

ASSEMBLY BILL NO. 217—COMMITTEE ON  
GOVERNMENT AFFAIRS

(ON BEHALF OF THE DEPARTMENT OF PERSONNEL)

FEBRUARY 28, 2003

Referred to Committee on Government Affairs

SUMMARY—Makes various changes regarding State Personnel System. (BDR 23-495)

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; authorizing state offices to establish an alternative schedule of operation; transferring the power or duty to adopt certain regulations from the Department of Personnel and the Director of the Department to the Personnel Commission; authorizing an employee to offset an overpayment of salary with annual leave; allowing the State Board of Examiners to delegate to its Clerk the authority to designate certain overpayments of salary as bad debts; repealing a duplicative provision regarding certain reports by appointing authorities; 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 281.110 is hereby amended to read as follows:  
2     281.110 1. ~~The~~ *Unless required for the efficient*  
3     *transaction of business and the convenience of the persons with*  
4     *whom business is transacted, the* offices of all state officers,  
5     departments, boards, commissions and agencies ~~shall:~~ *must:*  
6     (a) Maintain not less than a 40-hour workweek.



\* A B 2 1 7 R 1 \*

1 (b) Be open for the transaction of business at least from 8 a.m.  
2 until 12 p.m. and from 1 p.m. until 5 p.m. every day of the year,  
3 with the exception of Saturdays, Sundays and legal holidays.

4 2. Variable workweek scheduling may be required in those  
5 agencies where coverage is needed on Saturdays, Sundays and legal  
6 holidays ~~;~~

7 ~~—2.]~~ *or on other days or during other hours, as necessary.*

8 3. The offices of all state officers, departments, boards,  
9 commissions and agencies ~~{shall}~~ *that are open on the days and*  
10 *during the hours set forth in paragraph (b) of subsection 1 must*  
11 remain open during the noon hour of each ~~{regular}~~ working day if  
12 any such office has more than one person on its staff.

13 **Sec. 2.** NRS 284.065 is hereby amended to read as follows:

14 284.065 1. The Commission has only such powers and duties  
15 as are authorized by law.

16 2. In addition to the powers and duties set forth elsewhere in  
17 this chapter, the Commission shall:

18 (a) Advise the Director concerning the organization and  
19 administration of the Department.

20 (b) Report to the Governor biennially on all matters which the  
21 Commission may deem pertinent to the Department and concerning  
22 any specific matters previously requested by the Governor.

23 (c) Advise and make recommendations to the Governor or the  
24 Legislature relative to the personnel policy of the State.

25 (d) ~~{Advise the Director with respect to the preparation and~~  
26 ~~adoption of}~~ *Adopt* regulations to carry out the provisions of this  
27 chapter.

28 (e) Foster the interest of institutions of learning and of civic,  
29 professional and employee organizations in the improvement of  
30 personnel standards in the state service.

31 (f) Review decisions of the Director in contested cases involving  
32 the classification or allocation of particular positions.

33 (g) Exercise any other advisory powers necessary or reasonably  
34 implied within the provisions and purposes of this chapter.

35 **Sec. 3.** NRS 284.105 is hereby amended to read as follows:

36 284.105 1. The Director shall direct and supervise all  
37 administrative and technical activities of the Department.

38 2. In addition to the duties imposed upon him elsewhere in this  
39 chapter, the Director shall:

40 (a) Apply and carry out the provisions of this chapter and the  
41 regulations adopted ~~{under}~~ *pursuant to* it.

42 (b) Establish objectives for the Department in terms which are  
43 specific, measurable and conducive to reliable evaluation, and  
44 develop a plan for accomplishing those objectives.



1 (c) Establish a system of appropriate policies for each function  
2 within the Department.

3 (d) Attend all meetings of the Commission.

4 (e) *Advise the Commission with respect to the preparation and*  
5 *adoption of regulations to carry out the provisions of this chapter.*

6 (f) Report to the Governor and the Commission upon all matters  
7 concerning the administration of his office ~~[(f)]~~ and request the advice  
8 of the Commission on matters concerning the policies of the  
9 Department, ~~[(f)]~~ but the Director is responsible for the conduct of  
10 the Department and its administrative functions unless otherwise  
11 provided by law.

12 ~~[(g)]~~ (g) Establish and maintain a roster of all employees in the  
13 public service. The roster must set forth, as to each employee:

- 14 (1) The class title of the position held.
- 15 (2) The salary or pay.
- 16 (3) Any change in class title, pay or status.
- 17 (4) Other pertinent data.

18 ~~[(h)]~~ (h) In cooperation with appointing authorities and others,  
19 foster and develop programs for improving the effectiveness and  
20 morale of employees, including training and procedures for hearing  
21 and adjusting grievances.

22 ~~[(i)]~~ (i) Encourage and exercise leadership in the development  
23 of effective personnel administration within the several departments  
24 in the public service, and make available the facilities and services  
25 of the Department and its employees to this end.

26 ~~[(j)]~~ (j) Make to the Commission and to the Governor a biennial  
27 report regarding the work of the Department and such special  
28 reports as he may consider desirable.

29 ~~[(k)]~~ (k) Maintain a continuous program of recruiting for the  
30 ~~public~~ *classified* service.

31 ~~[(l)]~~ (l) Perform any other lawful acts which he may consider  
32 necessary or desirable to carry out the purposes and provisions of  
33 this chapter.

34 **Sec. 4.** NRS 284.121 is hereby amended to read as follows:

35 284.121 Each appointing authority shall report to the Director  
36 in writing, from time to time, ~~[upon the date of the official action in,~~  
37 ~~or knowledge of, any] any appointment,~~ transfer, separation,  
38 suspension ~~[or reinstatement of a person in the public service.]~~ ,  
39 *reinstatement* or any reduction or other change to a position in the  
40 public service. *The report must contain:*

- 41 1. *The name of the appointee or employee.*
- 42 2. *The title and status of his employment.*
- 43 3. *The date of commencement of the action.*
- 44 4. *The salary or compensation of the appointee or employee.*



1     **Sec. 5.** NRS 284.135 is hereby amended to read as follows:  
2     284.135 1. Subject to regulations ~~[prescribed]~~ *adopted* by the  
3     ~~[Director,]~~ *Commission*, the services and facilities of the  
4     Department and its employees are available upon request to political  
5     subdivisions of the State.

6     2. In making the services and facilities of the Department and  
7     its employees available, it must be understood that:

8     (a) Requirements for the enforcement and administration of the  
9     provisions of this chapter must be given precedence; and

10    (b) The political subdivisions shall reimburse the Department  
11    for the reasonable cost of those services and facilities.

