

SENATE FINANCE COMMITTEE  
 MINUTES OF MEETING  
 MARCH 31, 1975

The meeting was called to order at 9:00 a.m.

Senator Floyd R. Lamb was in the Chair.

PRESENT: Senator Floyd R. Lamb, Chairman  
 Senator James I. Gibson, Vice-Chairman  
 Senator B. Mahlon Brown  
 Senator Warren L. Monroe  
 Senator William J. Raggio  
 Senator Clifton Young  
 Senator Lee E. Walker

OTHERS: Vernon Bennett, State Retirement  
 Charles Collins, Retirement Board  
 Dean Robert Weems, Retirement Board  
 Richard Morgan, Nevada State Education Association  
 Ed Dodson, Nevada State School Administrators  
 Larry McCracken, Employment Security Department  
 Jim Hannah, Employment Security Department  
 Bob Long, Employment Security Department  
 Howard Barrett, Budget Director  
 Cy Ryan, UPI  
 Ron Sparks, Fiscal Analyst

SB 336

Senator Lamb read the submitted amendments as attached behind the minutes.

Senator Lamb questioned lines 37-39 on page 2, and asked if it was consistent to leave in the parole officers for the Elko Training School and not the others. Mr. Vernon Bennett said the other schools have not approached the Retirement Board, and the Elko parole officers were probably included in 1971. Mr. Richard Morgan said that they were actually included in 1973. Mr. Bennett said that he understood and any additions to this were to be considered in 1977.

Senator Raggio asked if the table in Sec. 37 was to be eliminated. Mr. Bennett said yes and replaced with the wording as indicated in the attached amendment.

Senator Gibson asked why Sec. 55 was removed. Mr. Bennett said that this was deleted because retirement is eliminating minimum benefits.

Senator Raggio, with the concurrence of the Committee that in Sec. 63 there should be some method of appeal or judicial review. Senator Monroe asked if the agency was under the Administrative Procedures Act. Mr. Bennett was not sure. Senator Young also felt that the agency should be under this Act.

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SB 336 (Cont.)

Senator Raggio and Senator Young said that on Sec. 82, legislators should only get credit for the length of their term. Senator Young felt that those who are not vested in the benefits should have them removed. There was some questions among the Senators as to whether the length of the term was from January to January, or from November to November. Senator Young read from the Statute that the term length is from November to November.

Senator Lamb said that they would leave the amendments as they are presented in this meeting until the remainder of the retirement bills are voted on.

SB 80 (See attached bill)

Senator Gibson said that the Fire Marshall had testified that he wanted to be under the General rule.

Senator Gibson - Hold in Committee  
Senator Monroe - 2nd  
Motion Carried.

SB 81 (See attached bill)

Senator Gibson - Hold in Committee  
Senator Young - 2nd  
Motion Carried.

SB 90 (See attached bill)

Senator Young - Hold in Committee  
Senator Gibson - 2nd  
Motion Carried.

Senator Raggio stated that an investigator of the District Attorney's office in Washoe County had a heart attack, and the Senator felt that this benefit should be consistent with the early retirement benefit.

Senator Raggio - Amendment to the motion to amend NRS 617.457 in order that the same categories for early retirement, receive this benefit, and that it be limited to those categories.

The motion received no "2nd"...the original motion carried.

SB 139 (See attached bill)

Senator Gibson - Hold in Committee  
Senator Young - 2nd  
Motion Carried.

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SB 323 (See attached bill)

Mr. Bennett said that his agency is opposed to this bill.

Senator Monroe - Hold in Committee  
Senator Gibson - 2nd  
Motion Carried.

AB 76 (See attached bill)

Senator Brown - Hold in Committee  
Senator Young - 2nd  
Motion Carried.

Mr. Ed Dodson spoke on SB 336. Mr. Dodson said that the Nevada State School Administrators feel that teachers should receive the same benefits as the police and the firemen. Senator Brown said that these two areas were given the early retirement consideration because of the aspect of hazardous duty. Senator Gibson said that he is against expanding this benefit coverage to others at this time.

Senator Brown asked Mr. Bennett if he had the fiscal note on the contributions as of yet. Mr. Bennett said that he would have them by tomorrow morning.

PUBLIC EMPLOYEES RETIREMENT ADMINISTRATIVE FUND

Mr. Bennett that there are a few minor changes in the budget, but they will not increase the administrative fee for the next year.

