

ASSEMBLY BILL NO. 68—COMMITTEE ON GOVERNMENT AFFAIRS

FEBRUARY 10, 2003

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing payments for extra duty assignments for purposes of Public Employees' Retirement System. (BDR 23-725)

FISCAL NOTE: Effect on Local Government: Yes.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to the Public Employees' Retirement System; revising the provisions governing payments for extra duty assignments; 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.** Chapter 286 of NRS is amended by adding thereto
2 the provisions set forth as sections 2 and 3 of this act.
3 **Sec. 2.** *“Extra duty assignment” includes, without limitation,*
4 *teaching adult education courses or courses in English as a*
5 *second language, teaching summer school courses or courses*
6 *during other school intermissions, teaching remediation classes or*
7 *conducting cocurricular or extracurricular activities for pupils,*
8 *including, without limitation, coaching athletics.*
9 **Sec. 3. 1.** *Except as otherwise provided in subsection 2, for*
10 *the purposes of an extra duty assignment, an employee shall pay*
11 *the employee’s portion of the contribution required pursuant to*
12 *NRS 286.410, 286.421 or 286.450, as applicable.*
13 **2.** *An employee who receives payment for an extra duty*
14 *assignment may elect to have the payment excluded from his*
15 *compensation. If an employee makes such an election, he must*
16 *submit written notice of the election to his public employer. Within*
17 *10 days after receipt of such a notice, the public employer shall*



1 *transmit a copy of the notice to the System. If an employee makes*
2 *an election pursuant to this subsection, the employee is not*
3 *required to pay the employee's portion of the contribution*
4 *required pursuant to NRS 286.410, 286.421 or 286.450, as*
5 *applicable.*

6 3. *If an employee who made an election pursuant to*
7 *subsection 2 wishes to withdraw the election, he must notify his*
8 *public employer in writing of the withdrawal. Within 10 days after*
9 *receipt of such a notice, the public employer shall transmit a copy*
10 *of the notice to the System. If an employee has provided such*
11 *notification of the withdrawal of an election pursuant to this*
12 *subsection, the employee shall pay the employee's portion of the*
13 *contribution required pursuant to NRS 286.410, 286.421 or*
14 *286.450, as applicable.*

15 **Sec. 4.** NRS 286.016 is hereby amended to read as follows:
16 286.016 As used in this chapter, unless the context otherwise
17 requires, the words and terms defined in NRS 286.017 to 286.100,
18 inclusive, *and section 2 of this act*, have the meanings ascribed to
19 them in such sections.

20 **Sec. 5.** NRS 286.025 is hereby amended to read as follows:
21 286.025 1. Except as otherwise provided by specific statute,
22 "compensation" is the salary paid to a member by his principal
23 public employer.

24 2. The term includes:
25 (a) Base pay, which is the monthly rate of pay excluding all
26 fringe benefits.

27 (b) Additional payment for longevity, shift differential,
28 hazardous duty, work performed on a holiday if it does not exceed
29 the working hours of the normal workweek or pay period for that
30 employee, holding oneself ready for duty while off duty and
31 returning to duty after one's regular working hours.

32 (c) ~~Payment~~ *Unless an employee makes an election*
33 *authorized pursuant to subsection 2 of section 3 of this act and has*
34 *not withdrawn that election, payment for extra duty assignments* ~~if~~
35 ~~if~~ *regardless of whether:*

36 (1) *It* is the standard practice of the public employer to
37 include such pay in the employment contract or official job
38 description for the calendar or academic year in which it is paid ~~and~~
39 ~~such~~; *or*

40 (2) *Such* pay is specifically included in the member's
41 employment contract or official job description.

42 (d) The aggregate compensation paid by two separate public
43 employers if one member is employed half time or more by one, and
44 half time or less by the other, if the total does not exceed full-time
45 employment, if the duties of both positions are similar and if the



1 employment is pursuant to a continuing relationship between the
2 employers.

3 *(e) Payments to a member who is employed by a school district*
4 *for less than 12 months during a school year for any service*
5 *rendered to the school district after the expiration of the*
6 *employment contract for that period of employment and before the*
7 *beginning of the next school year.*

8 3. The term does not include any type of payment not
9 specifically described in subsection 2.

10 **Sec. 6.** This act becomes effective on July 1, 2003.

