

SENATE CONCURRENT RESOLUTION NO. 12—
SENATOR WASHINGTON (BY REQUEST)

MARCH 24, 2005

Referred to Committee on Legislative Operations and Elections

SUMMARY—Directs Legislative Commission to conduct interim study on feasibility of including persons employed as police officers by Indian tribe in Public Employees' Retirement System and granting them powers of peace officer. (BDR R-626)

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

SENATE CONCURRENT RESOLUTION—Directing the Legislative Commission to conduct an interim study on the feasibility of including persons employed as police officers by an Indian tribe in the Public Employees' Retirement System and granting them the powers of a peace officer.

1 WHEREAS, The policy of the State as set forth in the Public
2 Employees' Retirement Act, chapter 286 of NRS, is to provide a
3 reasonable base income to qualified employees who have been
4 employed by a public employer and whose earning capacity has
5 been removed or has been substantially reduced by age or disability;
6 and

7 WHEREAS, The Public Employees' Retirement System was
8 established to provide an orderly method of promoting and
9 maintaining a high level of service to the public through an
10 equitable separation procedure, which is available to employees at
11 retirement or upon becoming disabled; and

12 WHEREAS, The System helps make government employment
13 attractive to qualified employees in various categories of service and
14 encourages them to remain in government service for such periods
15 of time as to give the public employer full benefit of the training and
16 experience gained by these employees while employed by public
17 employers; and



1 WHEREAS, "Public employer," as defined in NRS 286.070,
2 includes state agencies subject to state control and supervision, but
3 no provision has been made to allow Indian tribes to be considered
4 as employing agencies of the State of Nevada for the purpose of
5 membership in the System; and

6 WHEREAS, Chapter 289 of NRS defines and enumerates those
7 persons who possess the powers of peace officers but does not
8 include tribal police; now, therefore, be it

9 RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE
10 ASSEMBLY CONCURRING, That the Legislative Commission is
11 hereby directed to conduct an interim study on the feasibility of
12 including persons employed as police officers by an Indian tribe in
13 the Public Employees' Retirement System and granting them the
14 powers and rights of a peace officer as provided in chapter 289 of
15 NRS; and be it further

16 RESOLVED, That the study must include, without limitation,
17 consideration of:

18 1. The feasibility of allowing Indian tribes to choose to
19 participate in the Public Employees' Retirement System for the
20 purpose of extending to persons employed as tribal police the
21 benefits and security offered by the System;

22 2. The importance of retaining inherent attributes of tribal
23 sovereignty in the areas of self-government and self-determination
24 for an Indian tribe that chooses to participate in the Public
25 Employees' Retirement System; and

26 3. The ramifications of defining tribal police as peace officers
27 for the purposes of chapter 289 of NRS to confer upon them the
28 powers and rights of peace officers; and be it further

29 RESOLVED, That the Legislative Commission shall submit a
30 report of the results of the study and any recommendations for
31 legislation to the 74th Session of the Nevada Legislature.