Mr. Bennett said the Administration has the option to buy the Capital Plaza building where they are currently renting, for a good price.

Senator Raggio asked about the unemployment compensation. Mr. Bennett said that so far, they do not have to pay it. Senator Raggio asked why there are no Utilities projected for the Biennium. Mr. Bennett said that in their old office on Telegraph Street, they paid utilities, but at the Capital Plaza, this is included in the rent.

Senator Raggio asked about the Office supplies and Expense. Mr. Bennett said that they combined both the operating and office supplies.

Senator Raggio asked about the Contractual Services. Mr. Bennett said that this will be reduced somewhat because it did include the cost of an actuary that has been terminated, and it is also for an independent C.P.A. audit.

Senator Raggio asked about the Office Furniture and Equipment. Mr. Bennett said that when they moved to the Capital Plaza, they purchased some new furniture.

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Mr. Bennett told the Committee about the cost to the Administration of approximately \$30,000, caused by an actuary who erased several months of tapes. Mr. Bennett said this is the cost due to having to have an audit to regain this lost information.

Mr. Bennett received a note from an assistant which informed him that at the Elko Training Center there are nine people involved in the Retirement program, and only one is vested. Senator Young said that the unvested members should be removed from SB 336.

Senator Young - Motion to amend SB 336, to remove the unvested members from the Elko Training Center.

Senator Gibson - 2nd Motion Carried.

UNEMPLOYMENT COMPENSATION ADMINISTRATION

Mr. Larry McCracken said that this program involves all federal dollars. Mr. McCracken said that the Administration only knows for nine months at a time what their budget will be, and they won't know now until September, 1976 what their budget will be for the following nine months.

Senator Brown asked Mr. McCracken to discuss what the Administration anticipated for the economy. Mr. McCracken said that the compensation fund for Nevada has a \$12 million balance, and they are paying out \$1 1/2 million per week. Mr. McCracken said that if by the end of April the balance is \$8 1/2 million, or below, all claims will be reduced to \$20.00, (maximum now is \$85.00). Senator Raggio asked if the \$8 1/2 million is formula limit of some type. Mr. McCracken said the limit is due to NRS 612.370 that has a provision for payout reduction so that the fund will not hit the zero mark. Mr. McCracken said if the fund goes down to \$3 1/2 million, benefits are reduced to \$15.00. Mr. McCracken said if the fund get too low and their doesn't appear to be any relief, then the states can borrow from a federal loan fund. Senator Lamb asked if they had any problem borrowing from the federal loan fund. Mr. McCracken said no, the request goes through the Governor, who can put through the request, one month at a time. Mr. McCracken said that AB 473 is the most comprehensive look at compensation laws that he has seen for a long time. Senator Raggio asked if AB 473 was a complete package. Mr. McCracken said yes.

Senator Raggio asked if there was a reaction from labor. Mr. McCracken said that he talked with Mr. Jim Henderson from Clark County, who had the approval of the Chamber of Commerce, and that body of employers supports unemployment insurance.

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Senator Brown asked what will happen in May and June if the drop continues, and unemployment continues to escalate. Mr. McCracken said that he believes the Administration will get through, however, even with AB 473, the fund will probably drop below \$8 1/2 million by the end of this fiscal year.

Senator Gibson asked if the employer fees will be raised. Mr. McCracken said that the maximum amount will be raised 3%, and the total employer cost will be an additional \$9 million.

Senator Brown asked if a special session will be called if this problem becomes critical. Mr. McCracken said that he does not foresee a special session being called, however, if the economy does not improve, neither AB 473 or any other legislation will be a solution; but, AB 473 will have some flexibility because it is based on a now depleted 1974 economy. Mr. Jim Hannah said the unemployment rate is now 9.7%, and in March the rate will be in excess of 10%, however, the numbers of unemployed will drop this summer. Senator Lamb asked what areas are most affected by the unemployment. Mr. Hannah said primarily construction and then the service agencies.

Senator Gibson asked why the Administration wishes to repeal the non-charges program. Mr. McCracken said that only 20% of the employers used this last year, and the tab for this must be picked up by all of the employers.

Senator Gibson asked if there was any way to control individuals who draw retirement and also claim unemployment compensation. Mr. Bob Long said the Administration has sponsored legislature on this in the past, but it was never accepted by the legislature, and this is not covered in AB 473.

