the] The Speaker of the Assembly [,] and the 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.

[Sec:] Sec. 15. The Justices of the Supreme Court and District Judges shall each receive for their services a compensation to be fixed by law and paid in the manner provided by law . [, which shall not be increased or diminished during the term for which they shall have been elected, unless a Vacancy occurs, in which case the successor of the former incumbent shall receive only such salary as may be provided by law at the time of his election or appointment; and provision shall be made by law for setting apart from each year's revenue a sufficient amount of Money, to pay such compensation.]

[Sec:] Sec. 9. The Legislature may, at any time, provide by law for increasing or diminishing the salaries or compensation of any of the Officers [,] whose salaries or compensation is fixed in this Constitution . [; Provided, no such change of Salary or compensation shall apply to any Officer during the term for which he may have been elected.]

SUMMARY--Proposes to amend Nevada constitution to remove certain limitations on legislative compensation and allowances.
(BDR C-923)

FISCAL NOTE: Effect on Local Government: No.
 Effect on the State or on Industrial Insurance: No.

SENATE JOINT RESOLUTION--Proposing to amend the constitution of the State of Nevada by removing the provision that limits the time within which compensation may be paid to members of the legislature and by removing certain antiquated provisions relating to legislative allowances.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That section 33 of article 4 of the constitution of the State of Nevada be amended to read as follows:

[Sec:] 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 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 members of the Legislature may incur for postage, express charges,

newspapers and stationery not exceeding the sum of Sixty dollars for 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.]

SUMMARY--Proposes to amend Nevada constitution to remove power of legislature to set salaries of certain county officers. (BDR C-924)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: No.

ASSEMBLY JOINT RESOLUTION--Proposing to amend the constitution of the State of Nevada to remove the power of the legislature to establish the salaries of certain county officers.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That section 32 of article 4 of the constitution of the State of Nevada be amended to read as follows:

Sec. 32. The Legislature shall have power to increase, diminish, consolidate or abolish the following county officers: County Clerks, County Recorders, Auditors, Sheriffs, District Attorneys and Public Administrators. The Legislature shall provide for their election by the people, and fix by law their duties . [and compensation.] *The compensation of these officers shall be fixed by the Boards of County Commissioners of their respective counties.* County Clerks shall be *ex-officio* Clerks of the Courts of Record and of the Boards of County Commissioners in and for their respective counties.

SUMMARY--Makes various changes relating to compensation of legislators.

(BDR 17-1268)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to the state legislature; prohibiting a legislator from receiving an honorarium; establishing an annual salary for legislators; revising the manner in which a legislator is reimbursed for certain expenses; abolishing the commission to review the compensation of legislators; providing for the payment by the state of the cost of group insurance for legislators; and providing other matters properly relating thereto.

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

Section 1. Chapter 218 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. 1. *A member of the legislature shall not accept or receive an honorarium.*

2. As used in this section, "honorarium" means money or anything of value furnished for an appearance or speech by a legislator. The term does not include payment of the actual and necessary cost of:

(a) Transportation; or

(b) Lodging and meals while the legislator is away from his residence, which is incurred by the legislator.

Sec. 3. Each senator and assemblyman is entitled to receive an annual salary of \$21,600. If the salaries of state employees in the classified service are increased or decreased pursuant to an adjusted pay plan, the annual salary of each senator and assemblyman must be increased or decreased correspondingly.

Sec. 4. 1. The director of the legislative counsel bureau shall issue a telephone credit card to each senator and assemblyman for use in the performance of legislative business.

2. Charges incurred with the credit card must be paid from the legislative fund by the chief of the administrative division of the legislative counsel bureau. On or before the last business day of each month, the chief of the administrative division shall prepare a written summary of the telephone charges paid during that month on behalf of each senator and assemblyman. The summary is available for public inspection at such reasonable hours and under such other conditions as the legislative commission prescribes.

3. Each senator or assemblyman to whom a credit card has been issued shall return the card at the time he leaves office.

Sec. 5. NRS 218.220 is hereby amended to read as follows:

218.220 1. The per diem [expense] allowance and the travel and telephone expenses of senators and assemblymen elected or appointed and in attendance at any session or pre-session orientation conference of the legislature must be allowed in the manner set forth in this section.

2. For initial travel from his home to Carson City, Nevada, to attend a session or pre-session orientation conference of the legislature, and for return travel from Carson City, Nevada, to his home upon adjournment sine die of a session or termination of a pre-session orientation conference of the legislature, each senator and assemblyman is entitled to receive:

(a) [A] *The per diem [expense allowance not to exceed the greater of:*

(1) The rate of \$44; or

(2) The maximum rate established by the Federal Government for the locality in which the travel is performed,] *allowance provided for state officers and employees generally* for one day's travel to and one day's travel from the session or conference.

(b) Travel expenses.

3. In addition to the per diem and travel expenses authorized by subsection 2, each senator and assemblyman is entitled to receive a supplemental allowance which must not exceed:

(a) A total of \$6,800 during each regular session of the legislature for:

(1) His actual expenses in moving to and from Carson City for the session; and

(2) Travel to and from his home or temporary residence or for traveling to and from legislative committee and subcommittee meetings or hearings or for individual travel within the state which relates to legislative business; and

(b) A total of \$1,000 during each special session of the legislature for travel to and from his home or temporary residence or for traveling to and from

legislative committee and subcommittee meetings or hearings or for individual travel within the state which relates to legislative business.

4. Each senator and assemblyman is entitled to receive [a] *the* per diem [expense allowance not to exceed the greater of:

(a) The rate of \$44; or

(b) The maximum rate established by the Federal Government for the locality in which the travel is performed,] *allowance provided for state officers and employees generally* for each day that the legislature is in session or in a presession orientation conference and for each day that he attends a meeting of a standing committee of which he is a member when the legislature has adjourned for more than 4 days.

5. Each senator and assemblyman who maintains temporary quarters in or near Carson City for which he has entered into a lease or other agreement for continuous occupancy for the duration of a legislative session is entitled to receive a lodging allowance equal to that portion of the [expense] *per diem* allowance which the legislative commission designates by rule as being allocated to lodging, for not more than 14 days in each period in which:

(a) The legislature has adjourned until a time certain; and

(b) The senator or assemblyman is not entitled to a per diem [expense] allowance pursuant to subsection 4.

6. Each senator and assemblyman is entitled to receive a telephone allowance of not more than \$2,800 for the payment of tolls and charges incurred by him in the performance of official business during each regular

session of the legislature and not more than \$300 during each special session of the legislature.

7. An employee of the legislature assigned to serve a standing committee is entitled to receive the *per diem allowance and* travel expenses [and per diem expense allowance provided by law] *provided* for state employees generally if he is required to attend a hearing of the committee outside Carson City.

8. Claims for expenses made [under the provisions of] *pursuant to* this section must be made as other claims are made against the state, and must be paid from the legislative fund. Claims for per diem [expense] allowances authorized by subsection 4 and lodging allowances authorized by subsection 5 must be paid once each week during a legislative session and upon completion of a presession orientation conference.

9. A claim for travel expenses authorized by subsection 2 or 3 must not be paid unless the senator or assemblyman submits a signed statement affirming:

(a) The date of the travel; and

(b) The places of departure and arrival and, if the travel is by private conveyance, the actual miles traveled. If the travel is not by private conveyance, the claim must include a receipt or other evidence of the expenditure.

Statements submitted pursuant to this subsection are available for public inspection as provided by NRS 218.625.