12    **Sec. 6.** NRS 284.150 is hereby amended to read as follows:

13    284.150 1. The classified service of the State of Nevada is  
14    comprised of all positions in the public service now existing or  
15    hereafter created which are ~~[not included in the unclassified service,  
16    and which provide services for any office, department, board,  
17    commission, bureau, agency or institution in the Executive  
18    Department of the State Government operating by authority of the  
19    Constitution or law and supported in whole or in part by any public  
20    money, whether the money is received from the Government of the  
21    United States or any branch or agency thereof, or from private or  
22    any other sources.~~

23    ~~2. Appointments]:~~

24    (a) *Lawfully designated as being* in the classified service ~~[must  
25    be made]; and~~

26    (b) *Filled* according to merit and fitness from eligible lists  
27    prepared upon the basis of examination, which must be open and  
28    competitive, except as otherwise provided in this chapter and  
29    NRS 209.161.

30    ~~[3.]~~ 2. Except as otherwise provided in NRS 193.105, 209.161  
31    and 416.070, a person must not be appointed, transferred, promoted,  
32    demoted or discharged ~~[as an officer, clerk, employee or laborer]~~ in  
33    the classified service in any manner or by any means other than  
34    those prescribed in this chapter and the regulations adopted in  
35    accordance therewith.

36    ~~[4.]~~ 3. A person must not be discriminated against on account  
37    of his religious opinions or affiliations, race, sex, age or disability.

38    **Sec. 7.** NRS 284.155 is hereby amended to read as follows:

39    284.155 1. The ~~[Director]~~ *Commission* shall adopt a code of  
40    regulations for the classified service . ~~[which must be approved by  
41    the Commission.]~~

42    2. The code must include regulations concerning certifications  
43    and appointments for:



1 (a) Positions in classes having a maximum salary of \$12,500 or  
2 less as of December 31, 1980, where the regular procedures for  
3 examination and certification are impracticable; and

4 (b) Classes where applicants for promotion are not normally  
5 available.

6 These regulations may be different from the regulations concerning  
7 certifications and appointments for other positions in the classified  
8 service.

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

10 284.175 1. After consultation with appointing authorities and  
11 state fiscal officers, ~~{and after a public hearing and approval by the~~  
12 ~~Commission,}~~ the Director shall ~~{prescribe regulations for}~~ *prepare*  
13 a pay plan for all employees in the classified service.

14 2. The pay plan and its amendments become effective only  
15 after approval by ~~{the Commission and}~~ the Governor.

16 3. The ~~{Director shall prepare a}~~ pay plan ~~{and}~~ *must include,*  
17 *without limitation,* ranges for each class, grade or group of positions  
18 in the classified service. Each employee *in the classified service*  
19 must be paid at one of the rates set forth in the pay plan for the class  
20 of position in which he is employed and at such time as necessary  
21 money is made available for the payment.

22 4. The ~~{Director shall prescribe regulations that provide for~~  
23 ~~progression through the rate ranges based on merit and fitness alone.~~  
24 ~~The regulations become effective upon the approval of the~~  
25 ~~Commission.~~

26 ~~—5. In making}~~ *Commission shall adopt regulations to carry*  
27 *out the pay plan.*

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

32 (a) Surveys of salaries of comparable jobs in government and  
33 private industry within the State of Nevada and western states,  
34 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. 9.** NRS 284.180 is hereby amended to read as follows:

40 284.180 1. The Legislature declares that since uniform salary  
41 and wage rates and classifications are necessary for an effective and  
42 efficient personnel system, the pay plan must set the official rates  
43 applicable to all positions in the classified service, but the  
44 establishment of the pay plan in no way limits the authority of the



1 Legislature relative to budgeted appropriations for salary and wage  
2 expenditures.

3 2. Credit for overtime work directed or approved by the head  
4 of an agency or his representative must be earned at the rate of time  
5 and one-half, except for those employees described in NRS 284.148.

6 3. Except as otherwise provided in subsections 4, 6, 7 and 9,  
7 overtime is considered time worked in excess of:

8 (a) Eight hours in 1 calendar day;

9 (b) Eight hours in any 16-hour period; or

10 (c) A 40-hour week.

11 4. Firemen who choose and are approved for a 24-hour shift  
12 shall be deemed to work an average of 56 hours per week and 2,912  
13 hours per year, regardless of the actual number of hours worked or  
14 on paid leave during any biweekly pay period. A fireman so  
15 assigned is entitled to receive 1/26 of his annual salary for each  
16 biweekly pay period. In addition, overtime must be considered time  
17 worked in excess of:

18 (a) Twenty-four hours in one scheduled shift; or

19 (b) Fifty-three hours average per week during one work period  
20 for those hours worked or on paid leave.

21 The appointing authority shall designate annually the length of the  
22 work period to be used in determining the work schedules for such  
23 firemen. In addition to the regular amount paid such a fireman for  
24 the deemed average of 56 hours per week, he is entitled to payment  
25 for the hours which comprise the difference between the 56-hour  
26 average and the overtime threshold of 53 hours average at a rate  
27 which will result in the equivalent of overtime payment for those  
28 hours.

29 5. The ~~{Director, with the approval of the Commission,}~~  
30 *Commission* shall adopt regulations to carry out the provisions of  
31 subsection 4.

32 6. For employees who choose and are approved for a variable  
33 workday, overtime will be considered only after working 40 hours  
34 in 1 week.

35 7. Employees who are eligible under the Fair Labor Standards  
36 Act of 1938, 29 U.S.C. §§ 201 et seq., to work a variable 80-hour  
37 work schedule within a biweekly pay period and who choose and  
38 are approved for such a work schedule will be considered eligible  
39 for overtime only after working 80 hours biweekly, except those  
40 eligible employees who are approved for overtime in excess of one  
41 scheduled shift of 8 or more hours per day.

42 8. An agency may experiment with innovative workweeks  
43 upon the approval of the head of the agency and after majority  
44 consent of the affected employees. The affected employees are  
45 eligible for overtime only after working 40 hours in a workweek.



1 9. This section does not supersede or conflict with existing  
2 contracts of employment for employees hired to work 24 hours a  
3 day in a home setting. Any future classification in which an  
4 employee will be required to work 24 hours a day in a home setting  
5 must be approved in advance by the Commission.