Senator Young asked if we were to borrow from the federal government, if Nevada would be faced with repayment, or would this be forgiven. Mr. McCracken said that there are many 'strings' attached to that loan fund, and basically it must be repaid the second after January 1, and if not repaid then there will be an offset requirement to the employer.

SB 177 (~~See attached bill~~)

Senator Lamb stated that there are only six counties that exercise the optional gas tax.

Senator Young - Amend to \$300,000  
Senator Brown - 2nd  
Senator Monroe - "NO"  
Senator Walker - Absent  
Motion Carried.

SENATE FINANCE COMMITTEE  
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SB 209 (See attached bill)

Senator Gibson stated that he did not want to start the precedent of putting General Fund money into the Highway Department. Senator Lamb stated that the property involved is only worth approximately \$1 million.

Senator Young - Hold in Committee  
 Senator Brown - 2nd  
 Motion Carried.  
~~Senator Walker - Absent~~

SB 303 (See attached bill)

Senator Young - Hold in Committee  
 Senator Gibson - 2nd  
 Motion Carried.  
 Senator Walker - Absent

BUDGETS CLOSED ON MARCH 31, 1975 \*\*

Office of the Governor

Senator Gibson - Motion to approve the Governor's recommendation  
 Senator Brown - 2nd  
 Motion Carried.  
 Senator Young - Absent

Mansion Maintenance

Senator Gibson - Motion to approve the Governor's recommendation  
 Senator Brown - 2nd  
 Motion Carried.  
 Senator Young - Absent

Extradition Clerk

Senator Brown - Motion to approve the Governor's recommendation  
 Senator Gibson - 2nd  
 Motion Carried.

Governor's Advisory Council on Children and Youth

Senator Gibson - Motion to retain the 1974-75 Work Program  
 Senator Monroe - 2nd  
 Senator Raggio - Motion to amend the motion to approve the Governor's recommendation  
 Senator Young - 2nd  
 Motion on the motion to amend the motion did not carry - Senators Brown, Lamb, Gibson, Monroe, Walker -- "NO"  
 Motion to retain the 1974-75 Work Program carried.

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Governor's Commission on Status of Women

Senator Gibson - Motion to not approve the budget.  
Senator Young - 2nd  
Senator Raggio - Motion to amend the motion to  
approve the Governor's recommendation.  
Senator Young - 2nd  
Motion on the motion to amend the motion did  
not carry - Senators Brown, Lamb, Gibson, Monroe  
Walker -- "NO"  
Motion to not approve the budget carried.

Comprehensive Statewide Planning

Senator Lamb questioned if Mr. Bruce Arkell really had any valuable  
input into the local areas. Mr. Barrett said that some of the small  
towns in the smaller counties do not have a planning staff.

Senator Monroe - Motion to retain the six  
existing positions.  
The motion did not receive a second.

Senator Gibson questioned if the two new positions were not already  
existing. Mr. Ron Sparks said that the net affect is creating one-half  
of a position.

Senator Monroe - Rescind the first motion, and  
make a motion to delete the budget.  
Senator Lamb - 2nd (Senator Gibson in the Chair)  
The motion to delete the budget did not carry -  
Senators Young, Raggio, Brown, Gibson, Walker -- "NO"

Senator Young suggested that the Committee hold vote on this budget  
for further information.

Manpower Services Council

Senator Gibson - Motion to approve the Governor's  
recommendation to the extent that federal funds  
are available.  
Senator Raggio - 2nd  
Motion Carried.

Lieutenant Governor

Senator Gibson - Motion to approve the Governor's  
recommendation and the \$400.00 for Out-of-State  
Travel requested by the Lieutenant Governor.  
Senator Young - 2nd  
Motion Carried.

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Special Fund

Senator Gibson - Motion to approve the Governor's  
recommendation  
Senator Brown - 2nd  
Motion Carried.

Private Detective

Senator Monroe - Motion to approve the Governor's  
recommendation  
Senator Gibson - 2nd  
Motion Carried.

Secretary of State

Senator Brown - Motion to approve the Governor's  
recommendation  
Senator Gibson - 2nd  
Motion Carried.

Secretary of State Archives

Senator Brown - Motion to approve the Governor's  
recommendation  
Senator Gibson - 2nd  
Senator Young - "NO"  
Motion Carried.