10. Travel expenses authorized by subsections 2 and 3 are limited to [:

(a) If the travel is by private conveyance, a rate equal to the standard mileage reimbursement rate for which a deduction is allowed for the purposes

of federal income tax.] *those provided for state officers and employees generally.* If two or more legislators travel in the same private conveyance, the legislator who provided or arranged for providing the transportation is presumed entitled to reimbursement.

[(b) If the travel is not by private conveyance, the actual amount expended. Transportation must be by the most economical means, considering total cost, time spent in transit and the availability of state-owned automobiles.]

Sec. 6. NRS 218.220 is hereby amended to read as follows:

218.220 1. [The] *Except as otherwise provided by specific statute, the per diem allowance and the [travel and telephone] expenses of senators and assemblymen elected or appointed and in attendance at any session or pre-session orientation conference of the legislature must be allowed in the manner set forth in this section [.] upon the presentation of vouchers to the director of the legislative counsel bureau. A voucher submitted pursuant to this section must comply with rules adopted by the legislative commission, in accordance with generally accepted principles of accounting, prescribing the required contents of such vouchers.*

2. For initial travel from his home to Carson City, Nevada, to attend a session or pre-session orientation conference of the legislature, and for return travel from Carson City, Nevada, to his home upon adjournment sine die of a session or termination of a pre-session orientation conference of the legislature, each senator and assemblyman is entitled to receive:

(a) The per diem allowance provided for state officers and employees generally for one day's travel to and one day's travel from the session or conference.

(b) Travel expenses.

3. In addition to the per diem and travel expenses authorized by subsection 2, each senator and assemblyman is entitled to receive [a supplemental allowance which must not exceed:

(a) A total of \$6,800 during each] :

(a) *During a* regular session of the legislature [for:

(1) His] , *his* actual expenses in moving to and from Carson City for the session; and

[(2) Travel]

(b) *During a regular or special session, the expenses of travel* to and from his home or temporary residence or [for traveling] *travel* to and from legislative committee and subcommittee meetings or hearings or [for] individual travel within the state which relates to legislative business . [; and

(b) A total of \$1,000 during each special session of the legislature for travel to and from his home or temporary residence or for traveling to and from legislative committee and subcommittee meetings or hearings or for individual travel within the state which relates to legislative business.]

4. Each senator and assemblyman is entitled to receive the per diem allowance provided for state officers and employees generally for each day that the legislature is in session or in a pre-session orientation conference and for

each day that he attends a meeting of a standing committee of which he is a member when the legislature has adjourned for more than 4 days.

5. Each senator and assemblyman who maintains temporary quarters in or near Carson City for which he has entered into a lease or other agreement for continuous occupancy for the duration of a legislative session is entitled to receive a lodging allowance equal to that portion of the per diem allowance which the legislative commission designates by rule as being allocated to lodging, for not more than 14 days in each period in which:

(a) The legislature has adjourned until a time certain; and

(b) The senator or assemblyman is not entitled to a per diem allowance pursuant to subsection 4.

6. Each senator and assemblyman is entitled to [receive a telephone allowance of not more than \$2,800 for the payment of tolls and charges incurred by him in the performance of official business during each regular session of the legislature and not more than \$300 during each special session of the legislature.] *reimbursement of expenses for postage and other communication charges actually incurred by him in the performance of legislative business.*

7. An employee of the legislature assigned to serve a standing committee is entitled to receive the per diem allowance and travel expenses provided for state employees generally if he is required to attend a hearing of the committee outside Carson City.

8. Claims for expenses made pursuant to this section must be [made as other claims are made against the state, and must be] paid from the legislative

fund. Claims for per diem allowances authorized by subsection 4 and lodging allowances authorized by subsection 5 *for which vouchers have been received* must be paid once each week during a legislative session and upon completion of a pre-session orientation conference.

9. A claim for travel expenses authorized by subsection 2 or 3 must not be paid unless the senator or assemblyman submits a signed statement affirming:

(a) The date of the travel; and

(b) The places of departure and arrival and, if the travel is by private conveyance, the actual miles traveled. If the travel is not by private conveyance, the claim must include a receipt or other evidence of the expenditure.

[Statements submitted pursuant to this subsection are available for public inspection as provided by NRS 218.625.]

10. Travel expenses authorized by subsections 2 and 3 are limited to those provided for state officers and employees generally. If two or more legislators travel in the same private conveyance, the legislator who provided or arranged for providing the transportation is presumed entitled to reimbursement.

11. Statements and vouchers submitted pursuant to this section are available for public inspection as provided by NRS 218.625 for the records of travel expenses of legislators.

Sec. 7. NRS 218.2205 is hereby amended to read as follows:

218.2205 1. During a regular session of the legislature, any legislator may apply for advance money for travel expenses [, not to exceed in the aggregate the total amount of travel expenses to which he is entitled under NRS 218.220

for a regular session.] by filing a request with the majority leader of the senate if a senator, or the speaker of the assembly if an assemblyman.

2. The majority leader or the speaker may disapprove a request for advance money for travel. If the majority leader or the speaker approves the request, he shall forward a copy of the request and the approval to the chief of the administrative division of the legislative counsel bureau.

3. Upon receiving a copy of the request and the approval from the majority leader or the speaker, the chief of the administrative division shall issue a check drawn upon the checking account of the legislative counsel bureau maintained pursuant to NRS 218.644 for the amount of the advance requested.

4. When approved by the majority leader or the speaker, a request for advance money constitutes a lien in favor of the legislative fund upon the accrued salary, subsistence allowance and travel expenses of the legislator in an amount equal to the sum advanced.

5. The legislator is entitled to receive upon a claim made pursuant to NRS 218.220 any authorized travel expenses in excess of the amount advanced. A legislator shall reimburse the legislative fund any amount advanced that is not used for travel expenses approved pursuant to NRS 218.220.

Sec. 8. NRS 218.2207 is hereby amended to read as follows:

218.2207 1. Except as otherwise provided in NRS 218.220, each senator and assemblyman is entitled to receive [an allowance for travel] *the travel expenses provided for state officers and employees generally* in the transaction of legislative business authorized by specific statute or the legislative commission . [, whether within or outside of the municipality or other area in

which his principal office is located. Transportation must be by the most economical means, considering total cost, time spent in transit and the availability of state-owned automobiles. The allowance is:

(a) If the travel is by private conveyance, the standard mileage reimbursement rate for which a deduction is allowed for the purposes of federal income tax.

(b) If the travel is not by private conveyance, the actual amount expended.]

2. Claims for expenses made pursuant to this section must be [made as other claims are made against the state, and must be] paid from the legislative fund unless otherwise provided by specific statute. A claim for travel expenses must not be paid unless the senator or assemblyman submits a signed statement affirming:

(a) The date of travel; and

(b) The places of departure and arrival and, if the travel is by private conveyance, the actual miles traveled. If the travel is not by private conveyance, the claim must include a receipt or other evidence of the expenditure.

Statements submitted pursuant to this subsection are available for public inspection as provided by NRS 218.625.

Sec. 9. NRS 218.223 is hereby amended to read as follows:

218.223 1. Except as *otherwise* provided in subsection 2 [,] *and subject to the requirements of NRS 218.2207*, each senator and assemblyman is entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding session, and the per diem

allowance and travel expenses provided [by law] *for state officers and employees generally* for each day of attendance at a pre-session orientation conference or at a conference, meeting, seminar or other gathering at which he officially represents the State of Nevada or its legislature.

