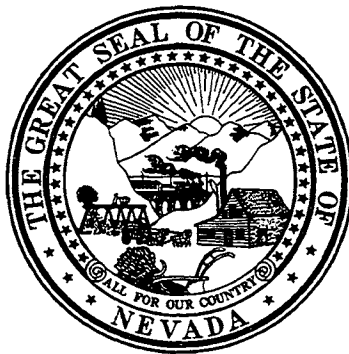


*Commission to Review Compensation of  
Certain Elected Public Officers*



*Legislative Counsel  
Bureau*

*Bulletin No.  
95-19*

*January 1995*



COMMISSION TO REVIEW COMPENSATION  
OF CERTAIN ELECTED OFFICERS

BULLETIN NO. 95-19

JANUARY 1995



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## SUMMARY OF RECOMMENDATIONS

The Commission to Review Compensation of Certain Elected Public Officers recommends that the 68th Session of the Nevada Legislature:

### District Court

1. **Increase the annual salary of District Court Judges from \$79,000 to \$100,000 (26.6 percent), effective January 1997 or as judges become eligible for this increase. (BDR 1-1079) (Senate Bill 16, 1995 Legislative Session)**
2. **Lower the number of years of service, from 6 to 5, after which a District Court Judge may receive additional compensation based on longevity. (BDR 1-1079) (Senate Bill 16, 1995 Legislative Session)**

### Supreme Court

3. **Increase the annual salary of Supreme Court Justices by 26.6 percent (\$85,000 to \$107,600), effective in January 1997 or as justices become eligible for this increase. (BDR 1-1079) (Senate Bill 16, 1995 Legislative Session)**
4. **Urge the Supreme Court to review accountability in the administration of courts in Nevada. (BDR R-1080)**

### Legislature

5. **Increase the salary of state legislators for each regular session served (at least 60 days in duration) from \$7,800 to \$11,100. (BDR 17-1078) (Senate Bill 84, 1995 Legislative Session)**
6. **Repeal the daily salary provided to legislators during a special session. (BDR 17-1078) (Senate Bill 84, 1995 Legislative Session)**
7. **Provide an allowance to each legislator of \$350 per month, only when the Legislature is not in session, to reimburse the miscellaneous expenses related to representational duties. (BDR 17-1078) (Senate Bill 84, 1995 Legislative Session)**

8. Lower the vesting period for legislative retirement from 10 to 5 years, and increase the monthly benefit from \$25 to \$30. (BDR 17-1078) (Senate Bill 84, 1995 Legislative Session)

#### Counties

9. Change certain classifications of counties in NRS 245.043 by separating two compensation groupings in existing Class 3, moving Lyon and Nye Counties into the higher of these two groupings, moving Lander County from existing Class 4 status to the lower grouping of counties in Class 3, and returning Lincoln County from existing Class 5 to its previous position in Class 4. (BDR 17-1078) (Senate Bill 84, 1995 Legislative Session)
10. Increase base salary levels for all elected county officers shown in NRS 245.043 by 25 percent, effective July 1, 1995. (BDR 17-1078) (Senate Bill 84, 1995 Legislative Session)
11. Amend NRS 245.044 to increase longevity pay for elected county officers from 1 to 2 percent, computed annually after 4 years of service, using the statutory base level. (BDR 17-1078) (Senate Bill 84, 1995 Legislative Session)



**OFFICERS AND MEMBERS OF THE  
COMMISSION TO REVIEW THE COMPENSATION OF  
CERTAIN ELECTED PUBLIC OFFICERS  
1994-1995**

**MEMBER**

**APPOINTED BY**

Dr. Albert C. Johns, Chairman  
Las Vegas, Nevada

Senate Minority Leader

Bertha Mullins, Vice Chair  
Reno, Nevada

Chief Justice of the  
Supreme Court

Virgil M. Getto  
Fallon, Nevada

Assembly Minority Leader

Ernie Hall  
Elko, Nevada

Governor  
(From Nominees of Nevada  
Association of Counties)

Paul W. May  
North Las Vegas, Nevada

Assembly Speaker

James I. Miller  
Reno, Nevada

Governor (From Congressional  
District No. 2)

John F. O'Reilly  
Las Vegas, Nevada

Chief Justice of the Supreme  
Court

Anna Peterson  
Las Vegas, Nevada

Senate Majority Leader

Barbara Robinson  
Las Vegas, Nevada

Governor (From Congressional  
District No. 1)



LETTER OF TRANSMITTAL TO THE MEMBERS OF THE  
68TH SESSION OF THE NEVADA LEGISLATURE

In accordance with Senate Bill 221 of the 1993 Legislative Session (Chapter 628, *Statutes of Nevada 1993*, pages 2633 through 2635) (Appendix A of this report), the following report by the Commission to Review the Compensation of Certain Elected Public Officers (*Nevada Revised Statutes* 281.157 through 281.1575) (Appendix B of this report) is submitted for review and possible action by the 68th Session of the Nevada Legislature.

We were honored by our appointment to the initial commission and were pleased to serve the State of Nevada 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 of the Research Division (principal staff), Scott Wasserman and Kristin Bullock of the Legal Division (legal counsel), John McCloskey of the Administrative Division (accounting), and Gloria Johnson and Jeanne Peyton of the Research Division (commission secretaries).

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 the LCB and are available for public review.

This report is transmitted to the members of the 68th Session of the Nevada Legislature for their consideration and appropriate action.

Respectfully submitted,

Dr. Albert C. Johns, Chairman  
Bertha Mullins, Vice Chair  
Virgil M. Getto  
Ernie Hall  
Paul W. May  
James I. Miller  
John F. O'Reilly  
Anna Peterson  
Barbara Robinson



REPORT TO THE 68TH SESSION  
OF THE NEVADA LEGISLATURE BY  
NEVADA'S COMMISSION TO REVIEW COMPENSATION  
OF CERTAIN ELECTED PUBLIC OFFICERS

**I. INTRODUCTION**

A proposal from the Sheriff's Association to increase the salaries of the 17 County Sheriffs in Nevada was presented to the 1993 Legislature in Senate Bill 221. Because of serious budgetary constraints during that session, the Legislature was unable to address the compensation needs of those officers or other elected public officials. Instead, staff of the Research Division of the Legislative Counsel Bureau was instructed to review the laws of other states concerning the structure of independent compensation commissions that make recommendations to their respective state legislatures. The result of this research and subsequent bill draft was a proposed commission for Nevada similar to the one that has operated successfully in the State of Minnesota since 1983.

Senate Bill 221, in its revised form to establish an on-going independent commission to review the compensation of certain elected public officers in Nevada, subsequently was approved by both houses of the 1993 Legislature and signed into law by the Governor. As approved, this measure created a commission to review the compensation of constitutional officers, legislators, Supreme Court Justices, District Judges, and elected county officers in Nevada. Four members of the Compensation Commission were appointed by the majority and minority leaders of both houses of the Legislature, two appointed by the Chief Justice of the Supreme Court, and three appointed by the Governor. The members of the Commission are appointed before January 15 of each even-numbered year and serve until the conclusion of the following regular session of the Legislature. If it determines that changes in compensation are required, the Commission must recommend a bill draft for presentation to the appropriate standing committees at the start of the next legislative session.

An appropriation of \$6,900 was made for expenses incurred by the 1994-1995 Commission. Senate Bill 221 also repealed the Commission to Review the Compensation of Legislators, which was created in 1989 but was never activated.

## II. BACKGROUND

Certain factual information was compiled and received by the Commission during the course of its investigations in 1994. Selected information includes:

1. The *Nevada Constitution* requires the Legislature to establish and periodically revise the salaries of Supreme Court Justices, District Court Judges, the six constitutional officers in the Executive Branch, members of the Legislature and most elected county officers.
2. Except for the Office of Lieutenant Governor and elected county officers, the *Nevada Constitution* prohibits other elected officers whose salaries are set by the Legislature from receiving a salary increase in the middle of a term of office. Voters in Nevada continue to support these provisions, as evidenced by the rejection of Question No. 3 on the November 1994 General Election ballot, which would have allowed Supreme Court Justices and District Judges to receive mid-term salary increases.
3. The Nevada Legislature traditionally revises the salaries of elected public officers once every 4 years. However, budget constraints during the 1993 Session precluded any legislative action along these lines, even though the last increase for most officers was approved in 1989, and for members of the Legislature, in 1985. Appendix C and D of this report provides information concerning the current salaries of elected officers of the State of Nevada whose compensation is set by the Legislature.
4. The salaries of elected county officers whose compensation is fixed by the Legislature are compiled in a table that appears in *Nevada Revised Statutes* (NRS) 245.043. Since 1971, the salaries of the various county officers have been grouped according to the population and assessed valuation of property in the counties. In 1971, there were nine separate county classifications, and in 1994 there were five. Appendix E of this report provides information concerning current and previous salaries of county officers.
5. Legislators in Nevada receive a salary only for the first 60 days of a regular biennial session, regardless of its length. In 1993, the session extended for a near-record 166 calendar days. Since the 1987 Session, legislators have received \$7,800 (\$130 per day for 60 days) as compensation for their services. Certain allowances and reimbursements also are provided to members of the Legislature over each 2-year period. Information concerning the key elements of legislative compensation is included in this report as Appendix F.

6. Justices of the Supreme Court and District Court Judges are elected to serve 6-year terms of office. Except for the office of Assemblyman, which has a 2-year term of office, all other officers whose salaries are set by the Legislature have a 4-year term of office. Judges in the District Courts will stand for election next in 1996. The seven judges in the Family Court Division of the District Courts will stand for election in 1998. Unless the Legislature acts to revise the salary of District Court Judge at the 1995 Session, most of these officers could not receive an increase in salary until the year 2003, at the earliest. Justices are elected to the Supreme Court on a "staggered term" basis. In 1994, one justice was reelected, two justices will be elected in 1996, and the remaining two in 1998. To address the inequity of having justices earn salaries that may differ from one another, the Legislature has provided, by law, that additional service on the State Board of Pardons Commissioners is compensable for those justices who may be earning less than their colleagues because they were in the middle of a term of office when a salary increase went into effect. A similar mechanism for District Judges, which provided additional compensation to eligible judges for service on a board of law library trustees, was repealed in 1985, effective January 7, 1991.
7. Again, because the *Nevada Constitution* prohibits mid-term salary increases for all elected officers at the state level, except for the Lieutenant Governor, the earliest date that revised salaries could go into effect for the constitutional officers in the Executive Branch would be in 1999. Either the 1995 or the 1997 Legislative Sessions could address appropriate salary levels to go into effect in January 1999, after the 1998 General Election.
8. The work, reports and proposals of two previous Nevada commissions to examine, among other things, the salaries of elected public officers in the State were carefully reviewed by the 1994 Commission, and these previous efforts proved to be of considerable assistance. The final reports of these two entities may be cited as:
  - *Blue Ribbon Commission on the Legislative Process*, Bulletin No. 89-7 of the Legislative Commission of the Legislative Counsel Bureau, September 1988; and

- *Commission to Review the Salaries of Certain State and Local Elected Officials*, Bulletin No. 91-22 of the Legislative Commission of the Legislative Counsel Bureau, January 1991.