6 10. All overtime must be approved in advance by the  
7 appointing authority or his designee. No officer or employee, other  
8 than a director of a department or the chairman of a board,  
9 commission or similar body, may authorize overtime for himself.  
10 The chairman of a board, commission or similar body must approve  
11 in advance all overtime worked by members of the board,  
12 commission or similar body.

13 11. The Budget Division of the Department of Administration  
14 shall review all overtime worked by employees of the Executive  
15 Department to ensure that overtime is held to a minimum. The  
16 Budget Division shall report quarterly to the State Board of  
17 Examiners the amount of overtime worked in the quarter within the  
18 various agencies of the State.

19 **Sec. 10.** NRS 284.205 is hereby amended to read as follows:  
20 284.205 The ~~{Director shall prescribe}~~ *Commission shall*  
21 *adopt* regulations for open competitive examinations to test the  
22 relative fitness of applicants for the respective positions.

23 **Sec. 11.** NRS 284.210 is hereby amended to read as follows:  
24 284.210 1. All competitive examinations for positions in the  
25 classified service must:

26 (a) Relate to those matters which fairly test the capacity and  
27 fitness of the persons examined to perform in an efficient manner  
28 the duties of the class in which employment is sought.

29 (b) Be open to all applicants who meet the reasonable standards  
30 or requirements fixed by the Director with regard to experience,  
31 character, age, education, physical condition and any other factors  
32 relating to the ability of the applicants to perform the duties of the  
33 position with reasonable efficiency.

34 2. An examination may consist of:

- 35 (a) An evaluation of the applicant's training and experience;
- 36 (b) A written examination;
- 37 (c) An oral examination;
- 38 (d) An evaluation of the applicant's performance, such as the  
39 ability to operate successfully certain equipment; or
- 40 (e) Any combination of paragraphs (a) to (d), inclusive.

41 3. An examination may be conducted by using a center for  
42 assessment as defined by regulations adopted by the ~~{Director.}~~  
43 *Commission*. An employee of the department for which an  
44 examination is being held may not serve on the panel or score the  
45 examination.



1 4. An oral examination given pursuant to this section must be:  
2 (a) Except as otherwise provided in subsection 5, conducted by  
3 a panel of which no more than one-third of the members are  
4 employed by the department in which a vacancy exists for the  
5 position for which the examination is given.  
6 (b) Recorded and maintained by the department for:  
7 (1) Not less than 2 years after the date of the examination; or  
8 (2) Until the final disposition of a charge of  
9 discrimination,  
10 whichever is longer, and must be available to an affected person  
11 upon request.

12 5. Employees of the department in which a vacancy exists may  
13 comprise more than one-third of the members of the panel if:  
14 (a) A member who is not such an employee is unable to serve on  
15 the panel because of illness or an emergency;  
16 (b) The department has more than 1,000 employees; and  
17 (c) The department has two or more divisions that administer  
18 separate and diverse programs and the employees of the department  
19 on the panel are not employed by the same division.

20 **Sec. 12.** NRS 284.240 is hereby amended to read as follows:  
21 284.240 The Director may refuse to examine an applicant or,  
22 after examination, may refuse to certify an eligible person who :  
23 ~~comes under any of the following categories:~~

- 24 1. Lacks any of the preliminary requirements established for  
25 the examination for the position or employment for which he  
26 applies.  
27 2. ~~Is addicted to the use of habit-forming drugs.~~  
28 ~~—3.— Is an habitual user of intoxicating liquors to excess.~~  
29 ~~—4.—~~ *Submitted to a screening test administered pursuant to NRS*  
30 *284.4066, the results of which indicated the presence of a*  
31 *controlled substance, and the person did not provide the proof*  
32 *required by NRS 284.4066.*  
33 3. Has been guilty of any crime involving moral turpitude or of  
34 infamous or notoriously disgraceful conduct.  
35 ~~[5.]~~ 4. Has been dismissed from the public service for  
36 delinquency or misconduct.  
37 ~~[6.]~~ 5. Has made a false statement of any material fact.  
38 ~~[7.]~~ 6. Has, directly or indirectly, given, rendered or paid, or  
39 promised to give, render or pay, any money, service or other  
40 valuable thing to any person for, or on account of ~~[.]~~ or in  
41 connection with, his examination ~~[.]~~ appointment or proposed  
42 appointment.  
43 ~~[8.]~~ 7. Has practiced, or attempted to practice, any deception  
44 or fraud in his application, in his certificate, in his examination, or in  
45 securing his eligibility or appointment.





1     **Sec. 13.** NRS 284.250 is hereby amended to read as follows:  
2     284.250 1. The ~~{Director shall prescribe}~~ *Commission shall*  
3 *adopt* regulations for the establishment of eligible lists for  
4 appointment and promotion which must contain the names of  
5 successful applicants in the order of their relative excellence in the  
6 respective examinations.

7     2. The term of eligibility of applicants on such lists is 1 year,  
8 but the term may be extended by the Director to a maximum of  
9 3 years.

10    **Sec. 14.** NRS 284.290 is hereby amended to read as follows:

11    284.290 1. All original competitive appointments to and  
12 promotions within the classified service must be for a fixed  
13 probationary period of 6 months, except that a longer period not  
14 exceeding 1 year may be established for classes of positions in  
15 which the nature of the work requires a longer period for proper  
16 evaluation of performance.

17    2. Dismissals or demotions may be made at any time during the  
18 probationary period in accordance with regulations ~~{established}~~  
19 *adopted* by the ~~{Director,}~~ *Commission*.

20    3. Before the end of the probationary period and in accordance  
21 with regulations ~~{established}~~ *adopted* by the ~~{Director,}~~  
22 *Commission*, the appointing authority shall notify the Director in  
23 writing whether or not the probationer is a satisfactory employee  
24 and should receive the status of a permanent appointee.

25    **Sec. 15.** NRS 284.295 is hereby amended to read as follows:

26    284.295 1. Vacancies in positions must be filled, so far as  
27 practicable, by promotion within a department or agency from  
28 among persons holding positions in the classified service.  
29 Promotions must be based upon merit and fitness, to be ascertained  
30 in accordance with regulations ~~{established}~~ *adopted* by the  
31 ~~{Director,}~~ *Commission*. In such regulations, the employee's  
32 efficiency, character, conduct and length of service must all  
33 constitute factors. For the purposes of this subsection, a person  
34 employed by the Legislative Branch of Government pursuant to  
35 subsection 5 of NRS 284.3775 shall be deemed to hold the position  
36 he held before the legislative session.

37    2. Eligibility for promotion must be determined on  
38 recommendation of the appointing authority and certification by the  
39 Director that the employee meets the minimum requirements and  
40 demonstrates his qualifications in accordance with regulations  
41 ~~{established}~~ *adopted* by the ~~{Director,}~~ *Commission*.