2. This section does not apply:

(a) During a regular or special session of the legislature; or

(b) To any senator or assemblyman who is otherwise entitled to receive a salary and the per diem allowance and travel expenses.

Sec. 10. NRS 218.223 is hereby amended to read as follows:

218.223 1. Except as otherwise provided in subsection 2 and subject to the requirements of NRS 218.2207, each senator and assemblyman is entitled to receive the [compensation provided for a majority of the members of the legislature during the first 60 days of the preceding session, and the] per diem allowance and travel expenses provided for state officers and employees generally for each day of attendance at a pre-session orientation conference or at a conference, meeting, seminar or other gathering at which he officially represents the State of Nevada or its legislature.

2. This section does not apply:

(a) During a regular or special session of the legislature; or

(b) To any senator or assemblyman who is otherwise entitled to receive [a salary and] the per diem allowance and travel expenses.

Sec. 11. NRS 218.224 is hereby amended to read as follows:

218.224 A legislator who attends and is [compensated] *paid a per diem allowance or for travel expenses* for attending a:

1. Session or presession orientation conference of the legislature;
2. Meeting of an interim legislative committee; or
3. Meeting of the legislative commission or its audit subcommittee,

is not entitled to receive an additional day's [salary or compensation] *allowance or expenses* for any other such meeting or conference he attends in that day.

Sec. 12. NRS 218.5365 is hereby amended to read as follows:

218.5365 1. The members of the committee shall meet throughout each year at the times and places specified by a call of the chairman or a majority of the committee. The research director of the legislative counsel bureau or a person he has designated shall act as the nonvoting recording secretary. The committee shall prescribe regulations for its own management and government. Four members of the committee constitute a quorum, and a quorum may exercise all the power and authority conferred on the committee.

2. Except during a regular or special session of the legislature [,] *and subject to the requirements of NRS 218.2207*, the members of the committee who are state legislators are entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding session [,] *and the per diem allowance and travel expenses* provided for state officers and employees generally [and the travel expenses provided pursuant to NRS 218.2207] for each day of attendance at a meeting of the committee and while engaged in the business of the committee. Per diem allowances, compensation and travel expenses of the legislative members of the committee must be paid from the legislative fund.

3. The member of the committee who represents a local political subdivision is entitled to receive the subsistence allowances and travel expenses provided by law for his position for each day of attendance at a meeting of the committee and while engaged in the business of the committee, to be paid by his local political subdivision.

Sec. 13. NRS 218.5365 is hereby amended to read as follows:

218.5365 1. The members of the committee shall meet throughout each year at the times and places specified by a call of the chairman or a majority of the committee. The research director of the legislative counsel bureau or a person he has designated shall act as the nonvoting recording secretary. The committee shall prescribe regulations for its own management and government. Four members of the committee constitute a quorum, and a quorum may exercise all the power and authority conferred on the committee.

2. Except during a regular or special session of the legislature and subject to the requirements of NRS 218.2207, the members of the committee who are state legislators are entitled to receive the [compensation provided for a majority of the members of the legislature during the first 60 days of the preceding session and the] per diem allowance and travel expenses provided for state officers and employees generally for each day of attendance at a meeting of the committee and while engaged in the business of the committee. Per diem allowances [, compensation] and travel expenses of the legislative members of the committee must be paid from the legislative fund.

3. The member of the committee who represents a local political subdivision is entitled to receive the subsistence allowances and travel expenses

provided by law for his position for each day of attendance at a meeting of the committee and while engaged in the business of the committee, to be paid by his local political subdivision.

Sec. 14. NRS 218.680 is hereby amended to read as follows:

218.680 1. Except during a regular or special session of the legislature [,] *and subject to the requirements of NRS 218.2207*, for each day's or portion of a day's attendance at each meeting of the commission or its audit subcommittee, if a member of the subcommittee, or if engaged in the official business of the legislative counsel bureau, the members of the legislative commission are entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding session, and the per diem allowance *and travel expenses* provided for state officers and employees generally . [and the travel expenses provided pursuant to NRS 218.2207.]

2. An alternate member of the legislative commission who replaces a regular member at a meeting of the commission or on official business of the legislative counsel bureau is entitled to receive the same salary , *per diem allowance* and expenses as a regular member for the same service. An alternate member who attends a meeting of the commission but does not replace a regular member is entitled to the travel expenses provided [pursuant to NRS 218.2207.] *for a regular member*.

Sec. 15. NRS 218.680 is hereby amended to read as follows:

218.680 1. Except during a regular or special session of the legislature and subject to the requirements of NRS 218.2207, for each day's or portion of a day's attendance at each meeting of the commission or its audit subcommittee,

if a member of the subcommittee, or if engaged in the official business of the legislative counsel bureau, the members of the legislative commission are entitled to receive the [compensation provided for a majority of the members of the legislature during the first 60 days of the preceding session, and the] per diem allowance and travel expenses provided for state officers and employees generally.

2. An alternate member of the legislative commission who replaces a regular member at a meeting of the commission or on official business of the legislative counsel bureau is entitled to receive the same [salary,] per diem allowance and expenses as a regular member for the same service. An alternate member who attends a meeting of the commission but does not replace a regular member is entitled to the travel expenses provided for a regular member.

Sec. 16. NRS 218.682 is hereby amended to read as follows:

218.682 The legislative commission may:

1. Carry forward the participation of the State of Nevada as a member of the Council of State Governments and the National Conference of State Legislatures, and may pay annual dues to those organizations out of the legislative fund. The legislative commission is designated as Nevada's commission on interstate cooperation.

2. Encourage and assist the government of this state to develop and maintain friendly contact by correspondence, by conference, and otherwise, with the other states, with the Federal Government and with local units of government.

3. Establish such delegations and committees as official agencies of the legislative counsel bureau as [may be] *are* deemed advisable to confer with similar delegations and committees from other states concerning problems of mutual interest. The membership of those delegations and committees must be designated by the legislative commission and may consist of legislators and employees of the state other than members of the commission. Members of those delegations and committees shall serve without salary, but they are entitled to receive out of the legislative fund the per diem expense allowance *and travel expenses* provided for state officers and employees generally [and the travel expenses provided pursuant to] , *subject to the requirements of NRS 218.2207 [.] , if applicable.*

4. Endeavor to advance cooperation between this state and other units of government whenever it seems advisable to do so by formulating proposals for interstate compacts and reciprocal or uniform legislation, and by facilitating the adoption of uniform or reciprocal administrative rules and regulations, informal cooperation of governmental offices, personal cooperation among governmental officials and employees, interchange and clearance of research and information and any other suitable process.

5. Establish such subcommittees and interim or special committees as official agencies of the legislative counsel bureau as may be deemed advisable to deal with governmental problems, important issues of public policy and questions of statewide interest. The membership of those subcommittees and interim or special committees must be designated by the legislative commission and may consist of members of the legislative commission and legislators other

than members of the commission, employees of the State of Nevada or citizens of the State of Nevada. Members of those subcommittees and interim or special committees who are not legislators shall serve without salary, but they are entitled to receive out of the legislative fund the per diem expense allowances and travel expenses provided for state officers and employees generally. Except during a regular or special session of the legislature [,] *and subject to the requirements of NRS 218.2207*, members of those subcommittees and interim or special committees who are legislators are entitled to receive out of the legislative fund the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding session for each day or portion of a day of attendance, and the per diem [expense allowances] *allowance and travel expenses* provided for state officers and employees generally . [and the travel expenses provided pursuant to NRS 218.2207.]

