
ASSEMBLY BILL NO. 260—ASSEMBLYMEN OCEGUERA, CONKLIN,
SMITH, KIRKPATRICK, BOBZIEN; ATKINSON, CARRILLO,
HORNE, MASTROLUCA, PIERCE, SEGERBLOM AND
SHERWOOD

MARCH 11, 2011

Referred to Committee on Legislative Operations and Elections

SUMMARY—Requires newly elected Legislators to attend training before the beginning of their first legislative session. (BDR 17-29)

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

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the Legislature; requiring newly elected Legislators to attend training before the beginning of their first legislative session; providing a penalty for failure to attend the training sessions; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 3** of this bill requires newly elected Legislators to attend training
2 before the beginning of their first legislative session. The Speaker of the Assembly
3 and the Majority Leader of the Senate are required to specify the dates of the
4 training and to indicate which training sessions are mandatory. **Section 4** of this bill
5 provides that a Legislator who does not attend a mandatory training session without
6 being excused must pay a penalty during the regular legislative session equal to one
7 day of salary for each training session that was missed, to be deducted from the
8 salary otherwise payable to the Legislator during the regular session.

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

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

4 **Sec. 2.** *For the purposes of sections 3 and 4 of this act:*



* A B 2 6 0 *

1 **1. The Speaker of the Assembly is:**

2 (a) *For the period preceding a general election, the member of*
3 *the Assembly who served in that position for the preceding session*
4 *or the person designated in the interim as his or her replacement;*
5 *and*

6 (b) *For the period beginning on the date of the general*
7 *election, the Speaker designate for the ensuing session.*

8 **2. The Majority Leader of the Senate is:**

9 (a) *For the period preceding a general election, the Senator*
10 *who served in that position for the preceding session or the person*
11 *designated in the interim as his or her replacement; and*

12 (b) *For the period beginning on the date of the general*
13 *election, the Majority Leader designate for the ensuing session.*

14 **Sec. 3. 1. A Legislator who is elected to the Assembly or the**
15 **Senate who has not previously served in either House of the**
16 **Legislature shall attend the training required pursuant to this**
17 **section unless his or her attendance is excused pursuant to**
18 **subsection 6.**

19 **2. A member of the Assembly who is required to attend**
20 **training pursuant to this section shall attend each training session**
21 **designated as mandatory by the Speaker of the Assembly. A**
22 **member of the Senate who is required to attend training pursuant**
23 **to this section shall attend each training session designated as**
24 **mandatory by the Majority Leader of the Senate.**

25 **3. The training required pursuant to this section must**
26 **include:**

27 (a) *Legislative procedure and protocol;*

28 (b) *Overviews of the state budget and the budgetary process;*

29 (c) *Briefings on policy issues relevant to the State; and*

30 (d) *Such other matters as are deemed appropriate by the*
31 *Speaker of the Assembly and the Majority Leader of the Senate for*
32 *their respective Houses.*

33 **4. The Director of the Legislative Counsel Bureau shall**
34 **provide staff support for the training required pursuant to this**
35 **section.**

36 **5. The training required pursuant to this section must be**
37 **conducted between the day of the general election and the start of**
38 **the ensuing regular session of the Legislature. The dates for the**
39 **training must be determined by the Speaker of the Assembly and**
40 **the Majority Leader of the Senate and posted on the public website**
41 **of the Nevada Legislature on the Internet not later than 90 days**
42 **before the first day on which training will be conducted.**

43 **6. The Speaker of the Assembly or the Majority Leader of the**
44 **Senate may excuse a Legislator from attending a training session**
45 **otherwise required pursuant to this section in case of illness,**



1 *injury, emergency or other good cause as determined by the*
2 *Speaker or Majority Leader.*

3 **Sec. 4.** 1. *A Legislator who fails to attend a training session*
4 *designated as mandatory pursuant to section 3 of this act, unless*
5 *excused by the Speaker of the Assembly or the Majority Leader of*
6 *the Senate, shall pay a penalty equal to one day of salary for each*
7 *mandatory training session which he or she failed to attend. The*
8 *penalty must be withheld from the salary otherwise payable to the*
9 *Legislator pursuant to NRS 218A.630.*

10 2. *A Legislator may appeal a penalty imposed pursuant to*
11 *subsection 1 to the Assembly or Senate, as appropriate. The*
12 *Assembly or Senate, or a committee appointed to hear the appeal,*
13 *may affirm the penalty, reduce the amount of the penalty or*
14 *excuse the penalty. Each House shall determine the procedure for*
15 *such an appeal.*

16 **Sec. 5.** NRS 218A.635 is hereby amended to read as follows:

17 218A.635 1. Except as otherwise provided in subsections 2
18 and 4, each Senator, Assemblywoman and Assemblyman is entitled
19 to receive the compensation provided for a majority of the members
20 of the Legislature during the first 60 days of the preceding session,
21 and the per diem allowance and travel expenses provided by law, for
22 each day of attendance at a pre-session orientation conference *or a*
23 *training session conducted pursuant to section 3 of this act* or at a
24 conference, meeting, seminar or other gathering at which the
25 Legislator officially represents the State of Nevada or its
26 Legislature.

