

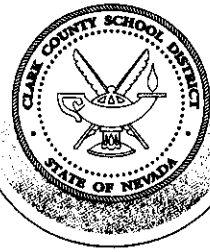
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# CLARK COUNTY SCHOOL DISTRICT

2832 EAST FLAMINGO ROAD LAS VEGAS, NEVADA 89121 TELEPHONE (702) 799-5011

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Senate Amendment to Senate Bill No. 193 (BDR 53-782)

**Proposed by:** Clark County School District

**Amendment No. 377**

**Amends: Section 3 (b)**

Amend section 1, page 1, by deleting lines 9 and 10 and inserting:

*"2. Any injury sustained by a member of the Nevada Legislature shall be deemed to have arisen out of and in the course of his employment as a Legislator if, at the".*

Amend section 1, page 1, line 12, by deleting "*function*" and inserting "*event*".

Amend section 1, page 1, line 14, by deleting:

*"being compensated by"* and inserting:

*"receiving remuneration from".*

Amend section 1, page 1, line 15, by deleting "*function*" and inserting "*event*".

Amend section 1, page 1, line 16, by deleting "*functions*" and inserting "*events*".

Amend the bill as a whole by renumbering sec. 2 as sec. 3 and adding a new section designated sec. 2, following section 1, to read as follows:

**"Sec. 2.** NRS 616A.265 is hereby amended to read as follows:

E1014

ASSEMBLY COMMERCE & LABOR

DATE: 5/12/03 ROOM: 4100 EXHIBIT E

SUBMITTED BY: Rose McKinnley-James

616A.265 1. "Injury" or "personal injury" means a sudden and tangible happening of a traumatic nature, producing an immediate or prompt result which is established by medical evidence, including injuries to prosthetic devices. — *Except as otherwise provided in subsection 3 and NRS 616A.185, any injury sustained by an employee while engaging in an athletic or social event sponsored by his employer shall be deemed not to have arisen out of or in the course of employment unless the employee received remuneration for participation in the event.*

2. For the purposes of chapters 616A to 616D, inclusive, of NRS:

(a) Coronary thrombosis, coronary occlusion, or any other ailment or disorder of the heart, and any death or disability ensuing therefrom, shall be deemed not to be an injury by accident sustained by an employee arising out of and in the course of his employment.

(b) The exposure of an employee to a contagious disease while providing medical services, including emergency medical care, in the course and scope of his employment shall be deemed to be an injury by accident sustained by the employee arising out of and in the course of his employment.

(c) Except as otherwise provided in paragraph (d), the exposure to a contagious disease of a police officer or a salaried or volunteer fireman who was exposed to the contagious disease:

(1) Upon battery by an offender; or

(2) While performing the duties of a police officer or fireman,

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shall be deemed to be an injury by accident sustained by the police officer or fireman arising out of and in the course of his employment if the exposure is documented by the

creation and maintenance of a report concerning the exposure pursuant to paragraph (a) of subsection 1 of NRS 616C.052. As used in this paragraph, the term "battery" includes, without limitation, the intentional propelling or placing, or the causing to be propelled or placed, of any human excrement or bodily fluid upon the person of an employee.

(d) If a police officer or a salaried or volunteer fireman tests positive for exposure to tuberculosis under the circumstances described in subsection 2 or 3 of NRS 616C.052, he shall be deemed to have sustained an injury by accident arising out of and in the course of his employment, unless the insurer can prove by a preponderance of the evidence that the exposure was not related to the employment of the police officer or fireman.

*3. Any injury sustained by an employee of a school district while engaging in an athletic or social event shall be deemed to have arisen out of and in the course of his employment, whether or not the employee received remuneration for participation in the event, if:*

*(a) The event was sponsored by the school district, or the event was an extracurricular activity which was sponsored or organized by a student class, student group or student organization for an educational, recreational or charitable purpose and which was reasonably related to the employee's job with the school district;*

*(b) The employee participated in the event at the WRITTEN request of ~~or with~~ the PRINCIPAL OR SITE ADMINISTRATOR ~~concurrence of supervisory personnel, whether the request or concurrence was oral or written; and~~*

*(c) The employee participated in the event to enable the event to take place or to ensure the safety and well-being of any students of the school district."*

Amend the title of the bill, third line, after "Legislature;" by inserting:

E3 of 4

"extending the coverage of industrial insurance for employees of school districts who engage in an athletic or social event under certain circumstances;"

Amend the summary of the bill to read as follows:

"SUMMARY-Revises provisions regarding coverage of industrial insurance for certain employees. (BDR 53-782)".

E4014