

SENATE BILL NO. 205—SENATORS ATKINSON, SEGERBLOM,
CANCELA; DENIS, FARLEY, PARKS, RATTI, SPEARMAN AND
WOODHOUSE

FEBRUARY 22, 2017

Referred to Committee on Legislative Operations and Elections

SUMMARY—Revises provisions governing the payment of certain expenses of Legislators during a regular legislative session. (BDR 17-533)

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; revising provisions governing the payment of certain expenses of Legislators during a regular legislative session; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Under existing law, a Legislator is entitled to receive minimal daily
2 compensation of \$130 for the first 60 days of a regular legislative session. On the
3 first day of each term of a Legislator elected on or after November 8, 2006, that
4 minimum daily compensation is increased by an amount equal to the cumulative
5 percentage increase in the salaries of the classified employees of the State during
6 the immediately preceding term of that office. (Nev. Const. Art. 4, § 33; NRS
7 218A.630) During a regular session, a Legislator is also entitled to a per diem
8 allowance and payment for travel and certain other expenses related to legislative
9 business. Specifically, a Legislator is entitled under existing law to a supplemental
10 allowance of \$10,000 during each regular legislative session for: (1) the
11 Legislator's actual expenses in moving to and from Carson City for the regular
12 session; (2) certain travel relating to legislative business; (3) the rental of furniture,
13 if applicable, for a temporary residence during the session; and (4) if the
14 Legislator's home is more than 50 miles from Carson City and the Legislator has
15 rented or leased temporary housing in or near Carson City for the session, the cost
16 of renting or leasing that temporary housing. (NRS 218A.645) This bill eliminates
17 from the \$10,000 allowance the category of the costs of temporary housing, and
18 therefore makes expenses for moving, travel and furniture rental the only eligible
19 expenses under the \$10,000 allowance. This bill creates an additional allowance for
20 the costs of temporary housing, which is based on the fair market rent for a one-
21 bedroom unit in Carson City as published by the United States Department of



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22 Housing and Urban Development, for the period between the first day of the
23 regular session and the day of adjournment sine die of the regular session.

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

1 **Section 1.** NRS 218A.645 is hereby amended to read as
2 follows:

3 218A.645 1. The per diem allowance and the travel and
4 telephone expenses of Legislators in attendance at any regular or
5 special session, presession orientation conference of the Legislature
6 or training session conducted pursuant to NRS 218A.285 must be
7 allowed in the manner set forth in this section.

8 2. For initial travel from the Legislator's home to Carson City,
9 Nevada, to attend a regular or special session, a presession
10 orientation conference of the Legislature or a training session
11 conducted pursuant to NRS 218A.285, and for return travel from
12 Carson City, Nevada, to the Legislator's home upon adjournment
13 sine die of a regular or special session or termination of a presession
14 orientation conference or a training session, each Legislator is
15 entitled to receive:

16 (a) A per diem expense allowance, not to exceed the maximum
17 rate established by the Federal Government for the Carson City area,
18 for 1 day's travel to and 1 day's travel from the regular or special
19 session, presession orientation conference or training session.

20 (b) Travel expenses.

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

24 (a) A total of \$10,000 during each regular session for:

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

27 (2) Travel to and from the Legislator's home or temporary
28 residence or for traveling to and from legislative committee and
29 subcommittee meetings or hearings or for individual travel within
30 the State which relates to legislative business; ~~and~~

31 (3) If the Legislator rents furniture for the Legislator's
32 temporary residence rather than moving similar furniture from the
33 Legislator's home, the cost of renting that furniture not to exceed
34 the amount that it would have cost to move the furniture to and from
35 the Legislator's home. ~~and~~

36 ~~(4)~~ ~~(b)~~ If ~~the~~

37 ~~(1)~~ ~~The~~ ~~the~~ Legislator's home is more than 50 miles from
38 Carson City ~~and~~