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

31 (a) It is conducted by a statutory committee or a committee of
32 the Legislature and the Legislator is a member of that committee; or

33 (b) The Majority Leader of the Senate or Speaker of the
34 Assembly designates the Legislator to attend because of the
35 Legislator's knowledge or expertise.

36 3. For the purposes of this section, "nonreturning Legislator"
37 means a Legislator who, in the year that the Legislator's term of
38 office expires:

39 (a) Has not filed a declaration or an acceptance of candidacy
40 within the time allowed for filing for election as a Senator,
41 Assemblywoman or Assemblyman;

42 (b) Has failed to win nomination as a candidate for the Senate or
43 the Assembly at the primary election; or

44 (c) Has withdrawn as a candidate for the Senate or the
45 Assembly.



1 4. This section does not apply:

2 (a) During a regular or special session of the Legislature; or

3 (b) To any Senator, Assemblywoman or Assemblyman who is
4 otherwise entitled to receive a salary and the per diem allowance
5 and travel expenses.

6 **Sec. 6.** NRS 218A.640 is hereby amended to read as follows:

7 218A.640 A Legislator who attends and is compensated for
8 attending a:

9 1. Session or pre-session orientation conference of the
10 Legislature ~~§~~ *or a training session conducted pursuant to section*
11 *3 of this act;*

12 2. Meeting of an interim legislative committee; or

13 3. Meeting of the Legislative Commission or its Audit
14 Subcommittee,

15 ➔ is not entitled to receive an additional day's salary or
16 compensation for any other such meeting or conference the
17 Legislator attends in that day.

18 **Sec. 7.** NRS 218A.645 is hereby amended to read as follows:

19 218A.645 1. The per diem expense allowance and the travel
20 and telephone expenses of Senators, Assemblymen and
21 Assemblywomen elected or appointed and in attendance at any
22 session or pre-session orientation conference of the Legislature *or*
23 *training session conducted pursuant to section 3 of this act* must
24 be allowed in the manner set forth in this section.

25 2. For initial travel from the Legislator's home to Carson City,
26 Nevada, to attend a session or pre-session orientation conference of
27 the Legislature ~~§~~ *or a training session conducted pursuant to*
28 *section 3 of this act*, and for return travel from Carson City, Nevada,
29 to the Legislator's home upon adjournment sine die of a session or
30 termination of a pre-session orientation conference of the Legislature
31 ~~§~~ *or termination of a training session conducted pursuant to*
32 *section 3 of this act*, each Senator, Assemblyman and
33 Assemblywoman is entitled to receive:

34 (a) A per diem expense allowance, not to exceed the maximum
35 rate established by the Federal Government for the Carson City area,
36 for 1 day's travel to and 1 day's travel from the session, *training*
37 *session* or conference.

38 (b) Travel expenses.

39 3. In addition to the per diem and travel expenses authorized by
40 subsection 2, each Senator, Assemblyman and Assemblywoman is
41 entitled to receive a supplemental allowance which must not exceed:

42 (a) A total of \$10,000 during each regular session of the
43 Legislature for:

44 (1) The Legislator's actual expenses in moving to and from
45 Carson City for the session;



1 (2) Travel to and from the Legislator's home or temporary
2 residence or for traveling to and from legislative committee and
3 subcommittee meetings or hearings or for individual travel within
4 the State which relates to legislative business;

5 (3) If the Legislator rents furniture for the Legislator's
6 temporary residence rather than moving similar furniture from the
7 Legislator's home, the cost of renting that furniture not to exceed
8 the amount that it would have cost to move the furniture to and from
9 the Legislator's home; and

10 (4) If:

11 (I) The Legislator's home is more than 50 miles from
12 Carson City; and

13 (II) The Legislator maintains temporary quarters in or
14 near Carson City for which the Legislator has entered into a lease or
15 other agreement for occupancy during a regular legislative session,
16 ➤ the cost of such additional housing, paid at the end of each month
17 during the legislative session, beginning the month of the first day
18 of the legislative session and ending the month of the adjournment
19 sine die of the legislative session, in an amount that is the fair
20 market rent for a one bedroom unit in Carson City as published by
21 the United States Department of Housing and Urban Development
22 prorated for the number of days of the month that the Legislator
23 actually maintained the temporary quarters in or near Carson City.
24 For the purposes of this subparagraph, any day before the first day
25 of the legislative session or after the day of the adjournment sine die
26 of the legislative session may not be counted as a day for which the
27 Legislator actually maintained such temporary quarters; and

28 (b) A total of \$1,200 during each special session of the
29 Legislature for travel to and from the Legislator's home or
30 temporary residence or for traveling to and from legislative
31 committee and subcommittee meetings or hearings or for individual
32 travel within the State which relates to legislative business.