6. Supervise the functions assigned to the divisions of the bureau in this chapter.

7. Authorize the director of the legislative counsel bureau to enter into agreements for the acquisition of property it deems necessary to support the legislature and its staff. The director may expend money from the legislative fund for this purpose.

Sec. 17. NRS 218.682 is hereby amended to read as follows:

218.682 The legislative commission may:

1. Carry forward the participation of the State of Nevada as a member of the Council of State Governments and the National Conference of State Legislatures, and may pay annual dues to those organizations out of the

legislative fund. The legislative commission is designated as Nevada's commission on interstate cooperation.

2. Encourage and assist the government of this state to develop and maintain friendly contact by correspondence, by conference, and otherwise, with the other states, with the Federal Government and with local units of government.

3. Establish such delegations and committees as official agencies of the legislative counsel bureau as are deemed advisable to confer with similar delegations and committees from other states concerning problems of mutual interest. The membership of those delegations and committees must be designated by the legislative commission and may consist of legislators and employees of the state other than members of the commission. Members of those delegations and committees shall serve without salary, but they are entitled to receive out of the legislative fund the per diem expense allowance and travel expenses provided for state officers and employees generally, subject to the requirements of NRS 218.2207, if applicable.

4. Endeavor to advance cooperation between this state and other units of government whenever it seems advisable to do so by formulating proposals for interstate compacts and reciprocal or uniform legislation, and by facilitating the adoption of uniform or reciprocal administrative rules and regulations, informal cooperation of governmental offices, personal cooperation among governmental officials and employees, interchange and clearance of research and information and any other suitable process.

5. Establish such subcommittees and interim or special committees as official agencies of the legislative counsel bureau as may be deemed advisable to deal with governmental problems, important issues of public policy and questions of statewide interest. The membership of those subcommittees and interim or special committees must be designated by the legislative commission and may consist of members of the legislative commission and legislators other than members of the commission, employees of the State of Nevada or citizens of the State of Nevada. Members of those subcommittees and interim or special committees who are not legislators [shall serve without salary, but they] are entitled to receive out of the legislative fund the per diem expense allowances and travel expenses provided for state officers and employees generally. Except during a regular or special session of the legislature and subject to the requirements of NRS 218.2207, members of those subcommittees and interim or special committees who are legislators are entitled to receive out of the legislative fund the [compensation provided for a majority of the members of the legislature during the first 60 days of the preceding session] *per diem allowance and travel expenses provided for state officers and employees generally* for each day or portion of a day of attendance . [, and the per diem allowance and travel expenses provided for state officers and employees generally.]

6. Supervise the functions assigned to the divisions of the bureau in this chapter.

7. Authorize the director of the legislative counsel bureau to enter into agreements for the acquisition of property it deems necessary to support the

legislature and its staff. The director may expend money from the legislative fund for this purpose.

Sec. 18. NRS 218.6825 is hereby amended to read as follows:

218.6825 1. There is hereby created in the legislative counsel bureau an interim finance committee composed of the members of the assembly standing committee on ways and means and the senate standing committee on finance during the current or immediately preceding session of the legislature. The immediate past chairman of the senate standing committee on finance is the chairman of the interim finance committee for the period ending with the convening of each even-numbered regular session of the legislature. The immediate past chairman of the assembly standing committee on ways and means is the chairman of the interim finance committee during the next legislative interim, and the chairmanship alternates between the houses of the legislature according to this pattern.

2. If any regular member of the committee informs the secretary that he will be unable to attend a particular meeting, the secretary shall notify the speaker of the assembly or the majority leader of the senate, as the case may be, to appoint an alternate for that meeting from the same house and political party as the absent member.

3. The interim finance committee, except as otherwise provided in subsection 4, may exercise the powers conferred upon it by law only when the legislature is not in regular or special session. The membership of any member who does not become a candidate for reelection or who is defeated for reelection continues until the next session of the legislature is convened.

4. During a regular session the interim finance committee may also perform the duties imposed on it by subsections 4 and 6 of NRS 284.115, subsection 3 of NRS 328.480, subsection 1 of NRS 341.145, 353.220, 353.224, 353.335 and 428.375 and subsection 6 of NRS 445.700. In performing those duties, the senate standing committee on finance and the assembly standing committee on ways and means may meet separately and transmit the results of their respective votes to the chairman of the interim finance committee to determine the action of the interim finance committee as a whole.

5. The director of the legislative counsel bureau shall act as the secretary of the interim finance committee.

6. A majority of the members of the assembly standing committee on ways and means and a majority of the members of the senate standing committee on finance, jointly, may call a meeting of the interim finance committee if the chairman does not do so.

7. In all matters requiring action by the interim finance committee, the vote of the assembly and senate members must be taken separately. An action must not be taken unless it receives the affirmative vote of a majority of the assembly members and a majority of the senate members.

8. Except during a regular or special session of the legislature [,] *and subject to the requirements of NRS 218.2207*, each member of the interim finance committee and appointed alternate is entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session for each day or portion of a day during which he attends a committee meeting or is otherwise engaged in

committee work , plus the per diem allowance *and travel expenses* provided for state officers and employees generally . [and the travel expenses provided pursuant to NRS 218.2207.] All such compensation must be paid from the contingency fund in the state treasury.

Sec. 19. NRS 218.6825 is hereby amended to read as follows:

218.6825 1. There is hereby created in the legislative counsel bureau an interim finance committee composed of the members of the assembly standing committee on ways and means and the senate standing committee on finance during the current or immediately preceding session of the legislature. The immediate past chairman of the senate standing committee on finance is the chairman of the interim finance committee for the period ending with the convening of each even-numbered regular session of the legislature. The immediate past chairman of the assembly standing committee on ways and means is the chairman of the interim finance committee during the next legislative interim, and the chairmanship alternates between the houses of the legislature according to this pattern.

2. If any regular member of the committee informs the secretary that he will be unable to attend a particular meeting, the secretary shall notify the speaker of the assembly or the majority leader of the senate, as the case may be, to appoint an alternate for that meeting from the same house and political party as the absent member.

3. The interim finance committee, except as otherwise provided in subsection 4, may exercise the powers conferred upon it by law only when the legislature is not in regular or special session. The membership of any member

who does not become a candidate for reelection or who is defeated for reelection continues until the next session of the legislature is convened.

4. During a regular session the interim finance committee may also perform the duties imposed on it by subsections 4 and 6 of NRS 284.115, subsection 3 of NRS 328.480, subsection 1 of NRS 341.145, 353.220, 353.224, 353.335 and 428.375 and subsection 6 of NRS 445.700. In performing those duties, the senate standing committee on finance and the assembly standing committee on ways and means may meet separately and transmit the results of their respective votes to the chairman of the interim finance committee to determine the action of the interim finance committee as a whole.

5. The director of the legislative counsel bureau shall act as the secretary of the interim finance committee.

6. A majority of the members of the assembly standing committee on ways and means and a majority of the members of the senate standing committee on finance, jointly, may call a meeting of the interim finance committee if the chairman does not do so.

7. In all matters requiring action by the interim finance committee, the vote of the assembly and senate members must be taken separately. An action must not be taken unless it receives the affirmative vote of a majority of the assembly members and a majority of the senate members.