42    3. The Director may provide, in specific cases, for competitive  
43 promotional examinations among employees of departments other  
44 than that in which a particular vacancy in a higher classification may  
45 exist.



1 4. An advancement in rank or grade or an increase in salary  
2 beyond the maximum fixed for the class constitutes a promotion.

3 **Sec. 16.** NRS 284.305 is hereby amended to read as follows:

4 284.305 1. Except as otherwise provided in subsection 2,  
5 positions in the classified service may be filled without competition  
6 only as provided in NRS 284.155, 284.307, 284.309, 284.310,  
7 284.315, 284.320, 284.325, 284.327, 284.330, 284.375 and  
8 284.3775.

9 2. The ~~{Director}~~ *Commission* may adopt regulations which  
10 provide for filling positions in the classified service without  
11 competition in cases involving:

12 (a) The demotion of a current employee;

13 (b) The reemployment of a current or former employee who was  
14 or will be adversely affected by layoff, military service,  
15 reclassification or a permanent partial disability arising out of and in  
16 the course of his employment; or

17 (c) The reappointment of a current employee.

18 **Sec. 17.** NRS 284.317 is hereby amended to read as follows:

19 284.317 ~~{In order to further the efforts of the State of Nevada~~  
20 ~~toward alleviating the problems of persons with disabilities, full}~~  
21 *Full* consideration must be given to the employment of a person  
22 with a disability for a position if he is capable of ~~{meeting~~  
23 ~~the necessary performance requirements}~~ *performing the essential*  
24 *functions of the position* with or without reasonable  
25 accommodations.

26 **Sec. 18.** NRS 284.325 is hereby amended to read as follows:

27 284.325 1. The ~~{Director}~~ *Commission* shall adopt  
28 regulations not inconsistent with this section for the certification of  
29 qualified persons for temporary service.

30 2. Except as otherwise provided in subsection 3, temporary  
31 positions which occur, terminate or recur periodically must be filled  
32 by certification in accordance with the regulations ~~{established}~~  
33 *adopted* by the ~~{Director.}~~ *Commission*.

34 3. An agency may appoint persons temporarily for less than  
35 160 cumulative hours during any calendar year without regard to the  
36 regulations adopted by the ~~{Director}~~ *Commission* pursuant to  
37 subsection 1.

38 4. The limitation on hours set forth in subsection 3 does not  
39 apply to temporary or part-time service by:

40 (a) A pupil attending his last 2 years of high school;

41 (b) A student employed by the college or university he attends;

42 (c) A person certified for temporary service in accordance with  
43 NRS 284.327;

44 (d) An employee of an events center, museum or research center  
45 of the University and Community College System of Nevada;



1 (e) A person employed by the University and Community  
2 College System of Nevada in a temporary position which recurs  
3 periodically for the registration of students; or

4 (f) A person employed by the University and Community  
5 College System of Nevada to provide such assistance to a student  
6 with a disability or to a student with an identified academic  
7 disadvantage as it determines is necessary for the academic success  
8 of the student, including, without limitation, a person employed as a  
9 tutor, note taker, reader, sign interpreter or test proctor.

10 5. The acceptance or refusal by an eligible person of a  
11 temporary appointment does not affect his standing on the register  
12 for permanent employment, nor may the period of temporary service  
13 be counted as part of the probationary period in case of subsequent  
14 appointment to a permanent position.

15 6. Successive temporary appointments to the same position  
16 must not be made under this section.

17 7. As used in this section, "student with an identified academic  
18 disadvantage" includes, without limitation, a student who the  
19 University and Community College System of Nevada has  
20 determined requires the services of a tutor for success in a course of  
21 study.

22 **Sec. 19.** NRS 284.327 is hereby amended to read as follows:

23 284.327 1. To assist persons with disabilities certified by the  
24 Rehabilitation Division of the Department of Employment, Training  
25 and Rehabilitation, appointing authorities are encouraged and  
26 authorized to make temporary limited appointments of certified  
27 persons with disabilities for a period not to exceed 700 hours  
28 notwithstanding that the positions so filled are continuing positions.  
29 A person with a disability who is certified by the Rehabilitation  
30 Division must be placed on the appropriate list for which he is  
31 eligible. Each such person must possess the training and experience  
32 necessary for the position for which he is certified. The  
33 Rehabilitation Division must be notified of an appointing authority's  
34 request for a list of eligibility on which the names of one or more  
35 certified persons with disabilities appear. A temporary limited  
36 appointment of a certified person with a disability pursuant to this  
37 section constitutes the person's examination as required by  
38 NRS 284.215.

39 2. The ~~Director~~ *Commission* shall adopt regulations to carry  
40 out the provisions of subsection 1.

41 3. This section does not deter or prevent appointing authorities  
42 from employing:

43 (a) A person with a disability if he is available and eligible for  
44 permanent employment.



1 (b) A person with a disability who is employed pursuant to the  
2 provisions of subsection 1 in permanent employment if he qualifies  
3 for permanent employment before the termination of his temporary  
4 limited appointment.

5 4. If a person appointed pursuant to this section is subsequently  
6 appointed to a permanent position during or after the 700-hour  
7 period, the 700 hours or portion thereof counts toward the  
8 employee's probationary period.

9 **Sec. 20.** NRS 284.335 is hereby amended to read as follows:

10 284.335 1. The appointing authorities and other supervising  
11 officers of the various state departments, agencies and institutions,  
12 after consultation with the Director, shall establish standards of  
13 work performance for each class of positions. Each appointing  
14 authority shall provide each of its employees with a copy of the  
15 standards for his position.

16 2. The Director shall ~~[-~~  
17 ~~-(a) Maintain]~~ *maintain* service records of performance  
18 efficiency, character and conduct by a system of service ratings  
19 based upon those standards.

20 ~~[(b) Establish]~~  
21 3. *The Commission shall adopt* regulations with respect to  
22 service ratings, and prescribe the extent to which service ratings  
23 must be considered in determining the advisability of transfers, the  
24 promotion of an employee to a higher class, the question of  
25 demotion or dismissal of any employee, increases and decreases in  
26 salary of an employee within the salary range established under this  
27 chapter, and in all other decisions relating to the status of  
28 employees.

29 ~~[3.—The Director]~~  
30 4. *The Commission* may, by regulation, further prescribe the  
31 extent to which the service ratings, and the reports upon which they  
32 are based, are open to inspection.