### **III. FINDINGS AND RECOMMENDATIONS**

#### **A. Constitutional Officers in the Executive Branch of State Government**

The six constitutional officers in Nevada's Executive Branch consist of the:

- **Governor**
- **Lieutenant Governor**
- **Attorney General**
- **Secretary of State**
- **State Treasurer**
- **State Controller**

As discussed earlier in this report, the *Nevada Constitution* prohibits mid-term salary increases for all of these officers, except for the Lieutenant Governor. The Compensation Commission notes that these officers were due to have their salaries adjusted in 1993, effective in January 1995. However, budgetary difficulties of the State in 1992 and 1993 resulted in no salary increases for employees or elected officers of the State during the 1993 Session. Now, the earliest that these officers (except the Lieutenant Governor) may receive an increase in salary would be in January 1999. The salary commission to be appointed after the 1995 Legislative Session will have adequate time to examine appropriate salary levels for the six constitutional officers and make recommendations to the 1997 Session. Therefore, the 1994 Compensation Commission did not make any recommendations concerning the salaries of these six officers in expectation that the next commission will consider this matter a top priority.

#### **B. District Court Judges**

According to the Administrative Office of the Courts, all District Court Judges, except those in the family courts, will be up for election in November 1996. The



term of office for District Court Judge is 6 years. If the Legislature does not provide an increase in compensation for these judges during the 1995 Session, to become effective in January 1997, the next earliest date that a salary increase for most District Judges could go into effect (because of the constitutional prohibition of mid-term increases) would be January 2003.

Extensive testimony and statistics were presented to the Compensation Commission concerning the heavy workload in the District Courts, the last salary increase effective in January 1991, cost-of-living and Consumer Price Index data, and comparative salary information from Nevada and other states. Based on the testimony and information received, the Compensation Commission finds it imperative that the 1995 Nevada Legislature:

- 1. Increase the annual salary of District Court Judges from \$79,000 to \$100,000 (26.6 percent), effective January 1997 or as judges become eligible for this increase. (BDR 1-1079) (S.B. 16)**

The Commission noted that a 5-year vesting period is typical in many retirement plans, therefore, it is recommended that the 1995 Nevada Legislature:

- 2. Lower the number of years of service, from 6 to 5, after which a District Court Judge may receive additional compensation based on longevity. (BDR 1-1079) (S.B. 16)**

**C. Supreme Court Justices**

Testimony and supporting statistics, similar to that received for the District Judges, also was presented on behalf of the Justices of the Supreme Court. An increase in annual base salary from \$85,000 to \$115,000 was proposed, but members of the Compensation Commission were of the opinion that the percentage increase in salary for justices should be the same as that for District Judges. Further, it was recognized that the staggered, 6-year terms of office could cause disparity in salary among the Supreme Court Justices from time to time. However, Commission members were of the opinion that the only proper remedy was a constitutional amendment to allow justices to receive mid-term salary increases, as presented to the voters at the 1994 General Election in Question No. 3. That measure subsequently was defeated by a vote of 58,322 "yes," and 308,848 "no." Based on testimony received, statistical information and Commission findings, it is recommended that the 1995 Nevada Legislature:

- 3. Increase the annual salary of Supreme Court Justices by 26.6 percent (\$85,000 to \$107,600), effective in January 1997 or as justices become eligible for this increase. (BDR 1-1079) (S.B. 16)**

The Commission also received testimony that urged greater accountability in the judiciary. Therefore, it is recommended that the 1995 Nevada Legislature:

- 4. Urge the Supreme Court to review accountability in the administration of courts in Nevada. (BDR R-1080)**

**D. State Legislators**

The Commission devoted a significant amount of time to the review of compensation of members of the Nevada Legislature. The Commission recognized the fact that legislators will have been at the same salary level for 10 years by the time that the next increase could go into effect. It also was recognized that the current salary of \$7,800 is inadequate for a regular session that lasts nearly 6 months. Also, the use of a daily salary for 60 days in regular session is misleading to the public. A more accurate way to indicate legislative salaries is by total amount for a regular session, paid for the first 60 days only. Based on existing and projected indexes of consumer prices and Commission findings, it is recommended that the 1995 Nevada Legislature:

- 5. Increase the salary of state legislators for each regular session served (at least 60 days in duration) from \$7,800 to \$11,100. (BDR 17-1078) (S.B. 84)**

Because of the infrequency and short length of special sessions in Nevada over the past 30 years, and the proposed increase in legislative salaries for regular sessions, it is recommended that the 1995 Nevada Legislature:

- 6. Repeal the daily salary provided to legislators during a special session. (BDR 17-1078) (S.B. 84)**

The Blue Ribbon Commission on the Legislative Process in Nevada made several important findings and recommendations in its report of September 1988. Excerpts from pages 20 and 21 of that report follow.

- Because of the conservative fiscal nature of the state, legislators have been very wary of providing increases for themselves. Adjustments to salary and benefits, however, have been approved in recent legislative sessions (1977, 1979, 1981, 1985 and 1987). Attempts to increase the allowable

number of days that legislators may be compensated, however, have not been successful. For example, Assembly Joint Resolution No. 26 of the 57th Legislative Session (which appeared on the November 1976 ballot as Question No. 3) proposed to amend the Nevada Constitution to permit payment of legislators for 100 days of session. That question was defeated by the voters by a margin of 125,096 to 54,602 votes. Assembly Joint Resolution No. 32 of the 1987 Legislative Session, which proposed an amendment to the Nevada Constitution to authorize the payment of legislators for each day the legislature is in session, died in the assembly committee on legislative functions.

- After reviewing all the testimony and considering the financial burdens placed on legislators to serve in the Legislature, the Blue Ribbon Commission believes that legislators in Nevada are not adequately compensated, both during and between sessions, to satisfactorily maintain the citizen legislature. The Commission believes that an appropriate salary is necessary to attract and retain well-qualified citizens so that service in the Legislature does not become financially prohibitive. The Commission strongly believes that the Legislature should not be the province of the wealthy or retired.
- At the present time, legislators receive no salary or stipend during the interim period between legislative sessions, even though they still must continue to provide services to their constituents. According to responses by legislators to a questionnaire survey conducted by the Legislative Commission in March 1988, concerning representational duties between sessions, each month the average legislator writes 23 letters, meets eight times with constituents and makes 73 telephone calls, many of which are long distance. The Blue Ribbon Commission believes that legislators should receive a stipend during the interim period to compensate them for their representational responsibilities.

The members of the Compensation Commission strongly concur in the findings and recommendations of the earlier commission. Therefore, it is recommended that the 1995 Nevada Legislature:

- 7. Provide an allowance to each legislator of \$350 per month, only when the Legislature is not in session, to reimburse the miscellaneous expenses related to representational duties. (BDR 17-1078) (S.B. 84)**

The Commission was fully aware of the problems caused when the 1989 Legislature approved a bill, and later overrode a veto of the Governor, to

increase the retirement benefit for legislators by some 300 percent. A subsequent special session was called to repeal that highly unpopular measure. The Compensation Commission received testimony that the \$25 per month retirement benefit had not been effectively increased since 1975. It was also pointed out that retirement provisions for state employees authorize vesting after 5 years of service, but legislators must serve 10 years. With term limits on the horizon, this issue is even more significant.

Based on this testimony and information, the Commission recommends that the 1995 Nevada Legislature:

- 8. Lower the vesting period for legislative retirement from 10 to 5 years, and increase the monthly benefit from \$25 to \$30. (BDR 17-1078) (S.B. 84)**

**E. Elected County Officers**

The third and fourth meetings of the Compensation Commission largely were devoted to a review of the compensation of elected county officers. Section 245.043 of NRS contains a table that provides five separate groupings of counties based on population and assessed valuation of property. Salaries are indicated in the table, by county, for the offices of County Commissioner, District Attorney, Sheriff, County Clerk, County Assessor, County Recorder, County treasurer and, where applicable, public administrator. The last salary increase for most elected county officers was effective in January 1990. It was pointed out that there had been a significant increase in the cost of living since that date, and because of local collective bargaining, some elected county officers are now earning less than some of their deputies and lower ranking members of their staffs. A comprehensive report later was provided to the Commission that provides detailed salary and benefit information for employees and collective bargaining units in all Nevada counties and cities. This report, "1994 Nevada Compensation Practices Survey," is available for review in the Research Library of the Legislative Counsel Bureau in Carson City along with other materials provided to the 1994 Compensation Commission.

After lengthy discussion and proposals from different groups of elected officers and counties, the Commission agreed that all elected county officers should receive the same percent increase in compensation. However, it also was recognized that the grouping scheme of counties needed adjustment, particularly for rapidly growing rural counties like Lyon and Nye. In its first action concerning the salaries of elected county officers, the Commission recommends that the 1995 Nevada Legislature:

- 9. Change certain classifications of counties in NRS 245.043 by separating two compensation groupings in existing Class 3, moving Lyon and Nye Counties into the higher of these two groupings, moving Lander County from existing Class 4 status to the lower grouping of counties in Class 3, and returning Lincoln County from existing Class 5 to its previous position in Class 4. (BDR 17-1078) (S.B. 84)**

Further, the Commission recommends that the 1995 Nevada Legislature:

- 10. Increase base salary levels for all elected county officers shown in NRS 245.043 by 25 percent, effective July 1, 1995. (BDR 17-1078) (S.B. 84)**

Considerable discussion followed concerning ways to provide more regular salary increases for elected county officers. The concept of tying increases for these officers to the increases provided to employee groups in the counties under collective bargaining was rejected. A direct conflict of interest was seen for County Commissioners and certain other elected officers under this approach.