33 4. Each Senator, Assemblyman and Assemblywoman is
34 entitled to receive a per diem expense allowance, not to exceed the
35 maximum rate established by the Federal Government for the
36 Carson City area, for each day that the Legislature is in session or in
37 a pre-session orientation conference **H** or a training session
38 **conducted pursuant to section 3 of this act**, and for each day that
39 the Legislator attends a meeting of a standing committee of which
40 the Legislator is a member when the Legislature has adjourned for
41 more than 4 days.

42 5. Each Senator, Assemblyman and Assemblywoman who
43 maintains temporary quarters in or near Carson City for which the
44 Legislator has entered into a lease or other agreement for continuous
45 occupancy for the duration of a legislative session is entitled to



1 receive a lodging allowance equal to that portion of the expense
2 allowance which the Legislative Commission designates by rule as
3 being allocated to lodging, for not more than 14 days in each period
4 in which:

5 (a) The Legislature has adjourned until a time certain; and

6 (b) The Senator, Assemblyman or Assemblywoman is not
7 entitled to a per diem expense allowance pursuant to subsection 4.

8 6. In addition to the per diem expense allowance authorized by
9 subsection 4 and the lodging allowance authorized by subsection 5,
10 each Senator, Assemblyman and Assemblywoman who maintains
11 temporary quarters in or near Carson City for which the Legislator
12 has entered into a lease or other agreement for continuous
13 occupancy for the duration of a legislative session is entitled to
14 receive a lodging allowance equal to that portion of the expense
15 allowance which the Legislative Commission designates by rule as
16 being allocated to lodging, for not more than 17 days in each period
17 in which:

18 (a) The Legislature has adjourned for more than 4 days; and

19 (b) The Senator, Assemblyman or Assemblywoman must obtain
20 temporary lodging in a location that a standing committee of which
21 the Legislator is a member is meeting.

22 7. Each Senator, Assemblyman and Assemblywoman is
23 entitled to receive a lodging allowance equal to that portion of the
24 expense allowance which the Legislative Commission designates by
25 rule as being allocated to lodging, for not more than 6 days in each
26 period in which:

27 (a) The Legislature has adjourned for more than 4 days; and

28 (b) The Senator, Assemblyman or Assemblywoman must obtain
29 temporary lodging in a location that a standing committee of which
30 the Legislator is a member is meeting,

31 ➔ if the Senator, Assemblyman or Assemblywoman is not entitled
32 to the per diem expense allowance authorized by subsection 4 or the
33 lodging allowances authorized by subsections 5 and 6.

34 8. Each Senator, Assemblyman and Assemblywoman is
35 entitled to receive a telephone allowance of not more than \$2,800
36 for the payment of tolls and charges incurred by the Legislator in the
37 performance of official business during each regular session of the
38 Legislature and not more than \$300 during each special session of
39 the Legislature.

40 9. An employee of the Legislature assigned to serve a standing
41 committee is entitled to receive the travel expenses and per diem
42 allowance provided for state officers and employees generally if the
43 employee is required to attend a hearing of the committee outside
44 Carson City.



1 10. Claims for per diem expense allowances authorized by
2 subsection 4 and lodging allowances authorized by subsections 5, 6
3 and 7 must be paid once each week during a legislative session and
4 upon completion of a pre-session orientation conference ~~[]~~ *or a*
5 *training session conducted pursuant to section 3 of this act.*

6 11. A claim for travel expenses authorized by subsection 2 or 3
7 must not be paid unless the Senator, Assemblyman or
8 Assemblywoman submits a signed statement affirming:

9 (a) The date of the travel; and

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

14 12. Travel expenses authorized by subsections 2 and 3 are
15 limited to:

16 (a) If the travel is by private conveyance, a rate equal to the
17 standard mileage reimbursement rate for which a deduction is
18 allowed for the purposes of federal income tax. If two or more
19 Legislators travel in the same private conveyance, the Legislator
20 who provided or arranged for providing the transportation is
21 presumed entitled to reimbursement.

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

24 ➤ Transportation must be by the most economical means,
25 considering total cost, time spent in transit and the availability of
26 state-owned automobiles.