8. Except during a regular or special session of the legislature and subject to the requirements of NRS 218.2207, each member of the interim finance committee and appointed alternate is entitled to receive the [compensation provided for a majority of the members of the legislature during the first 60

days of the preceding regular session] *per diem allowance and travel expenses provided for state officers and employees generally* for each day or portion of a day during which he attends a committee meeting or is otherwise engaged in committee work . [, plus the per diem allowance and travel expenses provided for state officers and employees generally.] All such compensation must be paid from the contingency fund in the state treasury.

Sec. 20. NRS 176.003 is hereby amended to read as follows:

176.003 1. The commission for establishing suggested sentences for felonies, consisting of 13 voting members, is hereby created.

2. The governor shall appoint:

- (a) One member who is a justice of the supreme court;
- (b) Two members who are district judges;
- (c) One member who is a senator;
- (d) One member who is an assemblyman;
- (e) One member who is an attorney in private practice who specializes in defending criminal actions;
- (f) One member who is a district attorney;
- (g) One member who is a representative of the attorney general;
- (h) One member who is a representative of a law enforcement agency; and
- (i) Two members who are representatives of the general public.

The director of the department of prisons and the chief parole and probation officer are ex officio members of the commission.

3. The attorney in private practice and the representatives of the general public who are members of the commission are entitled to receive a salary of

not more than \$80, as fixed by the commission, for each day's attendance at a meeting of the commission. The legislators who are members of the commission are entitled to receive the salary provided for a majority of the members of the legislature during the first 60 days of the preceding session for each day's attendance at a meeting of the commission.

4. While engaged in the business of the commission [.] *and subject to the requirements of NRS 218.2207, if applicable*, each member and employee of the commission is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

Sec. 21. NRS 176.003 is hereby amended to read as follows:

176.003 1. The commission for establishing suggested sentences for felonies, consisting of 13 voting members, is hereby created.

2. The governor shall appoint:

- (a) One member who is a justice of the supreme court;
- (b) Two members who are district judges;
- (c) One member who is a senator;
- (d) One member who is an assemblyman;
- (e) One member who is an attorney in private practice who specializes in defending criminal actions;
- (f) One member who is a district attorney;
- (g) One member who is a representative of the attorney general;
- (h) One member who is a representative of a law enforcement agency; and
- (i) Two members who are representatives of the general public.

The director of the department of prisons and the chief parole and probation officer are ex officio members of the commission.

3. The attorney in private practice and the representatives of the general public who are members of the commission are entitled to receive a salary of not more than \$80, as fixed by the commission, for each day's attendance at a meeting of the commission. [The legislators who are members of the commission are entitled to receive the salary provided for a majority of the members of the legislature during the first 60 days of the preceding session for each day's attendance at a meeting of the commission.]

4. While engaged in the business of the commission and subject to the requirements of NRS 218.2207, if applicable, each member and employee of the commission is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

Sec. 22. NRS 209.4813 is hereby amended to read as follows:

209.4813 1. The advisory board on industrial programs is hereby created.

2. The advisory board consists of the director of the department of prisons, the director of the department of general services and eight members appointed by the interim finance committee as follows:

- (a) Two members of the senate.
- (b) Two members of the assembly.
- (c) Two persons who represent manufacturing in this state.
- (d) One person who represents business in this state.
- (e) One person who represents organized labor in this state.

3. The members of the advisory board shall select a chairman from among their membership.

4. Each member of the advisory board appointed by the interim finance committee must be appointed to a term of 2 years and may be reappointed.

5. Except during a regular or special session of the legislature [.] *and subject to the requirements of NRS 218.2207*, each legislator who is a member of the advisory board is entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session for each day or portion of a day during which he attends a meeting of the advisory board or is otherwise engaged in the work of the advisory board [.] , *plus the per diem allowance and travel expenses provided for state officers and employees generally*. Each nonlegislative member appointed by the interim finance committee is entitled to receive compensation for his service on the advisory board in the same amount and manner as the legislative members whether or not the legislature is in session. Each nonlegislative member of the advisory board is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally. [Each legislator who is a member of the advisory board is entitled to receive the per diem allowance provided for state officers and employees generally and the travel expenses provided pursuant to NRS 218.2207.] All compensation, allowances and travel expenses must be paid from the fund for prison industries.

Sec. 23. NRS 209.4813 is hereby amended to read as follows:

209.4813 1. The advisory board on industrial programs is hereby created.

2. The advisory board consists of the director of the department of prisons, the director of the department of general services and eight members appointed by the interim finance committee as follows:

- (a) Two members of the senate.
- (b) Two members of the assembly.
- (c) Two persons who represent manufacturing in this state.
- (d) One person who represents business in this state.
- (e) One person who represents organized labor in this state.

3. The members of the advisory board shall select a chairman from among their membership.

4. Each member of the advisory board appointed by the interim finance committee must be appointed to a term of 2 years and may be reappointed.

5. Except during a regular or special session of the legislature and subject to the requirements of NRS 218.2207, each legislator who is a member of the advisory board is entitled to receive the [compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session] *per diem allowance and travel expenses provided for state officers and employees generally* for each day or portion of a day during which he attends a meeting of the advisory board or is otherwise engaged in the work of the advisory board . [, plus the per diem allowance and travel expenses provided for state officers and employees generally. Each] *Whether or not the legislature is in session, each* nonlegislative member appointed by the interim finance committee is entitled to receive [compensation for his service on the advisory board in the same amount and manner as the legislative members

whether or not the legislature is in session. Each nonlegislative member of the advisory board is entitled to receive] *a salary of \$130 for each day's attendance at a meeting of the advisory board, plus the per diem allowance and travel expenses provided for state officers and employees generally.* All compensation, allowances and travel expenses must be paid from the fund for prison industries.

Sec. 24. NRS 224.050 is hereby amended to read as follows:

224.050 1. Until the first Monday in January 1991, the lieutenant governor is entitled to receive an annual salary of \$12,500. From and after the first Monday in January 1991, the lieutenant governor is entitled to receive an annual salary of \$20,000.

2. In addition to the annual salary provided for in subsection 1, the lieutenant governor is entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the session and the per diem allowance and travel expenses [authorized for the members of the legislature.] *provided for state officers and employees generally.*

3. In addition to the salary provided in subsections 1 and 2, the lieutenant governor is entitled to receive \$130 for each day on which he is actually employed as governor and the per diem allowance and travel expenses [as] provided for state officers and employees generally when acting as governor, or when discharging other official duties as lieutenant governor, at times when the legislature is not in session.

Sec. 25. NRS 224.050 is hereby amended to read as follows:

224.050 1. Until the first Monday in January 1991, the lieutenant governor is entitled to receive an annual salary of \$12,500. From and after the first Monday in January 1991, the lieutenant governor is entitled to receive an annual salary of \$20,000.

2. In addition to the annual salary provided for in subsection 1, the lieutenant governor is entitled to receive [the compensation provided for a majority of the members of the legislature] *as compensation \$130 per day* during the first 60 days of [the session] *each regular session of the legislature* and the per diem allowance and travel expenses provided for state officers and employees generally.

3. In addition to the salary provided in subsections 1 and 2, the lieutenant governor is entitled to receive \$130 for each day on which he is actually employed as governor and the per diem allowance and travel expenses provided for state officers and employees generally when acting as governor, or when discharging other official duties as lieutenant governor, at times when the legislature is not in session.

Sec. 26. NRS 233F.250 is hereby amended to read as follows:

233F.250 1. The board shall meet at least quarterly and at the times and places specified by the call of the chairman.

