

CHAPTER.....

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:

Existing law authorizes fire department volunteers to become members of the Public Employees' Retirement System. The local government that recognizes the volunteers is the public employer for this purpose and is required to collect and pay the employee's share and is required to pay the employer's share of the contribution to the Public Employees' Retirement Fund and the Public Employees' Retirement Administrative Fund. In determining the amount of contributions to be paid, volunteers are assumed to receive a wage of not less than \$150 nor more than \$750 per month. (NRS 286.367)

This bill increases the maximum assumed wage to \$2,000 per month.

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

Section 1. NRS 286.367 is hereby amended to read as follows:

286.367 1. The volunteers of a regularly organized and recognized fire department may, by the joint application of a majority of those volunteers addressed to the Board, become members of the System. A volunteer firefighter who joins a fire department of which all the volunteers have become members of the System becomes a member of the System. The volunteers of a participating fire department may withdraw from the System by the joint application of a majority of those volunteers addressed to the Board.

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

3. In determining the amount of contributions to be paid for the volunteers, they are assumed to be receiving a wage established by the local government which is not less than \$150 nor more than ~~[\$750]~~ \$2,000 per month.

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

(a) The assumed wage as a volunteer firefighter; and

(b) The average salary in other covered employment which, if the service in that employment exceeds 3 years, is calculated upon the 3 highest consecutive years.

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

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

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

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

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