State Treasurer

Senator Brown - Motion to approve the Governor's  
recommendation  
Senator Gibson - 2nd  
Motion Carried.

Controller's Office

Senator Brown - Motion to approve the Governor's  
recommendation  
Senator Raggio - 2nd  
Motion Carried.

Office of the Controller - Financial Management Information Reporting System

Senator Gibson - Motion to approve the Governor's  
recommendation  
Senator Monroe - 2nd  
Motion Carried.

Budget Division

Senator Young - Motion to approve the Governor's  
recommendation  
Senator Raggio - 2nd  
Motion Carried.



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Merit Award Board

Senator Young - Motion to approve the Governor's  
recommendation  
Senator Gibson - 2nd  
Motion Carried.

Insurance Premium Revolving

Mr. Barrett said the Independent Insurance Association seems to see the proposed Risk Manager as an attempt by the Budget Office to attain the bidding process for the State insurance.

Senator Monroe asked how often the insurance is bid. Mr. Barrett said once a year, but there are also inventories of the property on the insurance.

Mr. Barrett felt that the Risk Manager should be outside of the Insurance Division as he felt that the Division is not a general service agency, but rather a regulatory function. Senator Lamb asked if Mr. Dick Rottman felt this was an insult to his Department. Mr. Barrett said yes, and repeated that he felt that the Division was not a general service agency.

Senator Monroe - Motion to not approve  
the new positions, and the related operating costs.  
Senator Brown - 2nd  
Senators Gibson, Lamb, Walker -- "NO"  
Motion Carried.

Mr. Barrett noted that this motion will reduce the General Fund money to \$5,500 each year.

Clear Creek Youth Center

Senator Young - Motion to approve the Governor's  
recommendation  
Senator Brown - 2nd  
Motion Carried.

Administration Personnel

Mr. Barrett said that this agency was cut \$60,000 last biennium, and they need to make this up because of the numerous hearings that have to be attended.

Senator Gibson asked what laws affected having so many hearings. Mr. Barrett said that federal laws concerning civil rights and fair labor. Senator Lamb said that he could not justify all the new positions.

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Administration Personnel (Cont.)

Senator Young - Motion to approve the Governor's  
recommendation  
Senator Walker - 2nd  
Senators Brown, Lamb, Gibson, Monroe -- "NO"  
The motion did not carry.

Senator Gibson said that he resented the federal government supporting  
the ten positions for a length of time, and then pulling the funds,  
and the State has to pick these up.

Senator Walker - Motion to approve the Governor's  
recommendation  
Senator Young - 2nd  
Senators Lamb, Gibson, Monroe -- "NO"  
Motion Carried.

There being no further business, the meeting adjourned at 12:05 p.m.

RESPECTFULLY SUBMITTED:

  
SHEBA L. WOOLLEY, SECRETARY

APPROVED:

  
FLOYD R. LAMB, CHAIRMAN

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Please note that the closing of the budgets does not include  
consideration of the salary increases at this date.

ASSEMBLY ACTION		SENATE ACTION		ASSEMBLY / SENATE AMENDMENT BLANK
Adopted	<input type="checkbox"/>	Adopted	<input type="checkbox"/>	Amendments to Assembly / Senate
Lost	<input type="checkbox"/>	Lost	<input type="checkbox"/>	Bill / Joint Resolution No. <u>336</u> (BDR <u>23-185</u> )
Date:		Date:		Proposed by <u>Committee on Finance</u>
Initial:		Initial:		
Concurred in	<input type="checkbox"/>	Concurred in	<input type="checkbox"/>	
Not concurred in	<input type="checkbox"/>	Not concurred in	<input type="checkbox"/>	
Date:		Date:		
Initial:		Initial:		

Amendment N<sup>o</sup> 7553

"Replaces Amendment No. 5957."

Amend sec. 4, page 1, line 13, by inserting ", longevity or bonuses" after "leave".

Amend sec. 6, pages 1 and 2, by deleting line 21 on page 1 and lines 1 through 6 on page 2 and inserting:

"and extinguishing fires and who is a salaried employee of a fire prevention or suppression unit organized by a political subdivision of the State of Nevada.



Amendment No. 7553 to Senate Bill No. 336 (BDR 23-185) Page 2

2. The board may, subject to statutory limitations, adopt regulations stipulating employee positions in these categories whose holders shall be".