33 **Sec. 21.** NRS 284.340 is hereby amended to read as follows:

34 284.340 Each appointing authority shall:

35 1. Report to the Director, in writing, the efficiency of his  
36 subordinates and employees, and other information, in such manner  
37 as the ~~[Director]~~ *Commission* may prescribe by regulation.

38 2. File reports with the Director on the performance, during the  
39 probationary period, of each of his employees who holds a position  
40 in the classified service. A report must be filed at the end of the 2nd  
41 and 5th months of employment if the probationary period is 6  
42 months, or at the end of the 3rd, 7th and 11th months of  
43 employment if the probationary period is 12 months.

44 3. File a report annually with the Director on the performance  
45 of each of his employees who holds a position in the classified



1 service and has attained permanent status. The report must be filed  
2 at the end of the 12th month next following the attainment of  
3 permanent status, and at the end of every 12th month thereafter. If  
4 the report is not filed on or before the required date, the performance  
5 of the employee shall be deemed to be standard.

6 4. If any report he files with the Director on the performance of  
7 an employee who holds a position in the classified service includes a  
8 rating of substandard, file with the Director an additional report on  
9 the performance of the employee at least every 90 days until the  
10 performance improves to standard or until any disciplinary action is  
11 taken.

12 5. Provide the employee with a copy of each report filed.

13 **Sec. 22.** NRS 284.343 is hereby amended to read as follows:

14 284.343 1. ~~After~~ *Except as otherwise provided in this*  
15 *subsection, after* consultation with appointing authorities, and in  
16 cooperation with the State Board of Examiners, the ~~Director shall~~  
17 ~~prescribe~~ *Commission shall adopt* regulations for all training of  
18 employees in the state service. Professional employees of the  
19 teaching staff, Agricultural Extension Service and *Nevada*  
20 Agricultural Experiment Station staffs of the University and  
21 Community College System of Nevada, or any other state institution  
22 of learning and student employees of such an institution are exempt  
23 from the provisions of this section.

24 2. The regulations ~~so prescribed~~ *adopted pursuant to*  
25 *subsection 1* must set forth the conditions under which educational  
26 leave stipends may be paid to any officer or employee of the State.  
27 Except as otherwise provided in NRS 612.230 and with the  
28 exception of intermittent course work not leading to the awarding of  
29 a degree, no person may be granted educational leave stipends until  
30 he has entered into a contract with his employing agency whereby  
31 he agrees to pursue only those courses required for a degree related  
32 to his employment with the State and to return to the employ of his  
33 employing agency on the basis of 1 year for each 9 months of  
34 educational leave taken or to refund the total amount of the stipends  
35 regardless of the balance at the time of separation.

36 3. This section does not prevent the granting of sabbatical  
37 leaves by the Board of Regents of the University of Nevada.

38 4. Where practicable , all training for state employees must be  
39 presented through established educational institutions within the  
40 State.

41 5. The Department shall coordinate all training activities  
42 related to remedial programs and programs for career development  
43 designed to correct educational and training deficiencies of state  
44 employees and create employment opportunities for the  
45 disadvantaged. In connection with these activities , the Department,



1 with the approval of the Governor, is designated to enter into  
2 contractual arrangements with the Federal Government and others  
3 that provide grants or other money for educational and training  
4 activities.

5 **Sec. 23.** NRS 284.345 is hereby amended to read as follows:  
6 284.345 1. Except as otherwise provided in subsection 2, the  
7 ~~{Director shall prescribe}~~ *Commission shall adopt* regulations for  
8 attendance and ~~{leaves}~~ *leave* with or without pay or reduced pay in  
9 the various classes of positions in the public service.

10 2. The Board of Regents of the University of Nevada shall  
11 ~~{prescribe}~~ *adopt* regulations for attendance and for leave with or  
12 without pay or with reduced pay, sabbatical leave, sick leave,  
13 emergency leave, annual leave, terminal leave, military leave and  
14 such other leave as the Board of Regents determines to be necessary  
15 or desirable for officers and members of the faculty of the  
16 University and Community College System of Nevada. Sabbatical  
17 leave with pay may not be granted to more than 2 percent of the  
18 teaching personnel of a branch or facility of the System the rank of  
19 instructor or higher in any 1 year. No sabbatical leave with pay may  
20 be granted unless the person requesting the leave agrees in writing  
21 with the branch or facility to return to the branch or facility after the  
22 leave for a period not less than that required by his most recent  
23 contract of employment if the University and Community College  
24 System of Nevada desires his continued service.

25 **Sec. 24.** NRS 284.350 is hereby amended to read as follows:  
26 284.350 1. Except as otherwise provided in subsections 2, 3  
27 and 4, an employee in the public service, whether in the classified or  
28 unclassified service, is entitled to annual leave with pay of 1 1/4  
29 working days for each month of continuous public service. The  
30 annual leave may be cumulative from year to year not to exceed 30  
31 working days. The ~~{Department}~~ *Commission* may by regulation  
32 provide for additional annual leave for long-term employees and for  
33 prorated annual leave for part-time employees.

34 2. Except as otherwise provided in this subsection, any annual  
35 leave in excess of 30 working days must be used before January 1 of  
36 the year following the year in which the annual leave in excess of 30  
37 working days is accumulated or the amount of annual leave in  
38 excess of 30 working days is forfeited on that date. If an employee:

39 (a) On or before October 15, requests permission to take annual  
40 leave; and

41 (b) His request for leave is denied in writing for any  
42 reason,

43 he is entitled to payment for any annual leave in excess of 30  
44 working days which he requested to take and which he would  
45 otherwise forfeit as the result of the denial of his request, unless the



1 employee has final authority to approve use of his own accrued  
2 leave and he received payment pursuant to this subsection for any  
3 unused annual leave in excess of 30 working days accumulated  
4 during the immediately preceding calendar year. The payment for  
5 the employee's unused annual leave must be made to him not later  
6 than January 31.

7 3. Officers and members of the faculty of the University and  
8 Community College System of Nevada are entitled to annual leave  
9 as provided by the regulations ~~prescribed~~ *adopted* pursuant to  
10 subsection 2 of NRS 284.345.

11 4. The ~~Director~~ *Commission* shall establish by regulation a  
12 schedule for the accrual of annual leave for employees who  
13 regularly work more than 40 hours per week or 80 hours biweekly.  
14 The schedule must provide for the accrual of annual leave at the  
15 same rate proportionately as employees who work a 40-hour week  
16 accrue annual leave.

17 5. No elected state officer may be paid for accumulated annual  
18 leave upon termination of his service.