2. Except during a regular or special session of the legislature [,] *and subject to the requirements of NRS 218.2207*, each legislator who is a member of the board is entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session for each day or portion of a day during which he attends a meeting of

the board or is otherwise engaged in the work of the board and the per diem allowance and travel expenses provided for state officers and employees generally. The salaries, per diem and travel expenses of the legislative members must be paid from the legislative fund. Each nonlegislative member of the board shall serve without compensation but is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally from the department of general services operating fund.

Sec. 27. NRS 233F.250 is hereby amended to read as follows:

233F.250 1. The board shall meet at least quarterly and at the times and places specified by the call of the chairman.

2. Except during a regular or special session of the legislature and subject to the requirements of NRS 218.2207, each legislator who is a member of the board is entitled to receive the [compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session] *per diem allowance and travel expenses provided for state officers and employees generally* for each day or portion of a day during which he attends a meeting of the board or is otherwise engaged in the work of the board . [and the per diem allowance and travel expenses provided for state officers and employees generally. The salaries,] *The per diem and travel expenses of the legislative members must be paid from the legislative fund. Each nonlegislative member of the board [shall serve without compensation but] is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally from the department of general services operating fund.*

Sec. 28. NRS 286.113 is hereby amended to read as follows:

286.113 1. There is hereby created an interim retirement committee of the legislature composed of:

(a) Three members of the senate, one of whom is the chairman of the committee on finance during the preceding session and two of whom [shall] *must* be appointed by the majority leader of the senate.

(b) Three members of the assembly, one of whom is the chairman of the committee on ways and means and two of whom [shall] *must* be appointed by the speaker.

2. The immediate past chairman of the committee on ways and means [shall be] *is* the chairman of the interim retirement committee for the period ending with the convening of the 60th session of the legislature. The immediate past chairman of the committee on finance [shall be] *is* the chairman of the interim retirement committee during the next legislative interim, and the chairmanship [shall continue to alternate] *alternates* between the houses of the legislature according to this pattern.

3. The interim retirement committee exists only when the legislature is not in regular or special session. During those times, it shall meet at the call of the chairman to review the operation of the system and to make recommendations to the board, the legislative commission and the legislature.

4. The director of the legislative counsel bureau shall provide a secretary for the interim retirement committee. Each member of the committee is entitled to a salary of \$80 for each day or part of a day during which he attends a committee meeting or is otherwise engaged in the work of the

committee [. Per] , *plus the per diem allowance and travel expenses provided for state officers and employees generally. Subject to the requirements of NRS 218.2207, per diem allowances, salary and travel expenses of members of the committee must be paid from the legislative fund.*

Sec. 29. NRS 286.113 is hereby amended to read as follows:

286.113 1. There is hereby created an interim retirement committee of the legislature composed of:

(a) Three members of the senate, one of whom is the chairman of the committee on finance during the preceding session and two of whom must be appointed by the majority leader of the senate.

(b) Three members of the assembly, one of whom is the chairman of the committee on ways and means and two of whom must be appointed by the speaker.

2. The immediate past chairman of the committee on ways and means is the chairman of the interim retirement committee for the period ending with the convening of the 60th session of the legislature. The immediate past chairman of the committee on finance is the chairman of the interim retirement committee during the next legislative interim, and the chairmanship alternates between the houses of the legislature according to this pattern.

3. The interim retirement committee exists only when the legislature is not in regular or special session. During those times, it shall meet at the call of the chairman to review the operation of the system and to make recommendations to the board, the legislative commission and the legislature.

4. The director of the legislative counsel bureau shall provide a secretary for the interim retirement committee. Each member of the committee is entitled to [a salary of \$80] *the per diem allowance and travel expenses provided for state officers and employees generally* for each day or part of a day during which he attends a committee meeting or is otherwise engaged in the work of the committee . [, plus the per diem allowance and travel expenses provided for state officers and employees generally.] Subject to the requirements of NRS 218.2207, per diem allowances [, salary] and travel expenses of members of the committee must be paid from the legislative fund.

Sec. 30. NRS 287.044 is hereby amended to read as follows:

287.044 1. A part of the cost of the premiums or contributions for that group insurance, not to exceed the amount specified by law, applied to both group life and group accident or health coverage, for each public officer [, except a senator or assemblyman,] or employee electing to participate in the group insurance program, may be paid by the department, agency, commission or public agency which employs the officer or employee in whose behalf that part is paid from money appropriated to or authorized for that department, agency, commission or public agency for that purpose. Participation by the state in the cost of premiums or contributions must not exceed the amounts specified by law. If an officer or employee chooses to cover his dependents, whenever this option is made available by the committee on group insurance, he must pay the difference between the amount of the premium or contribution for the coverage for himself and his dependents and the amount paid by the state.

2. A department, agency, commission or public agency shall not pay any part of those premiums if the group life insurance or group accident or health insurance is not approved by the committee on group insurance.

Sec. 31. NRS 287.046 is hereby amended to read as follows:

287.046 1. [Except as provided in subsection 3, any] Any state or other participating officer or employee who elects to participate in the state's group insurance program may participate, and the department, agency, commission or public agency which employs the officer or employee shall pay the state's share of the cost of the premiums or contributions for the group insurance from money appropriated or authorized as provided in NRS 287.044. Employees who elect to participate in the state's group insurance program must authorize deductions from their compensation for the payment of premiums or contributions on the insurance.

2. The department of personnel shall pay the amount provided by law for that fiscal year toward the cost of the premiums or contributions for group insurance for persons retired from the service of the state who have continued to participate. The department shall agree through the committee on group insurance with the insurer for billing of remaining premiums or contributions for the retired participant and his dependents to the retired participant and to his dependents who elect to continue coverage under the group insurance after his death.

3. [A] *The state's share of the cost of the premiums or contributions for a senator or assemblyman who elects to participate in the state's group insurance program [shall pay the entire premium or contribution for his insurance.] must*

be paid from the legislative fund from money appropriated to the fund for that purpose.

Sec. 32. NRS 427A.036 is hereby amended to read as follows:

427A.036 1. Each voting member of the commission is entitled to receive a salary of not more than \$80 per day, as fixed by the commission, while engaged in the business of the commission.

2. While engaged in the business of the commission, each member of the commission appointed pursuant to subsection 2 or paragraph (a), (b) or (d) of subsection 3 of NRS 427A.032 and each employee of the commission is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

3. The commission may expend in accordance with law all money made available for its use.

4. Except during a regular or special session of the legislature [,] *and subject to the requirements of NRS 218.2207*, each legislative member of the commission is entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session for each day or portion of a day during which he attends a meeting of the commission or is otherwise engaged in the business of the commission, plus the per diem allowance and travel expenses provided for state officers and employees generally. The salaries and expenses of the legislative members of the commission must be paid from the legislative fund.

Sec. 33. NRS 427A.036 is hereby amended to read as follows:

427A.036 1. Each voting member of the commission is entitled to receive a salary of not more than \$80 per day, as fixed by the commission, while engaged in the business of the commission.

2. While engaged in the business of the commission, each member of the commission appointed pursuant to subsection 2 or paragraph (a), (b) or (d) of subsection 3 of NRS 427A.032 and each employee of the commission is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

3. The commission may expend in accordance with law all money made available for its use.

4. Except during a regular or special session of the legislature and subject to the requirements of NRS 218.2207, each legislative member of the commission is entitled to receive the [compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session] *per diem allowance and travel expenses provided for state officers and employees generally* for each day or portion of a day during which he attends a meeting of the commission or is otherwise engaged in the business of the commission . [, plus the per diem allowance and travel expenses provided for state officers and employees generally. The salaries and] *The* expenses of the legislative members of the commission must be paid from the legislative fund.