Amend sec. 8, page 2, by deleting lines 26 through 41 and inserting:

"district attorney; or

(g) A parole and probation officer of the department of parole and probation.

2. The board may, subject to statutory limitations, adopt regulations stipulating employee positions in these categories whose holders shall be".

Amend sec. 19, page 5, by inserting between lines 25 and 26:

"5. The executive officer shall not pursue any other business or occupation or perform the duties of any other office of profit during the hours when his office is required by law to be open for the transaction of business."

Amend sec. 20, page 5, line 48, by inserting "classified" before "employee".

Amend sec. 21, page 6, by deleting line 6 and inserting: "limit fixed by law.".

Amend sec. 21, page 6, line 9, by deleting "\$50" and inserting "\$40".

Amend sec. 22, page 6, by deleting line 37 and inserting:

"designed and recommended by the actuary. This program shall be a trust, qualified under section 401(a) of the Internal Revenue Code, to invest contributions of voluntarily deferred employee compensation. The plan shall be in such form and contain such terms as will qualify the contributions for tax deferment under the Internal Revenue Code. The

Amendment No. 7553 to Senate Bill No. 336 (BDR 23-185) Page 3

amount of any deferral made pursuant to the plan shall be considered a part of the employee's compensation for all purposes except Federal income taxation."

Amend sec. 27, page 8, by deleting lines 42 through 44 and inserting:

"(b) An investment counselor selected by the board and paid from the investment return of the public employees' retirement fund and the police and firemen's retirement fund in proportion to their respective assets."

Amend sec. 30, page 10, by deleting line 26 and inserting:

"formed for any public employer, including service as an elected officer or a person".

Amend sec. 37, page 15, by deleting lines 33 through 39 and inserting:

"on and after July 1, 1975, shall be 8.5 percent for police officers and firemen and 8 percent for all other members."

Amend sec. 38, page 16, by deleting lines 22 through 49 and inserting:

"Sec. 38. (There is no section 38.)".

Amend sec. 39, page 17, by deleting line 11 and inserting:

"2. A member's contributions to the public employees' retirement fund or the police and firemen's retirement fund".

Amend sec. 40, page 17, by deleting line 27 and inserting:

"service of a public employer participating in the system [within 5 years".

Amend sec. 40, page 18, by deleting line 12 and inserting:

"5.) and remains a contributing member for 6 months, he may:".

Amend sec. 41, page 19, by deleting lines 8 through 14 and inserting:

"On and after July 1, 1975, the employer contributions shall be 8.5 percent for police officers and firemen and 8 percent for all other members."

Amendment No. 7553 to Senate Bill No. 336 (BDR 23-185) Page 4

Amend sec. 55, page 24, by deleting lines 6 through 14 and inserting:

"Sec. 55. (There is no section 55.)".

Amend sec. 62, page 30, by deleting line 9 and inserting:

"on account of the same disability if such benefit is provided or was purchased by the expenditure of public moneys."

Amend sec. 63, page 31, by deleting lines 7 through 9 and inserting:

"4. A member may apply to the board for one reconsideration of a decision concerning the eligibility of an applicant for a disability retirement allowance or the discontinuance of such an allowance. If no application for rehearing is made or if such an application is denied, every such decision is subject only to judicial review in the Nevada Administrative Procedure Act."

Amend sec. 77, page 36, line 18, by deleting "80" and inserting "70".

Amend sec. 82, page 38, by deleting line 15 and inserting:

"218.2382 1. [Service] Except as provided in subsection 2:  
(a) Service".

Amend sec. 82, page 38, line 21, by deleting "2." and inserting:

"[2.] (b)".

Amend sec. 82, page 38, by deleting lines 24 and 25 and inserting:

"2. Service credit for a legislator who takes office on or after July 1, 1975, begins on the day after his election or appointment and terminates on the day of election of his successor, unless sooner terminated on the day of his death, resignation or removal from office."

