
ASSEMBLY BILL NO. 328—ASSEMBLYMAN MCCLEARY

MARCH 21, 2005

Referred to Committee on Government Affairs

SUMMARY—Revises provisions concerning salaries of state officers and employees. (BDR 23-895)

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 State Government; providing for automatic increases in the salaries of state officers and employees in certain circumstances; requiring the Director of the Department of Personnel to biennially survey the salaries of certain local governmental officers and employees; and providing other matters properly relating thereto.

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

1 **Section 1.** Chapter 281 of NRS is hereby amended by adding
2 thereto a new section to read as follows:

3 ***1. The salaries of the officers and employees of the Executive,***
4 ***Legislative and Judicial Branches of State Government must be***
5 ***increased on July 1 of each fiscal year of the biennium***
6 ***immediately after the biennium in which a survey was conducted***
7 ***by the Director of the Department of Personnel pursuant to***
8 ***NRS 284.175:***

9 ***(a) By 2 percent if the survey indicates a disparity of more than***
10 ***10 percent between the average salaries of officers and employees***
11 ***of the Executive, Legislative and Judicial Branches of State***
12 ***Government and officers and employees of cities whose***
13 ***populations are 25,000 or more and of counties whose populations***
14 ***are 40,000 or more; and***

15 ***(b) By a percentage that is equal to the amount of the average***
16 ***increase in the salaries of officers and employees of cities whose***



1 *populations are 25,000 or more and of counties whose populations*
2 *are 40,000 or more that is indicated in the survey, if any.*

3 *2. If insufficient money is available in the State General*
4 *Fund to pay for any portion of an increase required pursuant to*
5 *subsection 1, money from the Fund to Stabilize the Operation of*
6 *the State Government must be appropriated for that purpose to the*
7 *extent of the money available in that Fund.*

8 **Sec. 2.** NRS 284.175 is hereby amended to read as follows:

9 284.175 1. *On or before September 1 of each even-*
10 *numbered year, the Director shall conduct a survey of the salaries*
11 *of the officers and employees of each city whose population is*
12 *25,000 or more and of each county whose population is 40,000 or*
13 *more.*

14 2. After consultation with appointing authorities and state
15 fiscal officers, the Director shall prepare a pay plan for all
16 employees in the classified service.

17 ~~2.~~ 3. The pay plan and its amendments become effective only
18 after approval by the Governor.

19 ~~3.~~ 4. The pay plan must include, without limitation, ranges
20 for each class, grade or group of positions in the classified service.
21 Each employee in the classified service must be paid at one of the
22 rates set forth in the pay plan for the class of position in which he is
23 employed and at such time as necessary money is made available for
24 the payment.

25 ~~4.~~ 5. The Commission shall adopt regulations to carry out the
26 pay plan.

27 ~~5.~~ 6. The Director may make recommendations to the
28 Legislature during regular legislative sessions concerning salaries
29 for the classified service of the State. In making such
30 recommendations, the Director shall consider factors such as:

31 (a) Surveys of salaries of comparable jobs in government ,
32 *including, without limitation, the survey conducted pursuant to*
33 *subsection 1*, and private industry within the State of Nevada and
34 western states, where appropriate;

35 (b) Changes in the cost of living;

36 (c) The rate of turnover and difficulty of recruitment for
37 particular positions; and

38 (d) Maintaining an equitable relationship among classifications.

39 **Sec. 3.** NRS 353.288 is hereby amended to read as follows:

40 353.288 1. The Fund to Stabilize the Operation of the State
41 Government is hereby created as a special revenue fund. Except as
42 otherwise provided in subsections 2 and 3, each year after the close
43 of the fiscal year and before the issuance of the State Controller's
44 annual report, the State Controller shall deposit to the credit of the
45 Fund 40 percent of the unrestricted balance of the State General



1 Fund, as of the close of the fiscal year, which remains after
2 subtracting an amount equal to 5 percent of all appropriations made
3 from the State General Fund during that year for the operation of all
4 departments, institutions and agencies of State Government and for
5 the funding of schools.

6 2. The balance in the Fund must not exceed 15 percent of the
7 total of all appropriations from the State General Fund for the
8 operation of all departments, institutions and agencies of the State
9 Government and for the funding of schools and authorized
10 expenditures from the State General Fund for the regulation of
11 gaming for the fiscal year in which that revenue will be deposited in
12 the Fund.

13 3. Except as otherwise provided in this subsection and NRS
14 353.2735, beginning with the fiscal year that begins on July 1, 2003,
15 the State Controller shall, at the end of each quarter of a fiscal year,
16 transfer from the State General Fund to the Disaster Relief Account
17 created pursuant to NRS 353.2735 an amount equal to not more than
18 10 percent of the aggregate balance in the Fund to Stabilize the
19 Operation of the State Government during the previous quarter. The
20 State Controller shall not transfer more than \$500,000 for any
21 quarter pursuant to this subsection.

22 4. Money from the Fund to Stabilize the Operation of the State
23 Government may be appropriated only:

24 (a) If the total actual revenue of the State falls short by 5 percent
25 or more of the total anticipated revenue for the biennium in which
26 the appropriation is made; ~~for~~

27 (b) *If insufficient money is available in the State General*
28 *Fund to pay any portion of an increase required pursuant to*
29 *subsection 1 of section 1 of this act; or*

30 (c) If the Legislature and the Governor declare that a fiscal
31 emergency exists.

32 **Sec. 4.** This act becomes effective on July 1, 2005.