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~~[(H) The]~~ *the* Legislator maintains temporary quarters in or near Carson City for which the Legislator has entered into a lease or other agreement for occupancy during a regular session, ~~[->-]~~ the cost of such additional housing, paid at the end of each month during the regular session, beginning the month of the first day of the regular session and ending the month of the adjournment sine die of the regular session, in an amount that is the fair market rent for a one bedroom unit in Carson City as published by the United States Department of Housing and Urban Development prorated for the number of days of the month that the Legislator actually maintained the temporary quarters in or near Carson City. For the purposes of this ~~[subparagraph,]~~ *paragraph*, any day before the first day of the regular session or after the day of the adjournment sine die of the regular session may not be counted as a day for which the Legislator actually maintained such temporary quarters. ~~[-and]~~

~~-(b)]~~ *(c)* A total of \$1,200 during each special session for travel to and from the Legislator's home or temporary residence or for traveling to and from legislative committee and subcommittee meetings or hearings or for individual travel within the State which relates to legislative business.

4. Each Legislator is entitled to receive a per diem expense allowance, not to exceed the maximum rate established by the Federal Government for the Carson City area:

(a) For each day that the Legislature is in a regular or special session, a presession orientation conference or a training session conducted pursuant to NRS 218A.285; and

(b) For each day that the Legislator attends a meeting of a standing committee of which the Legislator is a member when the Legislature has adjourned for more than 4 days.

5. Each Legislator who maintains temporary quarters in or near Carson City for which the Legislator has entered into a lease or other agreement for continuous occupancy for the duration of a regular or special session is entitled to receive a lodging allowance equal to that portion of the expense allowance which the Legislative Commission designates by rule as being allocated to lodging, for not more than 14 days in each period in which:

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

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

6. In addition to the per diem allowance authorized by subsection 4 and the lodging allowance authorized by subsection 5, each Legislator who maintains temporary quarters in or near Carson City for which the Legislator has entered into a lease or other agreement for continuous occupancy for the duration of a regular or



1 special session is entitled to receive a lodging allowance equal to
2 that portion of the expense allowance which the Legislative
3 Commission designates by rule as being allocated to lodging, for not
4 more than 17 days in each period in which:

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

6 (b) The Legislator must obtain temporary lodging in a location
7 that a standing committee of which the Legislator is a member is
8 meeting.

9 7. Each Legislator is entitled to receive a lodging allowance
10 equal to that portion of the expense allowance which the Legislative
11 Commission designates by rule as being allocated to lodging, for not
12 more than 6 days in each period in which:

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

14 (b) The Legislator must obtain temporary lodging in a location
15 that a standing committee of which the Legislator is a member is
16 meeting,

17 ➡ if the Legislator is not entitled to the per diem allowance
18 authorized by subsection 4 or the lodging allowances authorized by
19 subsections 5 and 6.

20 8. Each Legislator is entitled to receive a telephone allowance
21 of:

22 (a) Not more than \$2,800 for the payment of tolls and charges
23 incurred by the Legislator in the performance of official business
24 during each regular session; and

25 (b) Not more than \$300 during each special session.

26 9. An employee of the Legislature assigned to serve a standing
27 committee is entitled to receive the travel expenses and per diem
28 allowance provided for state officers and employees generally if the
29 employee is required to attend a hearing of the committee outside
30 Carson City.

31 10. Claims for per diem expense allowances authorized by
32 subsection 4 and lodging allowances authorized by subsections 5, 6
33 and 7 must be paid once each week during a regular or special
34 session and upon completion of a presession orientation conference
35 or a training session conducted pursuant to NRS 218A.285.

36 11. A claim for travel expenses authorized by subsection 2 or 3
37 must not be paid unless the Legislator submits a signed statement
38 affirming:

39 (a) The date of the travel; and

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

44 12. Travel expenses authorized by subsections 2 and 3 are
45 limited to:



- 1 (a) If the travel is by private conveyance, a rate equal to the
2 standard mileage reimbursement rate for which a deduction is
3 allowed for the purposes of federal income tax. If two or more
4 Legislators travel in the same private conveyance, the Legislator
5 who provided or arranged for providing the transportation is
6 presumed entitled to reimbursement.
- 7 (b) If the travel is not by private conveyance, the actual amount
8 expended.
- 9 ➡ Transportation must be by the most economical means,
10 considering total cost, time spent in transit and the availability of
11 state-owned automobiles.

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