Amend sec. 86, pages 40 and 41, by deleting lines 17 through 50 on page 40 and lines 1 through 15 on page 41 and inserting:

Amendment No. 7553 to Senate Bill No. 336 (BDR 23-185) Page 5

Sec. 86. NRS 218.239 is hereby amended to read as follows:

218.239 A legislator entering into retirement [shall receive the following monthly retirement allowance based upon years of accredited service at the time of retirement, with fractions of years to be prorated:

Service of 8 years.....	\$160
Service of 9 years.....	180
Service of 10 years.....	200
Service of 11 years.....	220
Service of 12 years.....	240
Service of 13 years.....	260
Service of 14 years.....	280
Service of 15 years.....	300
Service of 16 years.....	320
Service of 17 years.....	340
Service of 18 years.....	360
Service of 19 years.....	380
Service of 20 years.....	400
Service of 21 years.....	420
Service of 22 years.....	440
Service of 23 years.....	460
Service of 24 years.....	480
Service of 25 years or more.....	500]

on or after July 1, 1975, is entitled to receive a monthly retirement allowance of \$25 for each year of service up to 30 years, prorated for fractions of a year."

Amend sec. 87, pages 41 and 42, by deleting lines 16 through 50 on page 41 and lines 1 through 25 on page 42 and inserting:

"Sec. 87. NRS 477.015 is hereby amended to read as follows:

477.015 [Nothing contained in this chapter or elsewhere in Nevada Revised Statutes shall be construed to authorize the state fire marshal or his deputies to retire from the public employees' retirement system prior to having attained the minimum service retirement age of 60 years.] The state fire marshal and

Amendment No. 7553 to Senate Bill No. 336 (BDR 23-185) Page 6

his deputies are not police officers or firemen for the purpose of early retirement under chapter 286 of NRS."

Amend the bill as a whole by deleting sections 88 and 89, renumbering section 90 as section 88, and adding a new section to be designated section 89, which shall immediately follow present section 90, to read as follows:

"Sec. 89. Notwithstanding the exclusion by this act of agents of the Nevada youth training center from the definition of "police officer," any such agent whose retirement rights have become vested by the completion of 10 years' service on or before the effective date of this act in a capacity then recognized as entitling him to early retirement as a police officer may so retire and shall be considered as a police officer until such retirement."

Amend sec. 91, page 43, line 4, by deleting "91" and inserting: "90".

Amend the title of the bill to read:

"AN ACT relating to public employees' retirement; creating a separate police and firemen's retirement fund; increasing certain contribution rates; restricting employees' right to withdraw their contributions to the retirement fund; increasing post-retirement allowances; providing annual cost-of-living increases; abolishing certain benefits; increasing certain survivor benefits; reducing outside employment restrictions on the executive officer; providing penalties; and providing other matters properly relating thereto."



**S. B. 80****SENATE BILL NO. 80—COMMITTEE ON FINANCE**

JANUARY 29, 1975

## Referred to Committee on Finance

**SUMMARY**—Clarifies provisions relating to retirement of state fire marshal and his deputies. Fiscal Note: No. (BDR 42-543)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to the state fire marshal; clarifying provisions relating to the retirement benefits of the state fire marshal and his deputies under the state employees' retirement system.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. NRS 477.015 is hereby amended to read as follows:
- 2 477.015 Nothing contained in this chapter or elsewhere in Nevada
- 3 Revised Statutes shall be construed to authorize the state fire marshal or
- 4 his deputies to [retire from the public employees' retirement system prior
- 5 to having attained the minimum service retirement age of 60 years.] *be*
- 6 *treated as police officers or firemen for the purposes of early retirement*
- 7 *pursuant to chapter 286 of NRS.*

S. B. 81

## SENATE BILL NO. 81—COMMITTEE ON FINANCE

JANUARY 29, 1975

Referred to Committee on Finance

SUMMARY—Provides early retirement under public employees' retirement system for certain personnel of investigation and narcotics division. Fiscal Note: Yes. (BDR 23-559)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to public employees' retirement; providing early retirement for certain personnel of the investigation and narcotics division of the department of law enforcement assistance; 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. NRS 286.060 is hereby amended to read as follows:  
 2 286.060 As used in this chapter, "police officers and firemen" [shall  
 3 include] *includes* guards at any of the state institutions, [and] fire-  
 4 wardens, other than ex officio [.] , *and the chief, investigators, agents*  
 5 *and other sworn personnel of the investigation and narcotics division of*  
 6 *the department of law enforcement assistance.*  
 7 SEC. 2. NRS 216.285 is hereby amended to read as follows:  
 8 216.285 For the purposes of the administration of NRS 216.085 to  
 9 216.125, inclusive, and NRS 216.185 to 216.285, inclusive, the director,  
 10 division chiefs, investigators, agents and other sworn personnel are  
 11 invested with the powers of a peace officer of the State of Nevada. The  
 12 provisions of this [subsection shall] *section do not constitute such indi-*  
 13 *viduals, except the chief, investigators, agents and other sworn personnel*  
 14 *of the investigation and narcotics division, as police officers for the pur-*  
 15 *poses of NRS 286.510.*