Another suggestion would have tied salary increases for elected county officers to the Consumer Price Index or another index of this type. The lack of a uniform approach with other county employees made this option unsatisfactory.

The focus of the Commission then turned to the longevity pay provision for county officers in NRS 245.044. A possible increase in the 1 percent per year of service provision was discussed in detail. Because most counties interpret the statute to mean that the rate of longevity payments are only adjusted every 4 years (by term of office), additional confusion was added to the deliberations. In order to provide equity among the counties and to lessen the need for elected county officers to continually seek pay increases from the Legislature, the Commission recommends that the 1995 Nevada Legislature:

- 11. Amend NRS 245.044 to increase longevity pay for elected county officers from 1 to 2 percent, computed annually after 4 years of service, using the statutory base level. (BDR 17-1078) (S.B. 84)**

#### **IV. CREDITS**

The following persons contributed information during the course of the Commission's review:

Knight Allen  
Private Citizen  
Las Vegas, Nevada

Mark Aston  
Treasurer  
Clark County  
Las Vegas, Nevada

Mickey Ballew  
County Assessor  
Humboldt County, Nevada

Bill Bartlett  
County Assessor  
Churchill County, Nevada

Nancy Becker  
Clark County District Court Judge  
Las Vegas, Nevada

Kay Bennett  
City Supervisor  
Carson City, Nevada

Stephen Bishop  
Sheriff  
Lander County, Nevada

Marlene Bunch  
Clerk-Treasurer  
Mineral County, Nevada

Nancy Carr  
County Recorder  
Yerington and  
Lyon Counties, Nevada

Eric Cooper  
Undersheriff  
Las Vegas Metropolitan  
Police Department  
Las Vegas, Nevada

Steven Dempsey  
Private Citizen  
Henderson, Nevada

Ben Graham  
Deputy District Attorney  
Clark County  
Las Vegas, Nevada

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

Alice Key  
Common Cause of Nevada  
Las Vegas, Nevada

David Kopelman  
County Commissioner  
Lincoln County, Nevada

Paul McGrath  
Sheriff  
Carson City, Nevada

Donald J. Mello  
Director  
Administrative Office of the Courts  
Supreme Court of Nevada  
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Joseph M. Neal, Jr.  
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Ken Pasquale  
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Verona M. Pasquale  
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Mike Rebaleati  
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Jared Shafer  
Clark County Public Administrator  
Las Vegas, Nevada

Chuck Short  
District Court Administrator  
Las Vegas, Nevada

Vincent Swinney  
Sheriff  
Washoe County, Nevada

Barbara Talley  
Private Citizen  
Las Vegas, Nevada

Marv Teixeira  
Mayor  
Carson City, Nevada

Ted Thornton  
Treasurer  
Carson City, Nevada

Louis A. Toomin  
Nevada State Assemblyman  
District 15, Clark County  
Las Vegas, Nevada

Noel Waters  
District Attorney  
Carson City, Nevada

## **V. SELECTED ANNOTATED BIBLIOGRAPHY**

1. "1993 - 1994 Compensation and Benefits for State Legislators," National Conference of State Legislatures, February 1994.

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 explanation 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. "1994 Compensation Practices Survey," Book 1, Introduction Participant Information Salary Comparisons; Book 2, Settlement Information Compensation Plan Elements Insurance Leave.

5. "Commission Information Prepared by Research Division of Legislative Counsel Bureau," Nevada Compensation Commission For Elected Public Officials (NRS 281.157 through 281.1575) 1993.

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.

Selected Charts from "Commission Information Prepared by Research Division of Legislative Counsel Bureau."

- "Current Salaries of Elected Public Officers in Nevada Whose Compensation is Set By the Legislature."
- "Salaries Of Selected State Officers In Nevada."



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## APPENDIX A

Senate Bill 221, Chapter 628, *Statutes of Nevada 1993*



Senate Bill No. 221—Committee on Finance

CHAPTER 628

AN ACT relating to public officers; creating a commission to review the compensation of constitutional officers, legislators, supreme court justices, district judges and elected county officers; providing the duties of the commission; 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.** Chapter 281 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

**Sec. 2.** *As used in sections 2 to 7, inclusive, of this act, unless the context otherwise requires, "commission" means the commission to review the compensation of constitutional officers, legislators, supreme court justices, district judges and elected county officers which is created pursuant to section 3 of this act.*

**Sec. 3. 1.** *There is hereby created a commission to review the compensation of constitutional officers, legislators, supreme court justices, district judges and elected county officers, consisting of nine members.*

*2. The members must be appointed by the following persons:*

*(a) One member by the speaker of the assembly.*

*(b) One member by the majority leader of the senate.*

*(c) One member by the minority leader of the assembly.*

*(d) One member by the minority leader of the senate.*

*(e) Two members by the chief justice of the supreme court.*

*(f) Three members by the governor.*

*3. The commission shall elect a chairman and such other officers as it deems necessary from among its members.*

*4. A current officer or employee of the state or any of its political subdivisions must not be appointed as a member of the commission.*

*5. The members appointed by the governor must be selected in the following manner:*

*(a) Two members, one from each congressional district, who do not belong to the same political party.*

*(b) One member from a list of three nominees submitted by the Nevada Association of Counties.*

**Sec. 4. 1.** *Members of the commission must be appointed on or before January 15 of each even-numbered year. The director of the legislative counsel bureau must be notified of the appointment of each member.*

*2. The term of each member of the commission expires at the end of the next regular session of the legislature following the appointment. Members are eligible for reappointment.*

*3. A member of the commission may be removed by the governor before the expiration of his term for misconduct in office, incompetence or neglect of duty.*

4. 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. 5. 1. Each member of the commission is entitled to receive \$80 for each day that he attends a regularly called meeting of the commission.

2. The first meeting of the commission must be held on or before June 15 of the year in which the members are appointed. Thereafter 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 administrative support.

Sec. 6. A majority of the members of the commission constitutes a quorum to transact business. The affirmative vote of five members is required to approve the recommendations of the commission regarding compensation.

Sec. 7. 1. The commission shall:

(a) Review the compensation paid to constitutional officers, supreme court justices, district judges and elected county officers.

(b) Review the compensation paid to the members of the legislature during and between legislative sessions.

(c) Hold public hearings to discuss the issues and receive public comment.

(d) If it determines that changes in legislation are required, request the assistance of the legislative counsel in the preparation of a bill draft on or before November 15 of each even-numbered year. Upon completion of the bill draft, the legislative counsel shall deliver the bill draft to the appropriate standing committee of the assembly or senate within the first week of the next regular legislative session for introduction.

2. In reviewing the issues of compensation required by subsection 1, the commission shall:

(a) Compare the current salaries of persons with similar qualifications who are employed by the State of Nevada and in the public sector;

(b) Determine the minimum salary required to attract and retain experienced and competent persons; and

(c) Consider the average number of days that legislators serve during their term, the amount of work required of legislators when the legislature is not in regular session, and the opportunities they have to earn additional income from outside sources.

3. The commission may recommend that any increase in the compensation of a county officer apply retroactively if not prohibited by law.

Sec. 8. NRS 218.201, 218.202, 218.203, 218.204, 218.205 and 218.206 are hereby repealed.

Sec. 9. 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 constitutional officers, legislators, supreme court justices, district judges and elected county officers in carrying out the provisions of sections 2 to 7, inclusive, of this act.

2. Any remaining balance of the appropriation made by this section must not be committed for expenditure after June 30, 1995, and reverts to the state general fund as soon as all payments of money committed have been made.





## APPENDIX B

*Nevada Revised Statutes* 281.157 through 281.1575



**281.157 Commission to review compensation: Definition.** As used in NRS 281.157 to 281.1575, inclusive, unless the context otherwise requires, "commission" means the commission to review the compensation of constitutional officers, legislators, supreme court justices, district judges and elected county officers which is created pursuant to NRS 281.1571.

(Added to NRS by 1993, 2633)

**281.1571 Commission to review compensation: Creation; composition.**

1. There is hereby created a commission to review the compensation of constitutional officers, legislators, supreme court justices, district judges and elected county officers, consisting of nine members.

2. The members must be appointed by the following persons:

(a) One member by the speaker of the assembly.

(b) One member by the majority leader of the senate.

(c) One member by the minority leader of the assembly.

(d) One member by the minority leader of the senate.

(e) Two members by the chief justice of the supreme court.

(f) Three members by the governor.

3. The commission shall elect a chairman and such other officers as it deems necessary from among its members.

4. A current officer or employee of the state or any of its political subdivisions must not be appointed as a member of the commission.

5. The members appointed by the governor must be selected in the following manner:

(a) Two members, one from each congressional district, who do not belong to the same political party.

(b) One member from a list of three nominees submitted by the Nevada Association of Counties.

(Added to NRS by 1993, 2634)

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C.J.S. States §§ 79, 80, 82, 136.

**281.1572 Commission to review compensation: Notification of appointment; terms; removal; vacancy.**

1. Members of the commission must be appointed on or before January 15 of each even-numbered year. The director of the legislative counsel bureau must be notified of the appointment of each member.

2. The term of each member of the commission expires at the end of the next regular session of the legislature following the appointment. Members are eligible for reappointment.

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

4. 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.  
(Added to NRS by 1993, 2634)

**281.1573 Commission to review compensation: Salary; meetings; administrative support.**

1. Each member of the commission is entitled to receive \$80 for each day that he attends a regularly called meeting of the commission.

2. The first meeting of the commission must be held on or before June 15 of the year in which the members are appointed. Thereafter, 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 administrative support.

(Added to NRS by 1993, 2634)

**281.1574 Commission to review compensation: Quorum; vote required to approve recommendations regarding compensation. A majority of the members of the commission constitutes a quorum to transact business. The affirmative vote of five members is required to approve the recommendations of the commission regarding compensation.**

(Added to NRS by 1993, 2634)

**281.1575 Commission to review compensation: Duties.**

1. The commission shall:

(a) Review the compensation paid to constitutional officers, supreme court justices, district judges and elected county officers.