19 6. During the first 6 months of employment of any employee in  
20 the public service, annual leave accrues as provided in subsection 1,  
21 but no annual leave may be taken during that period.

22 7. No employee in the public service may be paid for  
23 accumulated annual leave upon termination of employment unless  
24 he has been employed for 6 months or more.

25 *8. Upon the request of an employee, the appointing authority*  
26 *of the employee may approve the reduction or satisfaction of an*  
27 *overpayment of the salary of the employee that was not obtained*  
28 *by the fraud or willful misrepresentation of the employee with a*  
29 *corresponding amount of the accrued annual leave of the*  
30 *employee.*

31 **Sec. 25.** NRS 284.355 is hereby amended to read as follows:

32 284.355 1. Except as otherwise provided in this section, all  
33 employees in the public service, whether in the classified or  
34 unclassified service, are entitled to sick and disability leave with pay  
35 of 1 1/4 working days for each month of service, which may be  
36 cumulative from year to year. After an employee has accumulated  
37 90 working days of sick leave, the amount of additional unused sick  
38 leave which he is entitled to carry forward from 1 year to the next is  
39 limited to one-half of the unused sick leave accrued during that year,  
40 but the ~~Department~~ *Commission* may by regulation provide for  
41 subsequent use of unused sick leave accrued but not carried forward  
42 because of this limitation in cases where the employee is suffering  
43 from a long-term or chronic illness and has used all sick leave  
44 otherwise available to him.



- 1       2. Upon the retirement of an employee, his termination through  
2 no fault of his own or his death while in public employment, the  
3 employee or his beneficiaries are entitled to payment:
- 4       (a) For his unused sick leave in excess of 30 days, exclusive of  
5 any unused sick leave accrued but not carried forward, according to  
6 his number of years of public service, except service with a political  
7 subdivision of the State, as follows:
- 8           (1) For 10 years of service or more but less than 15 years,  
9 not more than \$2,500.
- 10          (2) For 15 years of service or more but less than 20 years, not  
11 more than \$4,000.
- 12          (3) For 20 years of service or more but less than 25 years, not  
13 more than \$6,000.
- 14          (4) For 25 years of service, not more than \$8,000.
- 15       (b) For his unused sick leave accrued but not carried forward, an  
16 amount equal to one-half of the sum of:
- 17           (1) His hours of unused sick leave accrued but not carried  
18 forward; and
- 19           (2) An additional 120 hours.
- 20       3. The ~~Department~~ *Commission* may by regulation provide  
21 for additional sick and disability leave for long-term employees and  
22 for prorated sick and disability leave for part-time employees.
- 23       4. An employee entitled to payment for unused sick leave  
24 pursuant to subsection 2 may elect to receive the payment in any  
25 one or more of the following forms:
- 26           (a) A lump-sum payment.
- 27           (b) An advanced payment of the premiums or contributions for  
28 insurance coverage for which he is otherwise eligible pursuant to  
29 chapter 287 of NRS. If the insurance coverage is terminated and the  
30 money advanced for premiums or contributions pursuant to this  
31 subsection exceeds the amount which is payable for premiums or  
32 contributions for the period for which the former employee was  
33 actually covered, the unused portion of the advanced payment must  
34 be paid promptly to the former employee or, if he is deceased, to his  
35 beneficiary.
- 36           (c) The purchase of additional retirement credit, if he is  
37 otherwise eligible pursuant to chapter 286 of NRS.
- 38       5. Officers and members of the faculty of the University and  
39 Community College System of Nevada are entitled to sick and  
40 disability leave as provided by the regulations adopted pursuant to  
41 subsection 2 of NRS 284.345.
- 42       6. The ~~Department~~ *Commission* may by regulation provide  
43 policies concerning employees with mental or emotional disorders  
44 which:





1 (a) Use a liberal approach to the granting of sick leave or leave  
2 without pay to such an employee if it is necessary for him to be  
3 absent for treatment or temporary hospitalization.

4 (b) Provide for the retention of the job of such an employee for a  
5 reasonable period of absence, and if an extended absence  
6 necessitates separation or retirement, provide for the reemployment  
7 of such an employee if at all possible after recovery.

8 (c) Protect employee benefits, including, without limitation,  
9 retirement, life insurance and health benefits.

10 7. The ~~Director~~ *Commission* shall establish by regulation a  
11 schedule for the accrual of sick leave for employees who regularly  
12 work more than 40 hours per week or 80 hours biweekly. The  
13 schedule must provide for the accrual of sick leave at the same rate  
14 proportionately as employees who work a 40-hour week accrue sick  
15 leave.

16 8. The Department may investigate any instance in which it  
17 believes that an employee has taken sick or disability leave to which  
18 he was not entitled. If, after notice to the employee and a hearing,  
19 the Commission determines that he has taken sick or disability leave  
20 to which he was not entitled, the Commission may order the  
21 forfeiture of all or part of his accrued sick leave.

22 **Sec. 26.** NRS 284.359 is hereby amended to read as follows:

23 284.359 A permanent or probationary employee who performs  
24 active military service under the provisions of any national military  
25 service or training act, or who voluntarily serves in the Armed  
26 Forces of the United States in time of war, or in such types of  
27 service as the ~~Director~~ *Commission* by regulation may prescribe,  
28 is, upon application, entitled to leave without pay for the  
29 period of such service plus a period not to exceed 90 days. If within  
30 that period he applies for reinstatement, he must be reinstated to his  
31 former class of position, or to a class of position having like  
32 seniority, status and pay, or, if those positions have been abolished,  
33 to the nearest approximation thereof consistent with the  
34 circumstances.

35 **Sec. 27.** NRS 284.375 is hereby amended to read as follows:

36 284.375 In accordance with regulations established by the  
37 ~~Director~~ *Commission*, transfers in the classified service may be  
38 made from ~~["a position in one grade or class to a position in another~~  
39 ~~grade or class]~~ *one position to another position within the same*  
40 *grade* when the duties ~~["and compensation"]~~ are similar and when  
41 such action is specifically approved by the Director.

