
SENATE BILL NO. 46—SENATOR MCGINNESS

FEBRUARY 10, 2005

Referred to Committee on Finance

SUMMARY—Increases maximum assumed monthly wage of volunteer firefighters for purpose of contributions to Public Employees' Retirement System. (BDR 23-822)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

CONTAINS UNFUNDED MANDATE (§ 1)
(REQUESTED BY AFFECTED LOCAL GOVERNMENT)

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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; increasing the maximum assumed monthly wage of a volunteer firefighter for the purpose of determining the contribution to be paid into the Public Employees' Retirement Fund and the Public Employees' Retirement Administrative Fund; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 Existing law authorizes fire department volunteers to become members of the
 - 2 Public Employees' Retirement System. The local government that recognizes the
 - 3 volunteers is the public employer for this purpose and is required to collect and pay
 - 4 the employee's share and is required to pay the employer's share of the contribution
 - 5 to the Public Employees' Retirement Fund and the Public Employees' Retirement
 - 6 Administrative Fund. In determining the amount of contributions to be paid,
 - 7 volunteers are assumed to receive a wage of not less than \$150 nor more than \$750
 - 8 per month. (NRS 286.367)
 - 9 This bill increases the maximum assumed wage to \$2,000 per month.
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THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** NRS 286.367 is hereby amended to read as follows:
2 286.367 1. The volunteers of a regularly organized and
3 recognized fire department may, by the joint application of a
4 majority of those volunteers addressed to the Board, become
5 members of the System. A volunteer firefighter who joins a fire
6 department of which all the volunteers have become members of the
7 System becomes a member of the System. The volunteers of a
8 participating fire department may withdraw from the System by the
9 joint application of a majority of those volunteers addressed to the
10 Board.

11 2. The city, town, county or district which recognizes the
12 volunteers is the public employer and shall collect and pay over the
13 employee's share and pay the employer's share of the contribution
14 to the Public Employees' Retirement Fund and the Public
15 Employees' Retirement Administrative Fund, in the manner
16 prescribed in this chapter. The local government may, if so
17 requested by the volunteers, further contribute any amount by which
18 the sum receivable by each volunteer for any month is less than the
19 amount of his required share of the contribution, but no further
20 contributions may be placed in a volunteer's account with the
21 System or refunded to a volunteer or his employer upon the
22 volunteer's termination.

23 3. In determining the amount of contributions to be paid for the
24 volunteers, they are assumed to be receiving a wage established by
25 the local government which is not less than \$150 nor more than
26 ~~150~~ \$2,000 per month.

27 4. Except as otherwise required as a result of NRS 286.535 or
28 286.537, the average compensation for a volunteer firefighter is the
29 weighted average of:

30 (a) The assumed wage as a volunteer firefighter; and
31 (b) The average salary in other covered employment which, if
32 the service in that employment exceeds 3 years, is calculated upon
33 the 3 highest consecutive years.

34 ➤ The weight given to the assumed wage and average salary,
35 respectively, is proportionate to the length of service in each
36 capacity. Except as otherwise required as a result of NRS 286.535 or
37 286.537, average compensation is computed from the sum of the
38 assumed wage and actual salary if a member is employed
39 simultaneously as a volunteer firefighter and as a regular member.

40 5. Any dispute over the status of a person as a volunteer
41 firefighter under this section must be conclusively determined by the
42 Board.



1 6. A volunteer firefighter may purchase all previous service as
2 a volunteer firefighter with any volunteer fire department which is a
3 member of the System. To validate such service, the volunteer
4 firefighter must pay the full cost as determined by the actuary. The
5 employing agency may pay the employer's share of the cost but is
6 not required to do so.

7 7. In addition to the purchase authorized pursuant to the
8 provisions of subsection 6, a volunteer firefighter who has 5 years *of*
9 creditable service as a volunteer firefighter may purchase up to 5
10 years of service to add to his volunteer service. The member must
11 pay the full actuarial cost of the service as determined by an actuary
12 of the System.

13 **Sec. 2.** This act becomes effective on July 1, 2005.