(b) Review the compensation paid to the members of the legislature during and between legislative sessions.

(c) Hold public hearings to discuss the issues and receive public comment.

(d) If it determines that changes in legislation are required, request the assistance of the legislative counsel in the preparation of a bill draft on or before November 15 of each even-numbered year. Upon completion of the bill draft, the legislative counsel shall deliver the bill draft to the appropriate standing committee of the assembly or senate within the first week of the next regular legislative session for introduction.

2. In reviewing the issues of compensation required by subsection 1, the commission shall:

(a) Compare the current salaries of persons with similar qualifications who are employed by the State of Nevada and in the public sector;

(b) Determine the minimum salary required to attract and retain experienced and competent persons; and

(c) Consider the average number of days that legislators serve during their term, the amount of work required of legislators when the legislature is not in regular session, and the opportunities they have to earn additional income from outside sources.

3. The commission may recommend that any increase in the compensation of a county officer apply retroactively if not prohibited by law.

(Added to NRS by 1993, 2634)

## APPENDIX C

"Current Salaries Of Elected Officers Of The State  
Of Nevada Whose Compensation Is Set By The Legislature"



**CURRENT SALARIES OF ELECTED OFFICERS OF THE  
STATE OF NEVADA WHOSE COMPENSATION IS  
SET BY THE LEGISLATURE**

<b>EXECUTIVE BRANCH</b>	<b>CURRENT SALARY AND PREVIOUS SALARY</b>	<b>EFFECTIVE DATE OF CURRENT SALARY</b>	<b>ADDITIONAL SALARY FOR LONGEVITY</b>	<b>EARLIEST POSSIBLE DATE OF NEXT SALARY INCREASE</b>
Governor	\$ 90,000 (77,500)	January 1991	No	January 1999
Lt. Governor	20,000 (12,500)	January 1991	No	January 1999
Secretary of State	62,500 (50,500)	January 1991	No	January 1999
State Treasurer	62,500 (49,000)	January 1991	No	January 1999
State Controller	62,500 (49,000)	January 1991	No	January 1999
Attorney General	85,000 (62,500)	January 1991	No	January 1999
<b>JUDICIAL BRANCH</b>				
Justice of Supreme Court	85,000 (73,500)	January 1991	Yes	January 1997
District Court Judge	79,000 (67,000)	January 1991	Yes	January 1997
<b>LEGISLATIVE BRANCH</b>				
Senator or Assemblyman	7,800 (6,240)	January 1987	No	January 1997

Salary over a 2-year period, excluding salary for official meetings during interim period between sessions. *Nevada Constitution* limits salary during regular legislative sessions to first 60 days (currently \$130 per day).





## APPENDIX D

### "Salaries Of Selected State Officers In Nevada"



## SALARIES OF SELECTED STATE OFFICERS IN NEVADA

	<u>ELECTED OFFICER</u>	<u>CURRENT SALARY</u>	<u>EFFECTIVE DATE</u>	<u>EQUIVALENT 1994 SALARY AND (PERCENT INCREASE)</u>		
				<u>CONSUMER PRICE INDEX</u>	<u>IMPLICIT PRICE DEFLATOR FOR GDP</u>	<u>INDEX OF AVERAGE WAGES OF WORKERS IN NEVADA</u>
31	Governor	\$ 90,000	January 1991	\$ 97,758 ( 8.62)	\$ 97,749 ( 8.61)	\$ 99,324 (10.36)
	Lieutenant Governor	20,000	January 1991	21,724 ( 8.62)	21,722 ( 8.61)	22,072 (10.36)
	Secretary of State	62,500	January 1991	67,888 ( 8.62)	67,881 ( 8.61)	68,975 (10.36)
	State Treasurer	62,500	January 1991	67,888 ( 8.62)	67,881 ( 8.61)	68,975 (10.36)
	State Controller	62,500	January 1991	67,888 ( 8.62)	68,881 ( 8.61)	68,975 (10.36)
	Attorney General	85,000	January 1991	92,327 ( 8.62)	92,319 ( 8.61)	93,806 (10.36)
	Justice of Supreme Court	85,000	January 1991	92,327 ( 8.62)	92,319 ( 8.61)	93,806 (10.36)
	District Court Judge	79,000	January 1991	85,810 ( 8.62)	85,802 ( 8.61)	87,184 (10.36)
	Senator or Assemblyman	7,800	January 1987	10,255 (31.47)	9,941 (27.45)	10,169 (30.37)
	Daily Salary for First 60 days of Session	130		171	166	169

- CPI**      The Consumer Price Index for all urban consumers is an average from cities in the United States of the cost of a fixed market of goods and services indexed to the cost of those goods and services over the period 1982 to 1984.
- IPD**      The Implicit Price Deflator for the Gross Domestic Product (GDP) is the value of all goods and services produced in the United States indexed to the value of all U.S. goods and services in 1987.
- AAWW**    The Average Annual Wage of Workers in Nevada is based on total annual wages of private, for-profit employees, divided by the number of such employees.



## APPENDIX E

"Elected County Officials Salary Schedule (Effective Prior to July 1, 1989); Elected County Officials Salary Schedule (Effective January 1, 1990)"



COUNTY GOVERNMENT	CURRENT SALARY AND PREVIOUS SALARY	EFFECTIVE DATE OF CURRENT SALARY	ADDITIONAL SALARY FOR LONGEVITY	EARLIEST POSSIBLE DATE OF NEXT SALARY INCREASE
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See NRS 245.043

July 1989 and  
January 1990

Yes

January 1995

### ELECTED COUNTY OFFICIALS SALARY SCHEDULE

(Effective prior to July 1, 1989)

Class	County	County Commissioner	District Attorney	Sheriff	County Clerk	County Assessor	County Recorder	County Treasurer	Public Administrator
1	Clark .....	\$29,800	\$63,900	\$60,200	\$44,000	\$44,000	\$44,000	\$44,000	\$44,000
2	Washoe .....	20,200	55,900	51,000	42,800	42,800	42,800	42,800	42,800
3	Carson City ..	13,100	45,200	39,900	35,700	35,700	-----	35,700	-----
	Churchill .....	10,700	42,800	32,700	28,600	28,600	28,600	-----	-----
	Douglas .....	11,900	45,200	39,900	35,700	35,700	35,700	-----	-----
	Elko .....	11,900	45,200	39,900	32,100	32,100	32,100	32,100	-----
	Humboldt .....	10,700	42,800	32,700	28,600	28,600	28,600	28,600	-----
	Lyon .....	10,700	42,800	32,700	28,600	28,600	28,600	-----	-----
	Nye .....	10,700	42,800	32,700	28,600	28,600	28,600	28,600	-----
	White Pine ..	10,700	42,800	32,700	28,600	28,600	28,600	28,600	-----
4	Lander .....	10,000	39,900	28,600	25,000	25,000	25,000	25,000	-----
	Lincoln .....	10,000	39,900	28,600	25,000	25,000	25,000	25,000	-----
	Mineral .....	10,000	39,900	28,600	25,000	25,000	25,000	-----	-----
	Pershing .....	10,000	39,900	29,800	25,000	25,000	25,000	-----	-----
5	Esmeralda ....	8,600	30,000	23,800	21,400	21,400	21,400	-----	-----
	Eureka .....	8,600	30,000	23,800	21,400	21,400	21,400	-----	-----
	Storey .....	8,600	30,000	23,800	21,400	21,400	21,400	-----	-----

### ELECTED COUNTY OFFICIALS SALARY SCHEDULE

(Effective January 1, 1990)

Class	County	County Commissioner	District Attorney	Sheriff	County Clerk	County Assessor	County Recorder	County Treasurer	Public Administrator
1	Clark .....	\$45,000	\$84,000	\$70,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
2	Washoe .....	33,000	80,000	65,000	55,000	55,000	55,000	55,000	55,000
3	Carson City ..	15,000	60,300	50,000	42,800	42,800	-----	42,800	-----
	Churchill .....	15,000	56,950	45,000	35,700	35,700	35,700	-----	-----
	Douglas .....	15,000	60,300	50,000	42,800	42,800	42,800	-----	-----
	Elko .....	15,000	60,300	50,000	42,800	42,800	42,800	42,800	-----
	Humboldt .....	15,000	56,950	45,000	35,700	35,700	35,700	35,700	-----
	Lyon .....	15,000	56,950	45,000	35,700	35,700	35,700	-----	-----
	Nye .....	15,000	56,950	45,000	35,700	35,700	35,700	35,700	-----
	White Pine ..	15,000	56,950	45,000	35,700	35,700	35,700	35,700	-----
4	Eureka .....	12,700	50,250	36,000	32,000	32,000	32,000	-----	-----
	Lander .....	12,700	50,250	36,000	32,000	32,000	32,000	32,000	-----
	Mineral .....	12,700	50,250	36,000	32,000	32,000	32,000	-----	-----
	Pershing .....	12,700	50,250	36,000	32,000	32,000	32,000	-----	-----
5	Esmeralda ...	10,000	39,900	32,000	28,000	28,000	28,000	-----	-----
	Lincoln .....	10,000	39,900	32,000	28,000	28,000	28,000	28,000	-----
	Storey .....	12,700	39,900	36,000	32,000	32,000	32,000	-----	-----

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## APPENDIX F

"Summary Of Selected  
Key Elements Of Legislative Compensation  
In Nevada (July 1991 through July 1993)"



**SUMMARY OF SELECTED KEY ELEMENTS  
OF LEGISLATIVE COMPENSATION IN NEVADA  
(July 1991 through July 1993)**

Salary for first 60 days of Regular Session (\$130 per day)	\$ 7,800
Per diem allowance (\$66 per day for 1993 Session, 166 calendar days)	10,956
Travel allowance (\$6,800 maximum per session)	6,800
Telephone allowance	2,800
Salary for interim meetings (average of 25 meetings per Legislator)	3,250
	<hr/>
Total for a 2-year period	\$ 31,606



## APPENDIX G

"Work Session Document, June 1, 1994"



**WORK SESSION DOCUMENT**  
**CONCERNING SALARIES, COMPENSATION AND**  
**REIMBURSEMENT OF STATE LEGISLATORS**

**June 1, 1994**

—o—

COMMISSION TO REVIEW THE COMPENSATION OF  
CONSTITUTIONAL OFFICERS, LEGISLATORS, SUPREME COURT JUSTICES  
DISTRICT JUDGES AND ELECTED COUNTY OFFICERS  
(*NEVADA REVISED STATUTES 281.157 THROUGH 281.1575*)

- I. Salary During First 60 Days of Regular Session and First 20 Days of Special Session (Currently \$130 per day)
  - A. Modification of current salary?
  - B. Set forth amount per day or by lump sum?
  - C. Other changes?
  