Sec. 34. NRS 439B.210 is hereby amended to read as follows:

439B.210 1. The members of the committee shall meet throughout each year at the times and places specified by a call of the chairman or a majority of the committee. The director of the legislative counsel bureau or a person he

has designated shall act as the nonvoting recording secretary. The committee shall prescribe regulations for its own management and government. Four members of the committee constitute a quorum, and a quorum may exercise all the powers conferred on the committee.

2. Except during a regular or special session of the legislature [, members] *and subject to the requirements of NRS 218.2207, each member* of the committee [are] *is* entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session for each day or portion of a day during which he attends a meeting of the committee or is otherwise engaged in the business of the committee , plus the per diem allowance *and travel expenses* provided for state officers and employees generally . [and the travel expenses provided pursuant to NRS 218.2207.]

3. The salaries and expenses of the committee must be paid from the legislative fund.

Sec. 35. NRS 439B.210 is hereby amended to read as follows:

439B.210 1. The members of the committee shall meet throughout each year at the times and places specified by a call of the chairman or a majority of the committee. The director of the legislative counsel bureau or a person he has designated shall act as the nonvoting recording secretary. The committee shall prescribe regulations for its own management and government. Four members of the committee constitute a quorum, and a quorum may exercise all the powers conferred on the committee.

2. Except during a regular or special session of the legislature and subject to the requirements of NRS 218.2207, each member of the committee is entitled to receive the [compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session] *per diem allowance and travel expenses provided for state officers and employees generally* for each day or portion of a day during which he attends a meeting of the committee or is otherwise engaged in the business of the committee . [, plus the per diem allowance and travel expenses provided for state officers and employees generally.]

3. The [salaries and] expenses of the committee must be paid from the legislative fund.

Sec. 36. NRS 459.0085 is hereby amended to read as follows:

459.0085 1. There is hereby created a committee on high-level radioactive waste. It is a committee of the legislature composed of:

(a) Three members of the senate, appointed by the majority leader of the senate.

(b) Four members of the assembly, appointed by the speaker.

2. The legislative commission shall select a chairman and a vice chairman from the members of the committee.

3. The committee shall meet at the call of the chairman to study and evaluate:

(a) Information and policies regarding the location in this state of a facility for the disposal of high-level radioactive waste;

(b) Any potentially adverse effects from the construction and operation of a facility and the ways of mitigating those effects; and

(c) Any other policies relating to the disposal of high-level radioactive waste.

4. The committee shall report the results of its studies and evaluations to the legislative commission and the interim finance committee at such times as the legislative commission or the interim finance committee [may] require.

5. The committee may recommend any appropriate legislation to the legislature and the legislative commission.

6. The director of the legislative counsel bureau shall provide a secretary for the committee on high-level radioactive waste. Except during a regular or special session of the legislature [,] *and subject to the requirements of NRS 218.2207*, each member of the committee is entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session for each day or portion of a day during which he attends a committee meeting or is otherwise engaged in the work of the committee , plus the per diem allowance *and travel expenses* provided for state officers and employees generally . [and the travel expenses provided pursuant to NRS 218.2207.] Per diem allowances, salary and travel expenses of members of the committee must be paid from the legislative fund.

Sec. 37. NRS 459.0085 is hereby amended to read as follows:

459.0085 1. There is hereby created a committee on high-level radioactive waste. It is a committee of the legislature composed of:

(a) Three members of the senate, appointed by the majority leader of the senate.

(b) Four members of the assembly, appointed by the speaker.

2. The legislative commission shall select a chairman and a vice chairman from the members of the committee.

3. The committee shall meet at the call of the chairman to study and evaluate:

(a) Information and policies regarding the location in this state of a facility for the disposal of high-level radioactive waste;

(b) Any potentially adverse effects from the construction and operation of a facility and the ways of mitigating those effects; and

(c) Any other policies relating to the disposal of high-level radioactive waste.

4. The committee shall report the results of its studies and evaluations to the legislative commission and the interim finance committee at such times as the legislative commission or the interim finance committee require.

5. The committee may recommend any appropriate legislation to the legislature and the legislative commission.

6. The director of the legislative counsel bureau shall provide a secretary for the committee on high-level radioactive waste. Except during a regular or special session of the legislature and subject to the requirements of NRS 218.2207, each member of the committee is entitled to receive the [compensation provided for a majority of the members of the legislature during the first 60 days of the preceding regular session] *per diem allowance and travel*

expenses provided for state officers and employees generally for each day or portion of a day during which he attends a committee meeting or is otherwise engaged in the work of the committee . [, plus the per diem allowance and travel expenses provided for state officers and employees generally.] Per diem allowances [, salary] and travel expenses of members of the committee must be paid from the legislative fund.

Sec. 38. 1. NRS 218.201, 218.202, 218.203, 218.204, 218.205 and 218.206 are hereby repealed.

2. NRS 218.210 and 218.221 are hereby repealed.

Sec. 39. 1. Sections 3 and 4 of this act and the amendatory provisions of sections 6, 7, 10, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 30, 31, 33, 35 and 37 and subsection 2 of section 38 of this act do not apply during the term of any senator:

(a) Elected on or after November 3, 1992, and before November 5, 1996; or

(b) Appointed to succeed a senator elected on or after November 3, 1992, and before November 5, 1996,

unless an amendment to the Nevada constitution is approved by the voters on or before November 8, 1994, to remove the provision that prohibits an increase in the compensation of a legislator from becoming effective during the term for which he has been elected.

2. Section 3 of this act must not be applied during the term of any senator elected before November 8, 1994, or appointed to succeed a senator elected before that date, to reduce the salary of such a senator.

Sec. 40. 1. This section, sections 1, 2, 5, 8, 9, 12, 14, 16, 18, 20, 22, 24, 26, 28, 32, 34, 36 and subsection 1 of section 38 of this act become effective upon passage and approval.

2. Sections 3, 4, 6, 7, 10, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 33, 35, 37, subsection 2 of section 38 and section 39 of this act become effective on November 8, 1994, only if an amendment to the Nevada constitution is approved by the voters on or before that date to remove the provision that limits the time within which compensation may be paid to members of the legislature.

3. Sections 30 and 31 of this act become effective on November 8, 1994, only if an amendment to the Nevada constitution is approved as described in subsection 2 and a further amendment is approved on or before that date to remove the provision that prohibits an increase in the compensation of a legislator from becoming effective during the term for which he has been elected.

LEADLINES OF REPEALED SECTIONS

218.201 Commission to review the compensation of legislators: Creation; membership; officers.

218.202 Commission to review the compensation of legislators: Terms and removal of members; vacancies.

218.203 Commission to review the compensation of legislators: Compensation of members; meetings; secretary.

218.204 Commission to review the compensation of legislators: Quorum.

218.205 Commission to review the compensation of legislators: Duties.

218.206 Commission to review the compensation of legislators: Legislative consideration of and action on findings and recommendations.

218.210 Compensation of senators and assemblymen.

218.221 Allowance to certain officers of houses and chairmen of standing committees for postage, telephone tolls and other expenses of communication.

SUMMARY--Makes various changes relating to compensation of certain public officers. (BDR 18-1269)

FISCAL NOTE: Effect on Local Government: Yes.

Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to public officers; providing for adjustments in the salaries of certain elected officers based upon adjustments in the salaries of state employees generally; repealing the prospective expiration of the commission to review the salaries of legislators and all other elected state and local government officers whose salaries are set by the legislature; and providing other matters properly relating thereto.