42 **Sec. 28.** NRS 284.379 is hereby amended to read as follows:

43 284.379 In the employment ~~["and utilization"]~~ of a person with a  
44 disability in the state service, continued efforts must be made to  
45 retain the person by making reasonable accommodations that enable



1 him to ~~[meet the necessary performance requirements]~~ *perform the*  
2 *essential functions of the position* and to enjoy the benefits and  
3 privileges of his position. ~~[Separation]~~ *An appointing authority*  
4 *shall consider separation* or disability retirement ~~[is in order only~~  
5 ~~after it becomes apparent that a condition does not respond to~~  
6 ~~treatment.]~~ *if an employee can no longer perform the essential*  
7 *functions of the position with or without reasonable*  
8 *accommodations.*

9 **Sec. 29.** NRS 284.384 is hereby amended to read as follows:

10 284.384 1. The ~~[Director shall propose, and the]~~ Commission  
11 shall adopt ~~[ ]~~ regulations which provide for the adjustment of  
12 grievances for which a hearing is not provided by NRS 284.165,  
13 284.245, 284.3629, 284.376 or 284.390. Any grievance for which a  
14 hearing is not provided by NRS 284.165, 284.245, 284.3629,  
15 284.376 or 284.390 is subject to adjustment pursuant to this section.

16 2. The regulations must provide procedures for:

17 (a) Consideration and adjustment of the grievance within the  
18 agency in which it arose.

19 (b) Submission to the Employee-Management Committee for a  
20 final decision if the employee is still dissatisfied with the resolution  
21 of the dispute.

22 3. The regulations must include provisions for:

23 (a) Submitting each proposed resolution of a dispute which has a  
24 fiscal effect to the Budget Division of the Department of  
25 Administration for a determination by that Division whether the  
26 resolution is feasible on the basis of its fiscal effects; and

27 (b) Making the resolution binding.

28 4. Any grievance which is subject to adjustment pursuant to  
29 this section may be appealed to the Employee-Management  
30 Committee for a final decision.

31 5. The employee may represent himself at any hearing  
32 regarding a grievance which is subject to adjustment pursuant to this  
33 section or be represented by an attorney or other person of the  
34 employee's own choosing.

35 6. As used in this section, "grievance" means an act, omission  
36 or occurrence which an employee who has attained permanent status  
37 feels constitutes an injustice relating to any condition arising out of  
38 the relationship between an employer and an employee, including,  
39 but not limited to, compensation, working hours, working  
40 conditions, membership in an organization of employees or the  
41 interpretation of any law, regulation or disagreement.

42 **Sec. 30.** NRS 284.4064 is hereby amended to read as follows:

43 284.4064 1. If an employee informs his appointing authority  
44 that he has consumed any drug which could interfere with the safe  
45 and efficient performance of his duties, the appointing authority



1 may require the employee to obtain clearance from his physician  
2 before he continues to work.

3 2. If an appointing authority reasonably believes, based upon  
4 objective facts, that an employee's ability to perform his duties  
5 safely and efficiently:

6 (a) May be impaired by the consumption of alcohol or other  
7 drugs, it may ask the employee whether he has consumed any  
8 alcohol or other drugs and, if so:

9 (1) The amount and types of alcohol or other drugs  
10 consumed and the time of consumption; and

11 (2) If a controlled substance was consumed, the name of the  
12 person who prescribed its use.

13 (b) Is impaired by the consumption of alcohol or other drugs, it  
14 shall prevent the employee from continuing work and transport him  
15 or cause him to be transported safely away from his place of  
16 employment in accordance with regulations adopted by the  
17 ~~Director~~ *Commission*.

18 **Sec. 31.** NRS 284.4065 is hereby amended to read as follows:

19 284.4065 1. Except as otherwise provided in subsection 2, an  
20 appointing authority may request an employee to submit to a  
21 screening test only if the appointing authority:

22 (a) Reasonably believes, based upon objective facts, that the  
23 employee is under the influence of alcohol or drugs which are  
24 impairing his ability to perform his duties safely and efficiently;

25 (b) Informs the employee of the specific facts supporting its  
26 belief pursuant to paragraph (a), and prepares a written record of  
27 those facts; and

28 (c) Informs the employee in writing:

29 (1) Of whether the test will be for alcohol or drugs, or both;

30 (2) That the results of the test are not admissible in any  
31 criminal proceeding against him; and

32 (3) That he may refuse the test, but that his refusal may result  
33 in his dismissal or in other disciplinary action being taken against  
34 him.

35 2. An appointing authority may request an employee to submit  
36 to a screening test if the employee:

37 (a) Is a law enforcement officer and, during the performance of  
38 his duties, he discharges a firearm, other than by accident; or

39 (b) During the performance of his duties, drives a motor vehicle  
40 in such a manner as to cause bodily injury to himself or another  
41 person or substantial damage to property.

42 For the purposes of this subsection, the ~~Director~~ *Commission*  
43 shall, by regulation, define the term "substantial damage to  
44 property."



1 3. An appointing authority may place an employee who  
2 submits to a screening test on administrative leave with pay until the  
3 appointing authority receives the results of the test.

4 4. An appointing authority shall:

5 (a) Within a reasonable time after an employee submits to a  
6 screening test to detect the general presence of a controlled  
7 substance or any other drug, allow the employee to obtain at his  
8 expense an independent test of his urine or blood from a laboratory  
9 of his choice which is certified by the Department of Health and  
10 Human Services.

11 (b) Within a reasonable time after an employee submits to a  
12 screening test to detect the general presence of alcohol, allow the  
13 employee to obtain at his expense an independent test of his blood  
14 from a laboratory of his choice.

15 (c) Provide the employee with the written results of his  
16 screening test within 3 working days after it receives those results.

17 5. An employee is not subject to disciplinary action for testing  
18 positive in a screening test or refusing to submit to a screening test if  
19 the appointing authority fails to comply with the provisions of this  
20 section.

21 6. An appointing authority shall not use a screening test to  
22 harass an employee.

23 **Sec. 32.** NRS 284.4066 is hereby amended to read as follows:

24 284.4066 1. Each appointing authority shall, subject to the  
25 approval of the Commission, determine whether each of its  
26 positions of employment  ~~[affect]~~  *affects* the public safety. The  
27 appointing authority shall not hire an applicant for such a position  
28 unless he submits to a screening test to detect the general presence  
29 of a controlled substance .  ~~[for any other drug.]~~  Notice of the  
30 provisions of this section must be given to each applicant for such a  
31 position at or before the time of application.

32 2. An appointing authority may consider the results of a  
33 screening test in determining whether to employ an applicant. If  
34 those results indicate the presence of a controlled substance, the  
35 appointing authority shall not hire the applicant unless he provides ,  
36 within 72 hours after being requested by the appointing authority,  
37 proof that he had taken the controlled substance as directed pursuant  
38 to a current and lawful prescription issued in his name.

39 3. An appointing authority shall, at the request of an applicant,  
40 provide him with the results of his screening test.