- II. Salary for Official, Authorized Business When Legislature Not in Session (Currently \$130 per day)
  - A. Modification of current salary?
  - B. Additional restrictions or limits on receipt of this salary?

III. Reimbursement for Miscellaneous Costs Arising from Representational Duties  
When Legislature Not in Session (Currently no reimbursement)

- A. Should there be such a reimbursement?
- B. If yes, what is maximum amount per month? Per year?
- C. Is it a vouchered claim system or an unvouchered allowance?
- D. Other considerations?

IV. Additional Reimbursement for Travel in Large Legislative Districts (Currently no reimbursement)<sup>1</sup>

- A. Should there be such a reimbursement?
- B. If yes, what is maximum amount per month? Per year?
- C. Is it a vouchered claim system or an unvouchered allowance?
- D. Other considerations?

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<sup>1</sup>Senatorial Districts: Northern, Central, Western, Capital, Washoe No. 1, Washoe No. 3, Clark No. 1. Assembly Districts: 20, 22, 29, 32, 33, 34, 35, 36, 37, 38, 39



- V. Per Diem Allowance During Session (Currently, the higher of \$44 per day or the maximum amount set by the Federal Government for employees in Carson City; currently \$66)

(No changes proposed in Senate Bill 9 of 1989 Session)

- VI. In-State Travel and Moving Expense Reimbursement for Legislators During Session (Currently up to \$6,800, vouchered)

- A. Modification of maximum amount?
- B. Should the current vouchered claim system be retained or modified?
- C. Other considerations?

- VII. Telephone Allowance During Session (Currently, a flat allowance of \$2,800 per legislator)

- A. Modification of maximum amount?
- B. Should the current unvouchered allowance system be retained or modified?
- C. Other considerations?

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## APPENDIX H

"Work Session Document - Recommendations Concerning  
The Compensation Of Constitutional Officers, Legislators,  
Supreme Court Justices, District Judges,  
And Elected County Officers,"  
September 27, 1994



**RECOMMENDATIONS CONCERNING  
THE COMPENSATION OF CONSTITUTIONAL OFFICERS,  
LEGISLATORS, SUPREME COURT JUSTICES, DISTRICT JUDGES  
AND ELECTED COUNTY OFFICERS**

September 27, 1994

Work Session of the  
Commission to Review the Compensation of  
Constitutional Officers, Legislators, Supreme Court Justices,  
District Judges and Elected County Officers (S.B. 221)



September 27, 1994

The following work session outline was prepared by staff of the Commission to Review the Compensation of Constitutional Officers, Legislators, Supreme Court Justices, District Judges and Elected County Officers. The outline contains a compilation of recommendations presented during the course of the study for consideration by the commission. The possible actions listed in this document do not necessarily have the support or opposition of the commission. Recommendations adopted by the commission will be drafted into one or more bills for consideration by the 1995 Legislative Session.

**1. Increase the Retirement Benefits of State Legislators.**

a. Current Law.

- (1) *Nevada Revised Statutes* (NRS) 218.2388 requires a minimum of 10 years of legislative service to qualify for legislative retirement benefits. To receive full credit for years served, a former legislator must have reached age 60.
- (2) *Nevada Revised Statutes* 218.239 specifies that the monthly retirement benefit is \$25 for each year of service up to 30 years.

- b. State Senator Joseph M. Neal, Jr., recommends that legislative retirement benefits be increased instead of raising the salaries of legislators.

**2. Permit the Lieutenant Governor to Have Other Employment with the State of Nevada.**

- a. Currently, Nevada law (NRS 281.127 and 281.230) prohibits the Lieutenant Governor from receiving another salary from the State, such as employment in the University of Nevada System.
- b. Lieutenant Governor Sue Wagner recommends that if the position of Lieutenant Governor is to be compensated as a part-time job (currently \$20,000 per year), other employment with the State should be permitted so long as it is "not inconsistent with loyal service to the people."

**3. Increase the Annual Salary of District Court Judge from \$79,000 to \$100,000.**

a. Current Annual Salary.

- (1) \$79,000 (in effect since January 1991).
- (2) Plus 1 percent longevity pay for each year in office with at least 6 years of service, up to 22 percent maximum.

- b. Suggested Effective Date for Next Salary Modification.
  - (1) January 1997 (recommended by Nevada District Judges Association).
  - (2) *Explanation--Most of Nevada's District Court Judges will be elected/reelected in November 1996. The Constitution currently prohibits mid-term salary increases for District Judges during a term of office. District Judges elected/reelected in 1996 will begin their new, 6-year terms of office in January 1997.*
- c. Suggested Salary.
  - (1) \$100,000--Recommended on behalf of the Nevada District Judges Association and the Urban Court Commission.
  - (2) *Explanation--Justification for this salary increase of 26.6 percent includes comparisons with judges having similar duties in other states, the increased caseload in Nevada's courts, increases in the cost of living, and unless Question No. 3 is approved by the voters in November, no additional salary increase possible until the year 2003.*
- d. Background Information: Economic Indicators for 1991-1997.
  - (1) *Consumer Price Index (CPI) increase (January 1991 to January 1994 actual; estimated at 3 percent per year to January 1997)--18.6 percent.*
  - (2) *Implicit Price Deflator for the Gross Domestic Product (1st quarter 1991 to 1st quarter 1994 actual; estimated at 3 percent per year to 1st quarter 1997)--17.9 percent.*
  - (3) *Average Annual Wage of Private Sector Workers in Nevada (1991 to 1993 actual; 1994 to 1997 estimated at 3 percent per year)--24.5 percent.*

**4. Increase the Annual Salary of Supreme Court Justice from \$85,000 to \$115,000.**

- a. Current Annual Salary.
  - (1) \$85,000 (in effect since January 1991).
  - (2) No additional pay for longevity.
- b. Suggested Effective Date for Next Salary Modification.
  - (1) January 1997 (recommended on behalf of Nevada Supreme Court).



- c. Suggested Salary.
  - (1) \$115,000 (recommended on behalf of the Nevada Supreme Court and the Nevada Judges Association).
  - (2) *Explanation--Justification for this salary increase of 35.3 percent includes comparisons with Supreme Court Justices in other states, the increased caseload in the Supreme Court, the absence of a court of appeals in Nevada, and increases in the cost of living.*
- d. Background Information: Economic Indicators for 1991-1997.
  - (1) *Consumer Price Index (CPI) Increase (January 1991 to January 1994 actual; estimated at 3 percent per year to January 1997)--18.6 percent.*
  - (2) *Implicit Price Deflator for the Gross Domestic Product (1st quarter 1991 to 1st quarter 1994 actual; estimated at 3 percent per year to 1st quarter 1997)--17.9 percent.*
  - (3) *Average Annual Wage of Private Sector Workers in Nevada (1991 to 1993 actual; 1994 to 1997 estimated at 3 percent per year)--24.5 percent.*

**5. Enact Certain Changes to the Salaries of Elected County Officers.**

- a. Suggested effective date for next salary modification.
  - (1) July 1, 1995, suggested by most county representatives to coincide with the budget cycle.
  - (2) January 1, 1995, recommended by some counties.
- b. Current Annual Salaries as Provided in NRS 245.043 (see Table I).

**TABLE I**  
**NEVADA REVISED STATUTES 245.043**  
**ANNUAL SALARIES OF ELECTED COUNTY OFFICERS**

Class	County	County Commissioner	District Attorney <sup>8</sup>	Sheriff <sup>9</sup>	County Clerk	County Assessor <sup>11</sup>	County Recorder	County Treasurer	Public Administrator
1	Clark	\$45,000	\$84,000	\$70,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
2	Washoe	33,000	80,000	65,000	55,000	55,000	55,000	55,000	55,000
3	Carson City <sup>1</sup>	15,000 <sup>7</sup>	60,300	50,000	42,800 <sup>10</sup>	42,800	----- <sup>10</sup>	42,800	-----
	Churchill <sup>1</sup>	15,000	56,950	45,000	35,700 <sup>10</sup>	35,700	35,700	----- <sup>10</sup>	-----
	Douglas <sup>1, 2</sup>	15,000	60,300	50,000	42,800 <sup>10</sup>	42,800	42,800	----- <sup>10</sup>	-----
	Elko <sup>1</sup>	15,000	60,300	50,000	42,800	42,800	42,800	42,800	-----
	Humboldt <sup>1</sup>	15,000	56,950	45,000	35,700	35,700	35,700	35,700	-----
	Lyon <sup>1, 3</sup>	15,000	56,950	45,000	35,700 <sup>10</sup>	35,700	35,700	----- <sup>10</sup>	-----
	Nye <sup>1</sup>	15,000	56,950	45,000	35,700	35,700	35,700	35,700	-----
	White Pine <sup>4</sup>	15,000	56,950	45,000	35,700	35,700	35,700	35,700	-----
4	Eureka <sup>5</sup>	12,700	50,250	36,000	32,000 <sup>10</sup>	32,000	32,000	----- <sup>10</sup>	-----
	Lander	12,700	50,250	36,000	32,000	32,000	32,000	32,000	-----
	Mineral	12,700	50,250	36,000	32,000 <sup>10</sup>	32,000	32,000	----- <sup>10</sup>	-----
	Pershing	12,700	50,250	36,000	32,000 <sup>10</sup>	32,000	32,000	----- <sup>10</sup>	-----
5	Esmeralda	10,000	39,900	32,000	28,000 <sup>10</sup>	28,000	28,000	----- <sup>10</sup>	-----
	Lincoln <sup>6</sup>	10,000	39,900	32,000	28,000	28,000	28,000	28,000	-----
	Storey	12,700	39,900	36,000	32,000 <sup>10</sup>	32,000	32,000	----- <sup>10</sup>	-----

