

Amendment No. 526

Assembly Amendment to Senate Bill No. 360 First Reprint	(BDR 23-1011)
Proposed by: Assembly Committee on Government Affairs	
Amends: Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



SENATE BILL NO. 360—COMMITTEE ON GOVERNMENT AFFAIRS

MARCH 25, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to public employment. (BDR 23-1011)

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.

AN ACT relating to public employment; ~~revising the appointment of certain members~~ **increasing the membership** of the Board of the Public Employees’ Benefits Program; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law: (1) creates the Board of the Public Employees’ Benefits Program, consisting of 10 members, and sets forth the qualifications and terms of appointment of the members; and (2) requires the Board to establish and carry out the Public Employees’ Benefits Program, which is required to include a program of group life, accident or health insurance, or any combination thereof. (NRS 287.041, 287.043) Of the 10 members, the Board must have ~~(1) two members who are professional employees of the Nevada System of Higher Education, appointed by the Governor upon consideration of any recommendations of organizations that represent employees of the Nevada System of Higher Education; (2) two members who are retired from public employment, appointed by the Governor upon consideration of any recommendations of organizations that represent retired public employees; and (3) two members who are employees in the classified service of the State, appointed by the Governor upon consideration of any recommendations of organizations that represent state employees. (NRS 287.041) Section 2 of this bill~~ **revises the appointment of these six members. Section 2 requires the Governor to make the appointments of: (1) the two members who are professional employees of the Nevada System of Higher Education from a list of nominations of five professional employees of the Nevada System of Higher Education submitted by the professional organization representing the largest number of professional employees of the Nevada System of Higher Education participating in the Program; (2) the two members who are retired from public employment from a list of nominations of five persons who are retired from public employment submitted by the organization that represents the largest number of retired state employees; and (3) the two members who are employees** **increases the membership of the Board by adding one member who is employed** in the classified service of the State from a list of nominations of 10 classified employees submitted by the labor organization representing the largest number of classified state employees participating in the Program.
~~Section 3 of this bill provides that: (1) each member of the Board of the Public Employees’ Benefits Program who is serving on June 30, 2021, continues to serve until the expiration of his or her current term or until vacancy, whichever occurs first; and (2) on and after July 1, 2021, upon the expiration of a term of such a member or a vacancy otherwise occurring, appointments must be made in accordance with section 2.~~ **Section 2 also provides that if the labor organization that submitted the member’s name ceases to represent the**

32 largest number of classified state employees participating in the Program during the
 33 member's term, the member continues to serve for the remainder of his or her
 34 unexpired term.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** NRS 287.041 is hereby amended to read as follows:

3 287.041 1. There is hereby created the Board of the Public Employees'
 4 Benefits Program. The Board consists of ~~[10]~~ 11 members appointed as follows:

5 (a) Two members who are professional employees of the Nevada System of
 6 Higher Education, appointed by the Governor upon consideration of any
 7 recommendations of organizations ~~[from a list of nominations of five professional~~
 8 ~~employees of the Nevada System of Higher Education submitted to the Governor~~
 9 ~~by the professional organization]~~ that represent ~~[represents the largest number of~~
 10 ~~professional]~~ employees of the Nevada System of Higher Education and
 11 ~~[participating in the Public Employees' Benefits Program.]~~ One such member and
 12 must reside in northern Nevada and the other member must reside in southern
 13 Nevada.

14 (b) Two members who are retired from public employment, appointed by the
 15 Governor upon consideration of any recommendations of organizations ~~[from a list of~~
 16 ~~nominations of five persons who are retired from public employment submitted~~
 17 ~~to the Governor by the organization]~~ that represent ~~[represents the largest number of~~
 18 ~~retired public [state] employees.~~

19 (c) Two members who are employees in the classified service of the State,
 20 appointed by the Governor upon consideration of any recommendations of
 21 organizations that represent state employees. ~~[from a list of nominations of 10~~
 22 ~~classified state employees submitted by the labor organization representing the~~
 23 ~~largest number of classified state employees participating in the Public~~
 24 ~~Employees' Benefits Program.]~~

25 (d) One member who is employed by this State in a managerial capacity and
 26 has substantial and demonstrated experience in risk management, group insurance
 27 programs, health care administration or employee benefits programs appointed by
 28 the Governor.

29 (e) Two members who have substantial and demonstrated experience in risk
 30 management, group insurance programs, health care administration or employee
 31 benefits programs appointed by the Governor.

32 (f) One member who is an employee in the classified service of the State,
 33 appointed by the Governor from a list of nominations of 10 classified state
 34 employees submitted by the labor organization representing the largest number of
 35 classified state employees participating in the Program.

36 (g) The Director of the Department of Administration or a designee of the
 37 Director approved by the Governor.

38 2. Of the nine persons appointed to the Board pursuant to paragraphs (a) to
 39 (e), inclusive, of subsection 1, at least four members must have a bachelor's degree
 40 or a more advanced degree, or equivalent professional experience, in business
 41 administration, economics, medicine, accounting, actuarial science, insurance, risk
 42 management or health care administration, and at least two members must have
 43 education or proven experience in the management of employees' benefits,
 44 insurance, risk management, health care administration or business administration.

1 3. Each person appointed as a member of the Board must:

2 (a) Except for a member appointed pursuant to paragraph (e) of subsection 1,
3 have been a participant in the Program for at least 1 year before the person's
4 appointment;

5 (b) Except for a member appointed pursuant to paragraph (e) of subsection 1,
6 be a current employee of the State of Nevada or another public employer that
7 participates in the Program or a retired public employee who is a participant in the
8 Program;

9 (c) Not be an elected officer of the State of Nevada or any of its political
10 subdivisions; and

11 (d) Not participate in any business enterprise or investment:

12 (1) With any vendor or provider to the Program; or

13 (2) In real or personal property if the Program owns or has a direct
14 financial interest in that enterprise or property.

15 4. Except as otherwise provided in this subsection, after the initial terms, the
16 term of an appointed member of the Board is 4 years and until the member's
17 successor is appointed and takes office unless the member no longer possesses the
18 qualifications for appointment set forth in this section or is removed by the
19 Governor. If a member loses the requisite qualifications within the last 12 months
20 of the member's term, the member may serve the remainder of the member's term.

21 *If the labor organization that submitted the name of the member appointed*
22 *pursuant to paragraph (f) of subsection 1 ceases to represent the largest number*
23 *of classified state employees participating in the Program during the member's*
24 *term, the member continues to serve for the remainder of his or her unexpired*
25 *term.* Members are eligible for reappointment. A vacancy occurring in the
26 membership of the Board must be filled in the same manner as the original
27 appointment.

28 5. The appointed members of the Board serve at the pleasure of the Governor.

29 **Sec. 3.** ~~[1. The amendatory provisions of section 2 of this act do not affect
30 the current terms of appointment of any person who, on June 30, 2021, is a member
31 of the Board of the Public Employees' Benefits Program and each such member
32 continues to serve until the expiration of his or her current term or until a vacancy
33 occurs, whichever occurs first.~~

34 ~~2. On and after July 1, 2021, upon the expiration of a term or a vacancy
35 otherwise occurring on the Board of the Public Employees' Benefits Program, the
36 vacancy must be filled in the manner provided by NRS 287.041, as amended by
37 section 2 of this act.] (Deleted by amendment.)~~

38 **Sec. 4.** This act becomes effective on July 1, 2021.