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ASSEMBLY BILL NO. 80—ASSEMBLYMEN CLABORN, CHOWNING,  
GIUNCHIGLIANI, KOIVISTO, OCEGUERA, ANDERSON,  
ATKINSON, BUCKLEY, CONKLIN, GOLDWATER, HORNE,  
LESLIE, MANENDO, MCCLAIN, MCCLEARY, MORTENSON,  
OHRENSCHALL, PARKS, PERKINS, PIERCE AND WILLIAMS

FEBRUARY 13, 2003

Referred to Committee on Commerce and Labor

SUMMARY—Revises provision governing deemed employer and wage of apprentice or trainee for purposes of industrial insurance. (BDR 53-860)

FISCAL NOTE: Effect on Local Government: No.  
Effect on the State: No.

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

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AN ACT relating to industrial insurance; revising the provision governing the deemed employer and wage of an apprentice or trainee for the purposes of industrial insurance; 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 616A.215 is hereby amended to read as  
2 follows:  
3     616A.215 1. ~~Except as otherwise provided in subsection 3,~~  
4 ~~any~~ *Any* person who is an apprentice or trainee shall be deemed for  
5 the purposes of chapters 616A to 616D, inclusive, of NRS to be ~~an~~  
6 *concurrently the* employee of ~~an~~ ;  
7     (a) *An* apprenticeship committee registered with the State  
8 Apprenticeship Council ~~at a wage of \$150 per month~~ ; and  
9     (b) *Each employer who is participating in a program of*  
10 *training and instruction approved pursuant to chapter 610 of NRS*  
11 *and who contributes to the average monthly wage of the*  
12 *employee,*



\* A B 8 0 \*

1 *at a wage determined pursuant to subsection 2, while he is ~~is~~*  
2 *~~—(a) Attending~~ attending* a class for vocational training ~~is or~~  
3 *~~—(b) Receiving~~ under the direction of the apprenticeship*  
4 *committee or is receiving* bona fide instruction as an apprentice or  
5 trainee ~~is~~ under the direction of the apprenticeship committee. Such  
6 an apprentice or trainee is entitled to the benefits of chapters 616A  
7 to 616D, inclusive, of NRS.

8 2. *For the purposes of subsection 1:*

9 (a) *The wage of an apprentice or trainee identified in*  
10 *subsection 1 shall be deemed to be the greater of \$150 per month*  
11 *or the average monthly wage of the apprentice or trainee.*

12 (b) *The deemed wage of the apprentice or trainee must be*  
13 *apportioned, pursuant to the provisions of this subsection, among*  
14 *the employers identified in subsection 1, including, without*  
15 *limitation, the apprenticeship committee.*

16 (c) *If \$150 per month is equal to or greater than the average*  
17 *monthly wage of the apprentice or trainee, then the deemed wage*  
18 *of the apprentice or trainee is apportioned entirely to the*  
19 *apprenticeship committee.*

20 (d) *If the average monthly wage of the apprentice or trainee is*  
21 *greater than \$150 per month, then the deemed wage of the*  
22 *apprentice or trainee is apportioned:*

23 (1) *To the apprenticeship committee in the amount of \$150*  
24 *per month; and*

25 (2) *To the employers identified in subsection 1 other than*  
26 *the apprenticeship committee such that:*

27 (I) *The total amount apportioned to such employers*  
28 *equals the average monthly wage of the apprentice or trainee less*  
29 *\$150 per month; and*

30 (II) *The amount apportioned to each such employer*  
31 *bears the same proportional relationship to the amount described*  
32 *in sub-subparagraph (I) as the amount that employer contributes*  
33 *to the average monthly wage of the apprentice or trainee bears to*  
34 *the average monthly wage of the apprentice or trainee.*

35 3. A person who is an apprentice or trainee shall be deemed for  
36 the purposes of chapters 616A to 616D, inclusive, of NRS to be an  
37 employee of an employer who is participating in a program of  
38 training and instruction as an apprentice or trainee approved  
39 pursuant to chapter 610 of NRS while:

40 (a) The apprentice or trainee is performing work for that  
41 employer; and

42 (b) The employer is paying the apprentice or trainee a wage for  
43 the work performed.

44 The apprentice or trainee shall be deemed to be an employee at a  
45 wage equal to his average monthly wage ~~as determined pursuant to~~



1 ~~the regulations adopted by the Administrator pursuant to NRS~~  
2 ~~616C.420] and is entitled to the benefits of chapters 616A to 616D,~~  
3 ~~inclusive, of NRS.~~

4 ~~[3.—If an apprentice or trainee who is employed by an employer~~  
5 ~~participating in a program of training and instruction is injured~~  
6 ~~while he is deemed to be an employee of the apprenticeship~~  
7 ~~committee pursuant to subsection 1 and the apprentice or trainee is~~  
8 ~~unable to work for an employer participating in the program solely~~  
9 ~~because of that injury, the apprentice or trainee shall be deemed to~~  
10 ~~be an employee of the apprenticeship committee at a wage of \$150~~  
11 ~~per month or at his average monthly wage as determined pursuant to~~  
12 ~~the regulations adopted by the Administrator pursuant to NRS~~  
13 ~~616C.420, whichever is greater.]~~

14 4. As used in this section ~~[, “trainee”]~~ :  
15 (a) *“Average monthly wage” means the average monthly wage*  
16 *as determined pursuant to the regulations adopted by the*  
17 *Administrator pursuant to NRS 616C.420.*

18 (b) *“Trainee”* means a person who is under the direction of an  
19 apprenticeship committee specified in subsection 1 and, for that  
20 purpose, is described by that apprenticeship committee as a  
21 “journeyworker trainee.”

22 **Sec. 2.** This act becomes effective on July 1, 2003.

