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41 Sections – One page Summary

The majority of the Sections in AB 217 clarify the authority to adopt regulations. Throughout NRS 284, the authority to adopt regulations is inconsistently granted to the Department Director or the Personnel Commission. Historically, adoption of regulations has been a function of the Personnel Commission. The proposed amendments would clarify this authority and streamline the regulation adoption process.

AB 217 also proposes cleanup language to provide minor clarification of terminology, combine redundant sections and ensure that the rights of individuals with disabilities provided in the NRS are consistent with the requirements of the ADA.

None of the proposed clean up language represents a material change in our current practices.

The amendments proposed in Section 1 would allow agencies to offer alternative hours of operation to better serve their client population and maximize the resources of the agency. The requirement that agencies be open Monday through Friday from 8:00 a.m. to 5 p.m. does not allow agencies the flexibility to offer evening and weekend services to meet clients needs when staffing is limited. For instance, some of the rural Museums, which have limited staffing, would like to be open on a Saturday and closed Monday, which would better accommodate their visitors. The amendments proposed in Sections 35, 37 and 38 ensure consistency in other sections of the NRS.

Section 24 would allow an employee the additional option of applying the cash equivalent of his annual leave toward an overpayment of compensation.

Currently, if an overpayment occurs, employees must pay it back with a personal check or a payroll deduction agreement.

Finally, Section 36 would allow the clerk of the State Board of Examiners the authority to designate overpayments of \$50 or less as a bad debt when initial attempts to collect have not been successful and the cost to continue collection would exceed the amount due.

In closing, I would like to add that AB 217 received an extensive review in the Assembly Government Affairs Committee, which included subcommittee review. The Committee unanimously passed this bill and requested the Department of Personnel provide information to the 2005 Legislature regarding agency use of alternative hours of operation, the balance of compensation liabilities that pertain to removal of the anti-week, and the number of debts under \$50 designated as bad debts. We will track and report this information in 2005 as requested.