(Added to NRS by 1969, 1460; A 1973, 1777; 1975, 1479; 1977, 1322; 1979, 152, 1392; 1981, 1153, 1156, 1997, 1999; 1985, 1610; 1987, 54, 113, 115, 2309; 1989, 244, 2127, 2130)

- c. Suggested salary increases and related matters. (See Table I for notation of footnotes.)
- (1) The county commissioners in both Lyon and Nye Counties are requesting that the counties be included with Carson City, Douglas and Elko Counties at the higher salary levels within County Class 3. For clarity within the statutes, the Salary Commission also may wish to recommend that Class 3 be divided into two separate classes; Carson City, Douglas, Elko, Lyon, and Nye Counties in Class 3A, and Churchill, Humboldt, and White Pine Counties in Class 3B.
  - (2) Douglas County Commissioners recommended an 18 percent "across the board" salary increase for elected county officers, plus an annual cost-of-living increase of approximately 2.5 percent.
  - (3) Lyon County Commissioners recommended (in addition to changing county classification) an additional 15 percent salary increase for elected county officers, plus 1 percent longevity at the end of each year.
  - (4) Elected officers in White Pine County are not unified on the issue of a salary increase. The White Pine County Commission sent a letter to the Nevada Association of Counties recommending that the County Commissioners not receive a salary increase unless adequate funding is present to provide all county employees with an increase. However, salary increases were endorsed for the District Attorney, Sheriff, and County Assessor by the statewide associations representing those officers.
  - (5) The Board of Eureka County Commissioners recommends a 33 percent salary increase for elected officers in that county, plus a change in NRS 245.044 for an annual adjustment for longevity pay.
  - (6) By majority vote, the Lincoln County Board of County Commissioners recommended that Lincoln County be moved in NRS 245.043 from Class 5 to Class 4 designation. An appropriate revised salary schedule is recommended for all elected county officers. Finally, the county recommends that longevity increases be awarded annually (instead of once every 4 years) after the elected officer becomes eligible.
  - (7) Supervisor Kay Bennett recommended that members of Carson City's Board of Supervisors (County Commissioners) receive the salary currently paid to Class 2 county commissioners. Mayor Marvin Teixeira recommended that the elected mayor of Carson City receive a salary that is 30 percent higher than that received by members of the Board of Supervisors.

- (8) Nevada Revised Statutes 245.0435 allows a district attorney in a Class 5 county also to engage in the private practice of law.

The Nevada District Attorneys' Association recommends salary increases of 33 percent for all district attorneys in the state to allow these elected officers to earn more than their top assistants.

Class	County	Current Salary	Proposed Salary	Percent Increase
1	Clark	\$84,000	\$111,720	33
2	Washoe	80,000	106,400	33
3	Carson City	60,300	80,200	33
3	Churchill	56,950	75,740	33
3	Douglas	60,300	80,200	33
3	Elko	60,300	80,200	33
3	Humboldt	56,950	75,740	33
3	Lyon	56,950	75,740	33
3	Nye	56,950	75,740	33
3	White Pine	56,950	75,740	33
4	Eureka	50,250	66,830	33
4	Lander	50,250	66,830	33
4	Mineral	50,250	66,830	33
4	Pershing	50,250	66,830	33
5	Esmeralda	39,900	53,070	33
5	Lincoln	39,900	53,070	33
5	Storey	39,900	53,070	33

- (9) Proposed salaries for County Sheriffs in Nevada, as recommended by the Nevada Sheriffs' and Chiefs' Association on August 18, 1994, are as follows:

Class	County	Current Salary	Proposed Salary	Percent Increase
1	Clark	\$70,000	\$90,000	28.6
2	Washoe	65,000	80,000	23.1
3	Carson City	50,000	70,000	40
3	Churchill	45,000	59,000	31.1
3	Douglas	50,000	70,000	40
3	Elko	50,000	69,000	38
3	Humboldt	45,000	59,000	31.1
3	Lyon	45,000	59,000	31.1
3	Nye	45,000	61,500	36.7
3	White Pine	45,000	59,000	31.1
4	Eureka	36,000	45,000	25
4	Lander	36,000	45,000	25
4	Mineral	36,000	45,000	25
4	Pershing	36,000	45,000	25
5	Esmeralda	32,000	42,000	31.3
5	Lincoln	32,000	42,000	31.3
5	Storey	36,000	42,000	16.7

- (10) Combined offices in these counties.
- (11) Proposed salaries for County Assessors in Nevada, as recommended by the Assessors' Association of Nevada on August 18, 1994, are as follows:

Class	County	Current Salary	Proposed Salary	Percent Increase
1	Clark	\$60,000	\$84,500	40.8
2	Washoe	55,000	71,500	30
3	Carson City	42,800	55,500	29.7
3	Churchill	35,700	46,500	30.3
3	Douglas	42,800	55,500	29.7
3	Elko	42,800	55,500	29.7
3	Humboldt	35,700	46,500	30.3
3	Lyon	35,700	46,500	30.3
3	Nye	35,700	46,500	30.3
3	White Pine	35,700	46,500	30.3
4	Eureka	32,000	41,500	29.7
4	Lander	32,000	41,500	29.7
4	Mineral	32,000	41,500	29.7
4	Pershing	32,000	41,500	29.7
5	Esmeralda	28,000	36,500	30.4
5	Lincoln	28,000	36,500	30.4
5	Storey	32,000	41,500	29.7

d. Background Information: Economic Indicators for 1990-1995.

- (1) *Consumer Price Index (CPI) increase (January 1990 to January 1994 actual; estimated at 3 percent per year to July 1995)—19.9 percent.*
- (2) *Implicit Price Deflator for the Gross Domestic Product (1st quarter 1990 to 1st quarter 1994 actual; estimated at 3 percent per year to 3rd quarter 1995)—19.2 percent.*
- (3) *Average Annual Wage of Private Sector Workers in Nevada (1990 to 1993 actual; 1994 to 1995 estimated at 3 percent per year)—20.5 percent.*

- e. Longevity Pay for Elected County Officers--Several witnesses expressed concern regarding the provisions of NRS 245.044, which specify:

**245.044 Payment for longevity for elected county officers.**

1. On and after July 1, 1973, if an elected county officer has served in his office for more than 4 years, he is entitled to an additional salary of 1 percent of his base salary provided in NRS 245.043 for each full calendar year he has served in his office. The additional salary provided in this section must not exceed 20 percent of the base salary provided in NRS 245.043.

2. Payment for longevity under the provisions of this section must be computed on the basis of full calendar years of service and only at the beginning of a term of office.

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

(Added to NRS by 1973, 1780; A 1975, 958; 1983, 1649; 1987, 115)

- (1) The following alternatives are provided by staff of the Commission, as **examples only**, of some of the ways that the existing law could be modified. These examples also are provided to help identify areas of concern. They are not offered as formal recommendations, nor are they intended to be comprehensive or mutually exclusive.
- (a) Repeal NRS 245.044, effective July 1, 1995, but those county officers with more than 4 years of service are entitled to receive, as long as they remain in office, longevity pay in an amount appropriate for service up to July 1, 1995.
- (b) Provide that each elected county officer is entitled to an annual cost of living salary increase of 2 or 2.5 percent (or a percentage based on a certain economic indicator) of the base provided in NRS 245.043:
- 1) Without any additional pay based on length of service;
  - 2) Plus longevity pay capped at that level appropriate on July 1, 1995;
  - 3) Plus longevity pay as currently provided for in NRS 245.044; or
  - 4) Combinations of the above.
- (c) Retain NRS 245.044, but clarify that longevity pay increases are granted annually once the officer has more than 4 years of service.

## APPENDIX I

### Suggested Legislation

<u>Bill Draft Requests</u>	<u>Page</u>
BDR 1-1078      Increases compensation of various public officers . . . . .	61
BDR 1-1079      Increases compensation of supreme court justices and district judges . . . . .	89
BDR R-1080      Urges Supreme Court of Nevada to examine judicial accountability . . . . .	93





SUMMARY--Increases compensation of various public officers. (BDR 17-1078)

FISCAL NOTE:           Effect on Local Government: Yes.

                                  Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to public officers; increasing the compensation and payment for longevity of various public officers; providing an allowance for certain expenses of legislators; revising certain provisions of the legislators' retirement system; 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 a new section to read as follows:

*1. During the period beginning the day after the adjournment sine die of a regular session of the legislature to the day before the next general election, each senator and assemblyman is entitled to receive an allowance of \$350 per month as reimbursement for the miscellaneous costs arising from his representational duties.*

*2. As used in this section, "miscellaneous costs" include, without limitation:*

*(a) Office supplies;*

*(b) Postage;*

*(c) Reproduction of documents;*

*(d) Secretarial assistance;*

*(e) Costs of travel not paid for by another source;*

*(f) Newspapers; and*

*(g) Telephone tolls and other expenses of communication.*

**Sec. 2.** NRS 218.210 is hereby amended to read as follows:

218.210 1. [Each senator elected before November 4, 1986, or appointed to succeed a senator elected before November 4, 1986,] *During a regular session of the legislature, each senator and assemblyman is entitled to receive as compensation [\$104 per day for each day of service:*

*(a) During any regular session, for the number of days the legislature is in session, or in adjournment for not more than 3 days, or the maximum number of days for which compensation for a regular session is permitted by the constitution, whichever is smaller; and*

*(b)] :*

*(a) If the legislature is in session for 60 days or more, \$7,800 for the first 60 days; or*

*(b) If the legislature is in session for less than 60 days, for each day of service, the pro rata daily share of the compensation provided for the first 60 days.*

2. During any special session [, for the] *of the legislature, each senator and assemblyman is entitled to receive as compensation \$130 per day for each day of service for:*

*(a) The number of days the legislature is in session ; or [the]*

(b) *The maximum number of days for which compensation for a special session is permitted by the constitution,*

*whichever is smaller.*

[2. Each senator and assemblyman elected on or after November 4, 1986, or appointed to succeed a senator or assemblyman elected on or after November 4, 1986, is entitled to receive as compensation \$130 per day for each day of service:

(a) During any regular session, for the number of days the legislature is in session, or in adjournment for not more than 3 days, or the maximum number of days for which compensation for a regular session is permitted by the constitution, whichever is smaller; and

(b) During any special session, for the number of days the legislature is in session or the maximum number of days for which compensation for a special session is permitted by the constitution, whichever is smaller.]