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

Section 1. NRS 223.050 is hereby amended to read as follows:

223.050 [Until the first Monday in January 1991, the governor is entitled to receive an annual salary of \$77,500. From and after the first Monday in January 1991, the] *The governor is entitled to receive an annual salary of \$90,000. If the salaries of state employees in the classified service are increased or decreased pursuant to an adjusted pay plan, the annual salary of the governor must be increased or decreased correspondingly.*

Sec. 2. NRS 224.050 is hereby amended to read as follows:

224.050 1. [Until the first Monday in January 1991, the lieutenant governor is entitled to receive an annual salary of \$12,500. From and after the first Monday in January 1991, the] *The lieutenant governor is entitled to receive an annual salary of \$20,000. If the salaries of state employees in the classified service are increased or decreased pursuant to an adjusted pay plan, the annual salary of the lieutenant governor must be increased or decreased correspondingly.*

2. In addition to the annual salary provided for in subsection 1, the lieutenant governor is entitled to receive the compensation provided for a majority of the members of the legislature during the first 60 days of the session and the per diem allowance and travel expenses authorized for the members of the legislature.

3. In addition to the salary provided in subsections 1 and 2, the lieutenant governor is entitled to receive \$130 for each day on which he is actually employed as governor and the per diem allowance and travel expenses as provided for state officers and employees generally when acting as governor, or when discharging other official duties as lieutenant governor, at times when the legislature is not in session.

Sec. 3. NRS 225.050 is hereby amended to read as follows:

225.050 [Until the first Monday in January 1991, the secretary of state is entitled to receive an annual salary of \$50,500. From and after the first Monday in January 1991, the] *The secretary of state is entitled to receive an annual salary of \$62,500. If the salaries of state employees in the classified*

service are increased or decreased pursuant to an adjusted pay plan, the annual salary of the secretary of state must be increased or decreased correspondingly.

Sec. 4. NRS 226.090 is hereby amended to read as follows:

226.090 [Until the first Monday in January 1991, the state treasurer is entitled to receive an annual salary of \$49,000. From and after the first Monday in January 1991, the] *The state treasurer is entitled to receive an annual salary of \$62,500. If the salaries of state employees in the classified service are increased or decreased pursuant to an adjusted pay plan, the annual salary of the state treasurer must be increased or decreased correspondingly.*

Sec. 5. NRS 227.060 is hereby amended to read as follows:

227.060 [Until the first Monday in January 1991, the state controller is entitled to receive an annual salary of \$49,000. From and after the first Monday in January 1991, the] *The state controller is entitled to receive an annual salary of \$62,500. If the salaries of state employees in the classified service are increased or decreased pursuant to an adjusted pay plan, the annual salary of the state controller must be increased or decreased correspondingly.*

Sec. 6. NRS 228.070 is hereby amended to read as follows:

228.070 1. [Until the first Monday in January 1991, the attorney general is entitled to receive an annual salary of \$62,500. From and after the first Monday in January 1991, the] *The attorney general is entitled to receive an annual salary of \$85,000. If the salaries of state employees in the classified service are increased or decreased pursuant to an adjusted pay plan, the annual salary of the attorney general must be increased or decreased correspondingly.*

2. Except as otherwise provided in NRS 7.065, the attorney general shall not engage in the private practice of law.

Sec. 7. NRS 2.050 is hereby amended to read as follows:

2.050 1. [Until the first Monday in January 1991, the justices of the supreme court whose terms expire on the first Monday in January 1991 are entitled to receive an annual salary of \$61,500. From and after the first Monday in January 1991, their successors in office are entitled to receive a salary of \$85,000.

2. Until the first Monday in January 1993, the justices of the supreme court whose terms of office expire on the first Monday in January 1993 are entitled to receive an annual salary of \$73,500. From and after the first Monday in January 1993, their successors in office are entitled to receive a salary of \$85,000.

3. Until the first Monday in January 1995, the justice of the supreme court whose term of office expires on the first Monday in January 1995 is entitled to receive an annual salary of \$73,500. From and after the first Monday in January 1995, his successor in office is entitled to receive a salary of \$85,000.]

The annual base salary of each justice of the supreme court is \$85,000.

2. If the salaries of state employees in the classified service are increased or decreased pursuant to an adjusted pay plan, the annual base salary of each justice of the supreme court must be increased or decreased correspondingly.

3. If a justice of the supreme court has served as a justice of the court or as a district judge, or any combination thereof, for at least 6 years, he is entitled to an additional salary of 1 percent of his annual base salary for each year of

service as a district judge or as a justice of the supreme court, or any combination thereof. The additional salary must not exceed 22 percent of his base salary.

4. All salaries provided for in this section are payable in biweekly installments as other state officers are paid.

Sec. 8. NRS 3.030 is hereby amended to read as follows:

3.030 1. The annual base salary of each district judge is \$79,000. *If the salaries of state employees in the classified service are increased or decreased pursuant to an adjusted pay plan, the annual base salary of each district judge must be increased or decreased correspondingly.*

2. If a district judge has served in his office for at least 6 years, he is entitled to an additional salary of 1 percent of his base salary for each year of service. The additional salary must not exceed 22 percent of his base salary.

[2.] 3. The base salaries and the additional salary for longevity must be paid in biweekly installments out of the district judges' salary account of the supreme court.

[3.] 4. No salary of any district judge may be paid in advance.

Sec. 9. Section 8 of chapter 875, Statutes of Nevada 1989, at page 2134, is hereby amended to read as follows:

Sec. 8. [1.] This act becomes effective on July 1, 1989.

[2. Sections 1 to 6, inclusive, of this act, expire by limitation on June 30, 1991.]

Sec. 10. NRS 213.015 is hereby repealed.

Sec. 11. The amendatory provisions of this act must not be applied during the term of any judge or justice elected before November 8, 1994, or appointed to succeed a judge or justice elected before that date, to reduce the salary of such a judge or justice.

Sec. 12. 1. This section and section 9 of this act become effective upon passage and approval.

2. Sections 1 to 8, inclusive, 10 and 11 of this act become effective on January 2, 1995, only if an amendment to the Nevada constitution is approved by the voters before that date to remove the provisions that prohibit a change in the compensation of a justice of the supreme court, a district judge or any other officer whose compensation is fixed in the constitution from becoming effective during the term for which the officer has been elected.

TEXT OF REPEALED SECTION

213.015 Salaries of certain board members who are justices of supreme court.

1. Any member of the board whose annual salary as a justice of the supreme court is set by subsection 1 of NRS 2.050 shall receive no base salary as a member of the board.

2. Any member of the board whose annual salary as a justice of the supreme court is set by subsection 2 or 3 of NRS 2.050 is entitled to receive as a member of the board an annual base salary in an amount which when added to his salary as a justice equals the salary set by subsection 1 of NRS 2.050.

3. In addition to any base salary a member of the board may receive pursuant to subsection 1 or 2, if he has served as a district judge or as a justice of the supreme court, or any combination thereof, for at least 6 years, he is entitled to additional compensation of 1 percent of the sum of his annual salary as a justice of the supreme court and his base salary, if any, for each year of service as a district judge or as a justice of the supreme court, or any combination thereof. The additional compensation must not exceed 22 percent of the sum of his annual salary as a justice of the supreme court and his base salary.

4. The salaries provided for in this section must be paid out of money provided by direct legislative appropriation from the state general fund.