

OPINION NO. 1970-666 County School Districts—Candidates for county school district trustees who receive compensation for their services must pay the statutory filing fee to the county clerk at the time of filing their candidacy.

Carson City, May 18, 1970

Mrs. Grace W. Bell, Clerk of Humboldt County, P.O. Box 352, Winnemucca, Nevada 89445

Dear Mrs. Bell:

You have advised that the school trustees are elected in a school district where the minimum daily attendance of pupils between the ages of 6 and 17 years of age is over 1,000.

These trustees have served without compensation heretofore, but have established a salary schedule as of January 13, 1970, whereby the president of the board is to receive \$40 for each board meeting, not to exceed \$80 per month, and the members of the board are to receive \$35 per meeting, not to exceed for any one board member the sum of \$70 per month. In short, there can only be two board meetings a month where the president and members can be paid. This is in line with NRS 386.320 as amended by Chapter 356 of the 1969 Statutes of Nevada.

You then advise that the terms of four of the trustees expire as of the first Monday in January of 1971, which means they will have to run for election at the 1970 election. Your question is whether they will have to pay a fee to the county clerk for filing for these offices.

ANALYSIS

NRS 293.193.1 reads in part as follows:

Fees as listed in this section for filing declarations of candidacy * * * shall be paid to the filing officer by cash, cashier's check or certified check.

* * * * *

Any district office.....	\$75
Any county office.....	40

* * * * *

Thus, in the case of trustees of a consolidated school district, the filing fee would be \$75, and for a county school district \$40.

Section 2 of NRS 293.193 provides:

No filing fee shall be required from a candidate for an office the holder of which receives no compensation.

CONCLUSION

It is therefore the opinion of this office that candidates for the office of county school district trustee at the 1970 election, in counties where the trustees are on a salary basis, shall pay to the county clerk of the county in which the school district is located a filing fee of \$40.

Respectfully submitted,

Harvey Dickerson, Attorney General