S. B. 90

## SENATE BILL NO. 90—COMMITTEE ON FINANCE

JANUARY 29, 1975

Referred to Committee on Finance

SUMMARY—Adds to list of peace officers eligible for coverage of diseases of heart as occupational diseases. Fiscal Note: Yes. (BDR 53-560)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to occupational diseases; providing for coverage of diseases of the heart for certain personnel of the investigation and narcotics division of the department of law enforcement assistance; 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. NRS 617.457 is hereby amended to read as follows:  
 2 617.457 1. Notwithstanding any other provision of this chapter,  
 3 diseases of the heart, resulting in either temporary or permanent total dis-  
 4 ability or death, shall be considered occupational diseases and compen-  
 5 sable as such under the provisions of this chapter if caused by extreme  
 6 overexertion in times of stress or danger and a causal relationship can be  
 7 shown by competent evidence that the disability or death arose out of and  
 8 in the course of the employment of a person who, for 5 years or more, has  
 9 been employed in a full-time continuous, uninterrupted and salaried occu-  
 10 pation as a firefighter, sheriff, deputy sheriff, city policeman, officer of the  
 11 Nevada highway patrol, member of the University of Nevada system  
 12 police department, *sworn member of the investigation and narcotics divi-*  
 13 *sion of the department of law enforcement assistance* or a uniformed  
 14 employee of the Nevada state prison whose position requires regular and  
 15 frequent contact with the convict population and subjects the employee to  
 16 recall in emergency situations.  
 17 2. Notwithstanding any other provision of this chapter, diseases of  
 18 the heart, resulting in either temporary or permanent total disability or  
 19 death, shall be considered occupational diseases and compensable as such  
 20 under the provisions of this chapter if caused by extreme overexertion in  
 21 times of stress or danger and a causal relationship can be shown by  
 22 competent evidence that the disability or death arose out of and was  
 23 caused by the performance of duties as a volunteer fireman by a person  
 24 entitled to the benefits of chapter 616 of NRS pursuant to the provisions  
 25 of NRS 616.070 and who, for 5 years or more, has served continuously

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## S. B. 139

## SENATE BILL NO. 139—COMMITTEE ON FINANCE

FEBRUARY 4, 1975

Referred to Committee on Finance

SUMMARY—Increases amount each public employer contributes to public employees' retirement. Fiscal Note: No. (BDR 23-860)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

AN ACT relating to the public employees' retirement system; increasing the amount each public employer contributes; 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. NRS 286.450 is hereby amended to read as follows:  
 2 286.450 1. Each public employer shall pay into the public employ-  
 3 ees' retirement fund [7] 8 percent of all gross compensation, for mem-  
 4 bers who are not peace officers or firemen, and [7.5] 8.5 percent for  
 5 members who are peace officers or firemen, payable on or after July 1,  
 6 [1971,] 1975, at intervals prescribed by the board. Although all con-  
 7 tributions shall be maintained in one fund as required in NRS 286.220  
 8 and all valid charges may be paid therefrom, in order that income for,  
 9 and the cost of, separate benefit programs may be readily ascertainable,  
 10 it is declared that of the [7-percent] 8-percent contribution one-quarter  
 11 of 1 percent shall be regarded as contributed for costs incurred in sur-  
 12 vivor benefits as established by NRS 286.671 to 286.6792, inclusive, and  
 13 three-quarters of 1 percent shall be regarded as contributed for the post-  
 14 retirement increases provided by NRS 286.575. The remaining amount  
 15 shall be regarded as contributed for all other purposes. The contribution  
 16 for peace officers and firemen shall be prorated on the same proportionate  
 17 scale as the [7-percent] 8-percent contribution except that one-half of  
 18 1 percent shall be for the early retirement provision.  
 19 2. No portion of the contribution referred to in subsection 1 shall be  
 20 used for administrative expenses.  
 21 3. Credit shall be granted a member of the system for all continuous  
 22 service which he rendered to the state or to his public employer prior to  
 23 the time the public employer commences to participate in the system.