**Sec. 3.** NRS 218.210 is hereby amended to read as follows:

218.210 1. During a regular session of the legislature, each senator [and assemblyman] *elected before November 5, 1996, or appointed to succeed a senator elected before November 5, 1996,* is entitled to receive as compensation:

(a) If the legislature is in session for 60 days or more, \$7,800 for the first 60 days; or

(b) If the legislature is in session for less than 60 days, for each day of service, the pro rata daily share of the compensation provided for the first 60 days.

2. During [any special session of the legislature, each senator and assemblyman is entitled to receive as compensation \$130 per day for each day of service for:

(a) The number of days the legislature is in session; or

(b) The maximum number of days for which compensation for a special session is permitted by the constitution,

whichever is smaller.] *a regular session of the legislature, each senator and assemblyman elected on or after November 5, 1996, or appointed to succeed a senator or assemblyman elected on or after November 5, 1996, is entitled to receive as compensation:*

*(a) If the legislature is in session for 60 days or more, \$11,100 for the first 60 days; or*

*(b) If the legislature is in session for less than 60 days, for each day of service, the pro rata daily share of the compensation provided for the first 60 days.*

**Sec. 4.** NRS 218.223 is hereby amended to read as follows:

218.223 1. Except as otherwise provided in subsections 2 and 4, [each senator and assemblyman] *for each day a senator or assemblyman attends a presession orientation conference or a conference, meeting, seminar or other gathering at which he officially represents the State of Nevada or its legislature, he is entitled to receive :*

*(a) The pro rata daily share of the compensation provided for a majority of the members of the legislature [during] for the first 60 days of the preceding regular session [, and the] : and*

(b) *The per diem allowance and travel expenses provided by law . [, for each day of attendance at a presession orientation conference or at a conference, meeting, seminar or other gathering at which he officially represents the State of Nevada or its legislature.]*

2. A nonreturning legislator must not be paid the compensation or per diem allowance and travel expenses provided in subsection 1 for attendance at a conference, meeting, seminar or other gathering unless:

(a) It is conducted by a statutory committee or a committee of the legislature and he is a member of that committee; or

(b) The majority leader of the senate or speaker of the assembly designates him to attend because of his knowledge or expertise.

3. For the purposes of this section, "nonreturning legislator" means a legislator who, in the year that his term of office expires:

(a) Has not filed a declaration or an acceptance of candidacy within the time allowed for filing for election as a senator or assemblyman;

(b) Has failed to win nomination as a candidate for senator or assemblyman at the primary election; or

(c) Has withdrawn as a candidate for senator or assemblyman.

4. 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. 5.** NRS 218.2388 is hereby amended to read as follows:

218.2388 1. The minimum requirement for retirement is [10] 5 years of accredited service. A lapse in service as a legislator does not operate to forfeit any retirement rights accrued before the lapse.

2. A legislator who meets this requirement may retire:

(a) At the age of 60 years or older with a full allowance.

(b) At any age less than 60 years with an allowance or benefit actuarially reduced to the age of 60 years. Except as otherwise required as a result of NRS 218.23815, an allowance or benefit under this paragraph must be reduced by 6 percent of the unmodified amount for each full year that the member is under the age of 60 years, and an additional 0.5 percent for each additional month that the member is under the age of 60 years. Any option selected must be reduced by an amount proportionate to the reduction provided in this subsection for the unmodified allowance or benefit. The board may adjust the actuarial reduction based upon an experience study of the system and recommendation by the actuary.

**Sec. 6.** NRS 218.239 is hereby amended to read as follows:

218.239 Except as otherwise required as a result of NRS 218.23815, a legislator entering into retirement on or after July 1, 1975, is entitled to receive a monthly retirement allowance of [\$25] \$30 for each year of service up to 30 years, prorated for fractions of a year.

**Sec. 7.** 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, [the members] *for each day a legislative member* of the committee [who are state legislators are] *attends a meeting of the committee or is otherwise engaged in the business of the committee, he is* entitled to receive :

(a) *The pro rata daily share* of the compensation provided for a majority of the members of the legislature [during] *for* the first 60 days of the preceding regular session [, the] ;

(b) *The* per diem allowance provided for state officers and employees generally ; and [the]

(c) *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. 8.** NRS 218.680 is hereby amended to read as follows:

218.680 1. Except during a regular or special session of the legislature, 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 :

(a) *The pro rata daily share of the compensation provided for a majority of the members of the legislature [during] for the first 60 days of the preceding regular session [, and the] ;*

(b) *The per diem allowance provided for state officers and employees generally ; and [the]*

(c) *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 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.

**Sec. 9.** 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 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 provided for state officers and employees generally and the travel expenses provided pursuant to NRS 218.2207.

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. Conduct studies or investigations concerning governmental problems, important issues of public policy or questions of statewide interest. The legislative commission may establish subcommittees and interim or special

committees as official agencies of the legislative counsel bureau to conduct such studies or investigations or otherwise to deal with such governmental problems, important issues of public policy or 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, *for each day or portion of a day that legislative* members of those subcommittees and interim or special committees [who are legislators] *attend a meeting, they* are entitled to receive out of the legislative fund :

(a) *The pro rata daily share of the compensation provided for a majority of the members of the legislature [during] for the first 60 days of the preceding regular session [for each day or portion of a day of attendance, and the] :*

(b) *The per diem expense allowances provided for state officers and employees generally ; and [the]*

(c) *The travel expenses provided pursuant to NRS 218.2207.*

6. Supervise the functions assigned to the divisions of the *legislative counsel* 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. 10.** 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 subsection 5 of NRS 284.115, subsection 3 of NRS 328.480, subsection 1 of NRS 341.145, NRS 353.220, 353.224 and 353.335, paragraph (b) of subsection 4 of NRS 407.0762, NRS 428.375, subsection 6 of NRS 445.700 and NRS 538.650. 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, *for each day or portion of a day during which a* member of the interim finance committee

[and] or an appointed alternate attends a committee meeting or is otherwise engaged in the work of the committee, he is entitled to receive :

(a) The pro rata daily share of the compensation provided for a majority of the members of the legislature [during] for 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] ;

(b) The per diem allowance provided for state officers and employees generally ; and [the]

(c) The travel expenses provided pursuant to NRS 218.2207.

All such compensation must be paid from the contingency fund in the state treasury.

**Sec. 11.** 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] *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] *pro rata daily share of the compensation* provided for a majority of the members of the legislature [during] *for* the first 60 days of the preceding *regular* session . [for each day's attendance at a meeting of the commission.]

4. While engaged in the business of the commission, 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. 12.** 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 chief of the purchasing division of the department of administration 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, [each legislator who is a] *for each day or portion of a day during which a legislative member of the advisory board attends a meeting of the board or is otherwise engaged in the work of the board, he* is entitled to receive the *pro rata daily share of the* compensation provided for a majority of the members of the legislature [during] *for 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.]* 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. 13. 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] *for a regular session pursuant to NRS 218.210*, 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. 14.** NRS 245.043 is hereby amended to read as follows:

245.043 1. As used in this section:

(a) "County" includes Carson City.

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

2. Except as otherwise provided by any special law, the elected officers of the counties of this state are entitled to receive annual salaries in the base amounts specified in the following table. The annual salaries are in full payment for all services required by law to be performed by such officers.



Except as otherwise provided by law, all fees and commissions collected by such officers in the performance of their duties must be paid into the county treasury each month without deduction of any nature.

[ANNUAL SALARIES

Class	County	County Commis- sioner	District Attorney	Sheriff	County Clerk	County Assessor	County Recorder	County Treasurer	Public Administrator
1	Clark.....	\$45,000	\$84,000	\$70,000	\$60,000	\$60,000	\$60,000	\$60,000	\$60,000
2	Washoe .....	33,000	80,000	65,000	55,000	55,000	55,000	55,000	55,000
3	Carson City .....	15,000	60,300	50,000	42,800	42,800	-----	42,800	-----
78	Churchill .....	15,000	56,950	45,000	35,700	35,700	35,700	-----	-----
	Douglas.....	15,000	60,300	50,000	42,800	42,800	42,800	-----	-----
	Elko.....	15,000	60,300	50,000	42,800	42,800	42,800	42,800	-----
	Humboldt .....	15,000	56,950	45,000	35,700	35,700	35,700	35,700	-----
	Lyon.....	15,000	56,950	45,000	35,700	35,700	35,700	-----	-----
	Nye.....	15,000	56,950	45,000	35,700	35,700	35,700	35,700	-----
	White Pine .....	15,000	56,950	45,000	35,700	35,700	35,700	35,700	-----
4	Eureka .....	12,700	50,250	36,000	32,000	32,000	32,000	-----	-----
	Lander .....	12,700	50,250	36,000	32,000	32,000	32,000	32,000	-----
	Mineral .....	12,700	50,250	36,000	32,000	32,000	32,000	-----	-----
	Pershing.....	12,700	50,250	36,000	32,000	32,000	32,000	-----	-----
5	Esmeralda.....	10,000	39,900	32,000	28,000	28,000	28,000	-----	-----
	Lincoln .....	10,000	39,900	32,000	28,000	28,000	28,000	28,000	-----
	Storey.....	12,700	39,900	36,000	32,000	32,000	32,000	-----	-----]

# ANNUAL SALARIES

Class	County	County	District	Sheriff	County	County	County	County	Public
		Commis- sioner							
			Attorney		Clerk	Assessor	Recorder	Treasurer	Administrator
1	Clark .....	\$56,250	\$105,000	\$87,500	\$75,000	\$75,000	\$75,000	\$75,000	\$75,000
2	Washoe .....	41,250	100,000	81,250	68,750	68,750	68,750	68,750	68,750
3	Carson City .....	18,750	75,375	62,500	53,500	53,500	-----	53,500	-----
79	Douglas.....	18,750	75,375	62,500	53,500	53,500	53,500	-----	-----
	Elko.....	18,750	75,375	62,500	53,500	53,500	53,500	53,500	-----
	Lyon.....	18,750	75,375	62,500	53,500	53,500	53,500	-----	-----
	Nye .....	18,750	75,375	62,500	53,500	53,500	53,500	53,500	-----
4	Churchill .....	18,750	71,188	56,250	44,625	44,625	44,625	-----	-----
	Humboldt .....	18,750	71,188	56,250	44,625	44,625	44,625	44,625	-----
	Lander .....	18,750	71,188	56,250	44,625	44,625	44,625	44,625	-----
	White Pine.....	18,750	71,188	56,250	44,625	44,625	44,625	44,625	-----
5	Eureka .....	15,875	62,813	45,000	40,000	40,000	40,000	-----	-----
	Lincoln .....	15,875	62,813	45,000	40,000	40,000	40,000	40,000	-----
	Mineral .....	15,875	62,813	45,000	40,000	40,000	40,000	-----	-----
	Pershing.....	15,875	62,813	45,000	40,000	40,000	40,000	-----	-----
6	Esmeralda.....	12,500	49,875	40,000	35,000	35,000	35,000	-----	-----
	Storey .....	15,875	49,875	45,000	40,000	40,000	40,000	-----	-----

**Sec. 15.** NRS 245.0435 is hereby amended to read as follows:

245.0435 1. Except as otherwise provided in NRS 252.060, the district attorneys in counties of classes 1 to [4,] 5, inclusive, as classified in the table of annual salaries, shall not engage in the private practice of law.

