

MEMBERS PRESENT: Chairman Bremner
Vice Chairman Hickey
Mr. Bergevin
Mr. Brady
Mr. Coulter
Mr. Glover
Mrs. Hayes
Mr. Horn
Mr. Marvel
Mr. Rhoads
Mr. Robinson
Mr. Vergiels
Mrs. Westall

GUESTS PRESENT: Judge Michael Fondi
Judge James Guinan
Bob Shriver
David Russell

ALSO PRESENT: Bill Bible, Fiscal Analyst
Judy Matteucci, Deputy Fiscal Analyst
Mike Alastuey, Deputy Budget Director

Chairman Bremner called the meeting to order at 9:00 a.m. and indicated that the first item on the agenda was SB 592.

SB 592: Increases salaries of justices of supreme court and provides annual salary adjustments.

Since there was no one present to testify on SB 592, Chairman Bremner moved on to SB 442.

SB 442: Provides salary to district judges for serving as ex-officio trustees of law library and for their availability to sit on supreme court.

James Brennan, District Court Judge, 8th Judicial District, Las Vegas, Nevada, indicated appreciation for four additional judges in Clark County and illustrated this by figures from Denver and Phoenix. He said that Denver has twenty-two judges with a case load of 23,000 cases, a little more than 1,000 active cases per judge, with a 14 to 20 month lag for filing a note for trial docket; Phoenix has 46 judges with 55,000 active cases, about 1,200 active cases per judge. In Nevada he noted that, excluding the juvenile judge, there are eleven trial judges in Las Vegas with a case load of 32,750 cases, about 3,000 active cases per judge. He felt that judges' salaries are not commensurate with their duties, responsibilities and workload. In Clark County, he indicated that public defenders and deputy district attorneys are earning up to \$50,000 per year with a car and a gas card, the county has better benefits than the state has for judges; he added that his take-home pay is \$30,000 per year after taxes. He did not feel this was enough after seven years of college and added experience. He urged, on behalf of the district court judges, passage of SB 442.

James Guinan, District Court Judge from Reno, said that district judges serve six-year terms as decided by the legislature and the voters, but there was no provision for salary increases during that six-year term. He indicated that this was an oversight as the original resolution did provide for increases.

Judge Guinan commented that there is another resolution that has passed the legislature this year which will resolve this problem in the future so this will be the only time they will have to request an appropriation. He noted that the original figure in this bill was \$60,000 which was based on an update of the study done by the Laxalt committee several years ago; that the Senate reduced this figure to \$56,000 which, although they would prefer the higher figure, they will not argue. He said that the problem, besides keeping up with the cost of living, will be filling vacancies as they occur. He indicated that, at the present salary, these vacancies will most likely have to be filled with people just out of law school or those who have not been successful in practice.

Judge Guinan also pointed out that judge's retirement is based on salary and that some judges are staying on longer than they should in order to receive a higher salary for retirement purposes. For all these reasons, he urged passage of this legislation.

In response to Mr. Rhoads question, Judge Guinan said that in his county one judge usually takes the responsibility for dealing with the law library and this rotates among the judges yearly; if a problem arises, all judges meet to deal with it.

Mrs. Hayes asked how the salaries in this state compare with judges' salaries in other states, and Judge Guinan replied that the latest figures showed that Nevada was 30th out of the 52 states, but if this bill passes, Nevada will be approximately 15th. He added that Nevada is about fourth in the cost of living.

After discussion of the pay increase granted in 1979, Mr. Robinson commented that a raise from \$30,000 to \$56,000 could hardly be called keeping up with inflation. Judge Guinan pointed out that this is 1981 and this is supposed to last until 1985.

Mr. David Russell, an attorney practicing in Washoe County, said that he has been authorized to speak on behalf of the Washoe County Bar Association as well as the State Bar Association and the Clark County Bar Association. He indicated that all of these associations support SB 442 because they feel the judges have not been compensated for the job that they do.

Mr. Bob Shriver, Executive Director of the Nevada Trial Lawyers Association, said that they have supported the increase in judges in both Washoe and Clark County and in the rural districts, and they also support salary increases for district judges. He agreed with the comments made by both Judge Brennan and Judge Guinan.

SB 592: Increases salaries of justices of supreme court and provides annual salary adjustments.

Mr. Mike Brown, Court Administrator, said that this bill is a thirty percent pay raise for the justices of the supreme court; that the wording of the bill is a mechanism to provide raises at the same time in light of different lengths of terms to be fulfilled. He urged support and added that the increase is minimal in terms of inflation.

Chairman Bremner informed the committee that it was time to take action on these bills.

Mr. Glover moved DO PASS on SB 592, seconded by Mrs. Westall. Motion carried unanimously.

Chairman Bremner asked Mr. Glover to speak on SB 592 on the floor of the Assembly.

Mr. Marvel moved DO PASS on SB 442, seconded by Mr. Bergevin.

Mr. Robinson asked exactly how much it was costing the taxpayer for each district judge at present including fringe benefits, and Mr. Bible indicated that they receive \$43,000 in salary and approximately 15 percent fringe benefits except for those on a non-contributory system. Chairman Bremner commented that this would be difficult to compute because of the variety of benefits. Mr. Robinson noted that the total impact of this bill was \$614,000 and that the committee has been working hard in all areas to cut the budget. He wondered if this was, in fact, a cost of living increase.

Chairman Bremner noted that these salaries are locked into the term of office which is six years.

In response to Mr. Hickey's question, Mr. Bible indicated that the fiscal impact under the current reprint would be \$259,350 in the second year of the biennium.

After further discussion, Chairman Bremner reiterated the motion. The motion carried unanimously.

Mr. Glover moved to approve the minutes up to this date, seconded by Mr. Vergiels. Motion carried unanimously.

Chairman Bremner adjourned the meeting at 9:45 a.m.