S. B. 323

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SENATE BILL NO. 323—SENATOR SCHOFIELD  
(by request)

MARCH 10, 1975

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Referred to Committee on Finance

SUMMARY—Relieves public employer from responsibility for deducting retirement contribution from pay of employees employed for a period of 120 days or less. Fiscal Note: No. (BDR 23-1200)

EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

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AN ACT relating to public employees' retirement; relieving public employer from responsibility for deducting retirement contribution from pay of employees employed for 120 days or less.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1 NRS 286.420 is hereby amended to read as follows:  
 2 286.420 1. Deductions shall be made from the salary of an employee  
 3 and contributions paid thereon from the first day of employment unless  
 4 the employee has been hired for a period of employment that will not  
 5 exceed [90] 120 days.  
 6 2. Except as otherwise provided in subsection 3, if an employee fails  
 7 to become eligible for membership in the system, during the fiscal year,  
 8 and deductions have been made and contributions paid to his account,  
 9 the board shall refund to the employer and to the employee their respec-  
 10 tive contributions.  
 11 3. If at the end of the fiscal year during which he was first employed,  
 12 an employee has not earned the annual minimum required for membership  
 13 in the system, a refund shall not be made, but if at the end of a full year  
 14 of employment he has not earned the annual minimum and at the end of  
 15 the fiscal year in which the first anniversary occurred he has also not  
 16 earned the annual minimum during that fiscal year, then the refund shall  
 17 be made to the employer and the employee.  
 18 SEC. 2. This act shall become effective upon passage and approval.

A. B. 76

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ASSEMBLY BILL NO. 76—COMMITTEE ON  
GOVERNMENT AFFAIRS

JANUARY 28, 1975

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- Referred to Committee on Government Affairs

SUMMARY—Technical amendment conforming to section 2, chapter 587, Statutes of Nevada 1973, to section 8, chapter 542, Statutes of Nevada 1973. Fiscal Note: No. (BDR S-66)



EXPLANATION—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

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AN ACT to amend an act entitled "An Act relating to the public employees' retirement system; declaring the policy thereof; and providing other matters properly relating thereto," approved April 25, 1973.

*The People of the State of Nevada, represented in Senate and Assembly,  
do enact as follows:*

- 1 SECTION 1. Section 2 of the above-entitled act, being chapter 587,  
2 Statutes of Nevada 1973, at page 997, is hereby amended to read as  
3 follows:  
4 Section 2. NRS 286.220 is hereby amended to read as follows:  
5 286.220 1. The board shall establish a fund which shall be known  
6 as the public employees' retirement fund.  
7 2. It is hereby declared to be the policy of the legislature that the  
8 public employees' retirement fund is a trust fund established to afford a  
9 degree of security to long-time public employees of the state and its  
10 political subdivisions. The moneys in the fund shall not be used or appro-  
11 priated for any purpose incompatible with [securing to such public  
12 employees a secure and just retirement and the] *the public employees'*  
13 *retirement system policy, as expressed in section 1 of this act. The fund*  
14 *shall be invested and administered to assure the highest return consist-*  
15 *ent with safety in accordance with accepted investment practices.*  
16 SEC. 2. This act shall become effective upon passage and approval.

**S. B. 209**

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**SENATE BILL NO. 209—SENATOR HERR**

**FEBRUARY 18, 1975**

Referred to Committee on Transportation

**SUMMARY**—Makes appropriation to department of highways for purpose of building highway maintenance and equipment complex at Arden Interchange. Fiscal Note: No. (BDR S-777)

**EXPLANATION**—Matter in *italics* is new; matter in brackets [ ] is material to be omitted.

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AN ACT making an appropriation to the department of highways for the purpose of building a highway maintenance and equipment complex at the Arden Interchange.

*The People of the State of Nevada, represented in Senate and Assembly, do enact as follows:*

- 1 SECTION 1. There is hereby appropriated from the general fund in
- 2 the state treasury to the department of highways of the State of Nevada
- 3 the sum of \$3,500,000 for the purpose of building a highway maintenance
- 4 and equipment complex at the Arden Interchange, Clark County, Nevada.
- 5 SEC. 2. This act shall become effective upon passage and approval.

\*next page number is 426.