41 **Sec. 33.** NRS 284.407 is hereby amended to read as follows:

42 284.407 The  ~~[Director]~~  *Commission* shall adopt such  
43 regulations as are necessary to carry out the purposes of NRS  
44 284.406 to 284.4069, inclusive.



1       **Sec. 34.** NRS 227.150 is hereby amended to read as follows:  
2       227.150 1. The State Controller shall:  
3       (a) Open and keep an account with each county, charging the  
4 counties with the revenue collected, as shown by the auditor's  
5 statements, and also with their proportions of the salaries of the  
6 district judges, and crediting them with the amounts paid to the State  
7 Treasurer.  
8       (b) Keep and state all accounts between the State of Nevada and  
9 the United States, or any state or territory, or any person or public  
10 officer of this state, indebted to the State or entrusted with the  
11 collection, disbursement or management of any money, funds or  
12 interests arising therefrom, belonging to the State, of every character  
13 and description, if the accounts are derivable from or payable into  
14 the State Treasury.  
15       (c) Settle the accounts of all county treasurers, and other  
16 collectors and receivers of all state revenues, taxes, tolls and  
17 incomes, levied or collected by any act of the Legislature and  
18 payable into the State Treasury.  
19       (d) Keep fair, clear, distinct and separate accounts of all the  
20 revenues and incomes of the State, and ~~also~~ *of* all the expenditures,  
21 disbursements and investments thereof, showing the particulars of  
22 every expenditure, disbursement and investment.  
23       2. The State Controller may:  
24       (a) Direct the collection of all accounts or money due the State,  
25 except as otherwise provided in chapter 353C of NRS, and if there is  
26 no time fixed or stipulated by law for the payment of any such  
27 accounts or money, they are payable at the time set by the State  
28 Controller.  
29       (b) Upon approval of the Attorney General, direct the  
30 cancelation of any accounts or money due the State.  
31       (c) Except as otherwise provided in subsection 3, withhold from  
32 the compensation of an employee of the State any amount due the  
33 State for the overpayment of the salary of the employee ~~that~~ *that has*  
34 *not been satisfied pursuant to subsection 8 of NRS 284.350 or in*  
35 *any other manner.*  
36       3. Before any amounts may be withheld from the compensation  
37 of an employee pursuant to paragraph (c) of subsection 2, the State  
38 Controller shall:  
39       (a) Give written notice to the employee of the State Controller's  
40 intent to withhold such amounts from the compensation of the  
41 employee; and  
42       (b) If requested by the employee within 10 working days  
43 after receipt of the notice, conduct a hearing and allow the employee  
44 the opportunity to contest the State Controller's determination



1 to withhold such amounts from the compensation of the  
2 employee.

3 If the overpayment was not obtained by the employee's fraud or  
4 willful misrepresentation, any withholding from the compensation  
5 of the employee must be made in a reasonable manner so as not to  
6 create an undue hardship to the employee.

7 4. The State Controller may adopt such regulations as are  
8 necessary to carry out the provisions of this section.

9 **Sec. 35.** NRS 321.030 is hereby amended to read as follows:

10 321.030 The State Land Registrar shall keep his office at the  
11 seat of government, which office ~~[shall]~~ **must** be open for the  
12 transaction of business ~~[during]~~ **on** the days and **during the** hours  
13 ~~[specified in]~~ **established pursuant to** NRS 281.110.

14 **Sec. 36.** NRS 353C.220 is hereby amended to read as follows:

15 353C.220 1. If an agency determines that it is impossible or  
16 impractical to collect a debt, the agency may request the State Board  
17 of Examiners to designate the debt as a bad debt. The State Board of  
18 Examiners, by an affirmative vote of the majority of the members of  
19 the Board, may designate the debt as a bad debt if the Board is  
20 satisfied that the collection of the debt is impossible or impractical.

21 ***The State Board of Examiners may delegate to its Clerk the***  
22 ***authority to designate an overpayment of salary to a current or***  
23 ***former state employee of not more than \$50 as a bad debt. An***  
24 ***agency that is aggrieved by a denial of a request to designate such***  
25 ***an overpayment as a bad debt by the Clerk may appeal that denial***  
26 ***to the State Board of Examiners.***

27 2. Upon the designation of a debt as a bad debt pursuant to this  
28 section, the State Board of Examiners ***or its Clerk*** shall immediately  
29 notify the State Controller thereof. Upon receiving the notification,  
30 the State Controller shall direct the removal of the debt from the  
31 books of account of the State of Nevada. A bad debt that is removed  
32 pursuant to this section remains a legal and binding obligation owed  
33 by the debtor to the State of Nevada.

34 3. If resources are available, the State Controller shall keep a  
35 master file of all debts that are designated as bad debts pursuant to  
36 this section. If such a file is established and maintained, for each  
37 such debt, the State Controller shall record the name of the debtor,  
38 the amount of the debt, the date on which the debt was incurred and  
39 the date on which it was removed from the records and books of  
40 account of the agency or the State of Nevada, and any other  
41 information concerning the debt that the State Controller determines  
42 is necessary.

43 **Sec. 37.** NRS 532.070 is hereby amended to read as follows:

44 532.070 1. The State Engineer shall keep his office at the  
45 State Capital.



1 2. The State Engineer shall keep his office open to the public  
2 on the days and during the hours ~~{provided in}~~ *established pursuant*  
3 *to* NRS 281.110.

4 **Sec. 38.** NRS 607.040 is hereby amended to read as follows:  
5 607.040 1. The Labor Commissioner ~~{shall}~~ *must* be  
6 provided with properly furnished offices at the capital in  
7 Carson City, Nevada.

8 2. The offices of the Labor Commissioner ~~{shall}~~ *must* be open  
9 for business during the hours and *on the* days ~~{as provided in}~~  
10 *established pursuant to* NRS 281.110.

11 **Sec. 39.** NRS 284.285 is hereby repealed.

12 **Sec. 40.** A regulation adopted by the Department of Personnel  
13 or the Director of the Department pursuant to chapter 284 of NRS  
14 remains in effect as a regulation of the Personnel Commission until  
15 amended or repealed by the Personnel Commission.

16 **Sec. 41.** This act becomes effective on July 1, 2003.

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**TEXT OF REPEALED SECTION**

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**284.285 Report of appointing authority.** Each appointing authority shall report to the Director forthwith in writing upon any appointment or employment in the public service, which report must contain:

1. The name of the appointee or employee.
2. The title and character of his office or employment.
3. The date of commencement of service.
4. The salary or compensation.