2. A district attorney who is permitted to engage in the private practice of law shall disqualify himself from any criminal prosecution of a person who has been involved in a matter related to his private practice of law.

3. As used in this section, "private practice of law" by a district attorney means the performance of legal service, for compensation, for any person or organization except his county and any other governmental agency which he has a statutory duty to serve.

**Sec. 16.** NRS 245.044 is hereby amended to read as follows:

245.044 1. On and after July 1, 1973, if an elected county officer has served in his office for more than 4 years, he is entitled to an additional salary of [1] 2 percent of his base salary provided in NRS 245.043 for each full calendar year he has served in his office.

2. The additional salary provided in this section [must not] *for an eligible county officer:*

*(a) Must be computed on July 1 of each year by multiplying 2 percent of the base salary provided in NRS 245.043 by the number of full calendar years the elected county officer has served in his office; and*

*(b) Must not exceed 20 percent of the base salary provided in NRS 245.043.*

[2. Payment for longevity under the provisions of this section must be computed on the basis of full calendar years of service and only at the beginning of a term of office.]

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

**Sec. 17.** NRS 252.060 is hereby amended to read as follows:

252.060 1. If the district attorney dies, resigns, is removed, disappears or is permanently disabled from performing the duties of his office, the board of county commissioners shall appoint an interim or permanent replacement for the district attorney.

2. If the district attorney is temporarily disabled from performing the duties of his office:

(a) The chief deputy district attorney shall perform the duties of the district attorney while he is disabled. The chief deputy is entitled to the chief deputy's regular salary while engaged in the performance of those duties.

(b) If there is no chief deputy, the board of county commissioners shall appoint an interim replacement for the district attorney.

3. A person appointed as an interim or permanent replacement for the district attorney pursuant to this section must be appointed at the first regularly scheduled meeting of the board of county commissioners following the event giving rise to the appointment. Any such event occurring within the time

provided by NRS 241.020 for notice of the meeting is an emergency within the meaning of that section.

4. A person appointed as an interim replacement for the district attorney pursuant to this section:

(a) Is entitled to receive the same salary as the district attorney.

(b) Shall:

(1) If he is appointed pursuant to subsection 1, serve for not more than 60 days or until a permanent replacement is appointed, whichever occurs first.

(2) If he is appointed pursuant to subsection 2, serve for the duration of the disability of the district attorney or, if the district attorney resigns or is removed from office, for not more than 60 days after the resignation or removal or until a permanent replacement is appointed, whichever occurs first.

(c) May engage in the private practice of law for not more than 60 days after his appointment, to the extent permitted by NRS 245.0435. The limitation of time provided by this paragraph does not apply in any county of class [5.] 6, as classified in the table of annual salaries contained in NRS 245.043.

5. A person appointed as a permanent replacement for the district attorney pursuant to this section serves the remainder of the unexpired term.

**Sec. 18.** 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, *for each day or portion of a day during which a legislative member of the commission attends a meeting of the commission or is otherwise engaged in the business of the commission, he is entitled to receive :*

*(a) The pro rata daily share of the compensation provided for a majority of the members of the legislature [during] for 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] ; and*

*(b) 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. 19.** 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] *for each day or portion of a day during which a member of the committee [are] attends a meeting of the committee or is otherwise engaged in the business of the committee, he is* entitled to receive :

(a) *The pro rata daily share of* the compensation provided for a majority of the members of the legislature [during] *for* 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] ;

(b) *The* per diem allowance provided for state officers and employees generally ; and [the]

(c) *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. 20.** NRS 442.133 is hereby amended to read as follows:

442.133 1. The advisory board on maternal and child health is hereby created.

2. The advisory board consists of:

(a) Nine members to be appointed by the governor from a list of persons provided by the administrator of the health division;

(b) One member of the senate appointed by the legislative commission; and

(c) One member of the assembly appointed by the legislative commission.



3. The members who are:

(a) Appointed by the governor serve terms of 2 years.

(b) Legislators serve terms that begin on the third Monday in January of odd-numbered years and end the third Monday in January of the next odd-numbered year.

Any member of the advisory board may be reappointed.

4. Except during a regular or special session of the legislature, *for each day or portion of a day during which a legislator who is a member of the advisory board attends a meeting of the advisory board or is otherwise engaged in the work of the advisory board, he is entitled to receive :*

*(a) The pro rata daily share of the compensation provided for a majority of the members of the legislature [during] for 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 and the] ; and*

*(b) 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.

5. Each nonlegislative member of the advisory board serves without compensation but is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally. The per diem allowance and travel expenses must be paid from the account for maternal and child health services.

**Sec. 21.** 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, *for each day or portion of a day during which*

*a member of the committee attends a committee meeting or is otherwise engaged in the work of the committee, he is entitled to receive :*

*(a) The pro rata daily share of the compensation provided for a majority of the members of the legislature [during] for 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] ;*

*(b) The per diem allowance provided for state officers and employees generally ; and [the]*

*(c) 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. 22.** 1. This section and sections 1, 2 and 4 to 21, inclusive, of this act become effective on July 1, 1995.

2. Section 3 of this act becomes effective on November 6, 1996.



SUMMARY--Increases compensation of supreme court justices and district judges. (BDR 1-1079)

FISCAL NOTE: Effect on Local Government: No.

Effect on the State or on Industrial Insurance: Yes.

AN ACT relating to the judicial system; increasing the salaries prospectively of supreme court justices and district judges; lowering the years of service required for district judges to receive salary for longevity; revising certain provisions governing the compensation of supreme court justices for their service on the state board of pardons commissioners; 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 2.050 is hereby amended to read as follows:

2.050 1. Until the first Monday in January [1991,] 1997, the justices of the supreme court whose terms expire on the first Monday in January [1991] 1997 are entitled to receive an annual salary of [\$61,500.] \$85,000. From and after the first Monday in January [1991,] 1997, their successors in office are entitled to receive a salary of [\$85,000.] \$107,600.

2. Until the first Monday in January [1993,] 1999, the justices of the supreme court whose terms of office expire on the first Monday in January

[1993] 1999 are entitled to receive an annual salary of [\$73,500.] \$85,000. From and after the first Monday in January [1993.] 1999, their successors in office are entitled to receive a salary of [\$85,000.] \$107,600.

3. Until the first Monday in January [1995,] 2001, the justice of the supreme court whose term of office expires on the first Monday in January [1995] 2001 is entitled to receive an annual salary of [\$73,500.] \$85,000. From and after the first Monday in January [1995,] 2001, his successor in office is entitled to receive a salary of [\$85,000.] \$107,600.

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

**Sec. 2.** NRS 3.030 is hereby amended to read as follows:

3.030 1. [The] *Until the first Monday in January 1997, the annual base salary of each district judge is \$79,000. From and after the first Monday in January 1997, the annual base salary of each district judge is \$100,000.*

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. 3.** NRS 3.030 is hereby amended to read as follows:

3.030 1. Until the first Monday in January 1997, the annual base salary of each district judge is \$79,000. From and after the first Monday in January 1997, the annual base salary of each district judge is \$100,000.

2. If a district judge has served in his office for at least [6] 5 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.

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.

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

**Sec. 4.** NRS 213.015 is hereby amended to read as follows:

213.015 1. [Any] A 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] *who* 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 *as a member of the board in the amount* 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 *received by a justice for his service on the board* must not exceed 22 percent of [the sum of] his annual salary as a justice of the supreme court . [and his base salary.

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

**Sec. 5.** 1. This section and sections 1, 2 and 4 of this act become effective on October 1, 1995.

2. Section 3 of this act becomes effective on January 6, 1997.



SUMMARY--Urges Supreme Court of Nevada to examine judicial accountability. (BDR R-1080)

CONCURRENT RESOLUTION--Urging the Supreme Court of Nevada to examine the accountability of judges and to enhance the administration of the court system in this state.

WHEREAS, The judicial branch of government is responsible for the administration of justice, both in civil and criminal cases; and

WHEREAS, It is imperative that the citizens of this state have trust in and respect for the administration of the judicial system in this state; and

WHEREAS, Such trust and respect can be developed if the public has access to information concerning the daily operation of each courtroom in this state and the professional activities of the judges who serve in them; and

WHEREAS, Many states have adopted measures of accountability concerning the operation of their courts, including private and public evaluations of the judicial system and standards governing the processing of cases; and

WHEREAS, The Chief Justice of the Supreme Court of Nevada is the administrative head of the court system in this state under Section 19 of Article 6 of the Constitution of the State of Nevada; now, therefore, be it

RESOLVED BY THE                      OF THE STATE OF NEVADA, THE

CONCURRING, that the Nevada Legislature respectfully urges the Chief Justice and Associate Justices of the Supreme Court of Nevada to

examine judicial accountability in this state and to consider measures which may enhance the administration of the courts and foster public confidence and trust in the court system in this state; and be it further

RESOLVED, That the                      of the                      prepare and transmit a copy of this resolution to the Chief Justice of the Supreme Court of Nevada.