

ASSEMBLY BILL NO. 257—ASSEMBLYWOMAN ALLEN

MARCH 7, 2007

Referred to Committee on Government Affairs

SUMMARY—Establishes a career incentive program to provide salary increases to certain emergency medical technicians, firefighters and peace officers who complete certain educational requirements. (BDR 23-828)

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

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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 safety; establishing a career incentive program to provide salary increases to certain emergency medical technicians, firefighters and peace officers who complete certain educational requirements; requiring the State to pay for such salary increases; requiring the Peace Officers' Standards and Training Commission to administer the program; requiring the Commission to consult with other governmental entities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 This bill establishes a career incentive program pursuant to which persons who:
2 (1) are employed as full-time, salaried emergency medical technicians, firefighters
3 or peace officers by a state or local governmental entity; (2) after gaining such
4 employment, obtain an approved degree from an institution of the Nevada System
5 of Higher Education; and (3) enter into a binding agreement to remain with their
6 employer for a period of at least 3 additional years, are eligible to receive salary
7 increases based upon the level of the degree obtained. If such a person fails to
8 fulfill his service commitment without good cause, or by causing his own
9 termination, he is required to reimburse the State for any increased salary that he
10 has received under the program.

11 Under the career incentive program, an emergency medical technician,
12 firefighter or peace officer would be eligible to receive a 6-percent increase in base
13 salary for obtaining an associate's degree, a 12-percent increase in base salary for
14 obtaining a bachelor's degree and an 18-percent increase in base salary for
15 obtaining a master's degree, law degree or other doctoral degree.



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The career incentive program will be administered by the Peace Officers' Standards and Training Commission in consultation with state and local governmental entities which employ emergency medical technicians, firefighters or peace officers, or any combination of such personnel. The program does not apply to persons who obtained their degrees before becoming emergency medical technicians, firefighters or peace officers.

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

Section 1. Chapter 285 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 13, inclusive, of this act.

Sec. 2. *As used in sections 2 to 13, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 to 7, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 3. *"Commission" means the Peace Officers' Standards and Training Commission.*

Sec. 4. *"Emergency medical technician" means a person who is certified as an emergency medical technician, intermediate emergency medical technician or advanced emergency medical technician pursuant to chapter 450B of NRS.*

Sec. 5. *"Firefighter" means a person who is a member of a fire prevention or suppression unit and whose principal duty is to control and extinguish fires.*

Sec. 6. *"Peace officer" has the meaning ascribed to it in NRS 289.010.*

Sec. 7. *"Program" means the career incentive program established by section 8 of this act.*

Sec. 8. *1. There is hereby established a career incentive program to provide salary increases to emergency medical technicians, firefighters and peace officers who:*

(a) Are employed as such in full-time salaried positions by the State of Nevada, an agency of this State or a political subdivision of this State;

(b) After becoming employed as such in full-time salaried positions by the State of Nevada, an agency of this State or a political subdivision of this State, obtain a degree:

(1) In a field or subject approved by the Commission; and

(2) From a university, state college or community college within the Nevada System of Higher Education; and

(c) Enter into and comply with a service commitment agreement as described in section 10 of this act.



1 2. The Commission shall administer the program. In
2 administering the program, the Commission shall consult with
3 state and local governmental entities which employ:

- 4 (a) Emergency medical technicians;
5 (b) Firefighters;
6 (c) Peace officers; or
7 (d) Any combination of such personnel.

8 **Sec. 9.** 1. The program must provide for an eligible
9 emergency medical technician, firefighter or peace officer to
10 receive the following increases in base salary:

- 11 (a) For obtaining an associate's degree, 6 percent.
12 (b) For obtaining a bachelor's degree, 12 percent.
13 (c) For obtaining a master's degree, juris doctorate or other
14 doctoral degree, 18 percent.

15 2. As used in this section, "base salary" does not include any
16 component of the salary of an emergency medical technician,
17 firefighter or peace officer that is attributable to a salary increase
18 described in subsection 1.

19 **Sec. 10.** 1. To be eligible to receive a salary increase under
20 the program, an emergency medical technician, firefighter or
21 peace officer must enter into a binding service commitment
22 agreement pursuant to which he agrees to remain in the employ of
23 the state or local governmental employer which employs him in
24 that capacity for a period of at least 3 years after the date on which
25 he begins to receive the salary increase.

26 2. An emergency medical technician, firefighter or peace
27 officer who enters into a service commitment agreement and, in
28 the absence of circumstances constituting death, disability,
29 impossibility or an undue hardship, fails to remain in the employ
30 of his employer for the period prescribed in the agreement, is
31 thereby in violation of the agreement and shall reimburse the State
32 of Nevada for any amount that he received as a salary increase
33 under the program in connection with that agreement.

34 3. Except as otherwise provided in subsection 4, if the
35 employment of an emergency medical technician, firefighter or
36 peace officer who has entered into a service commitment
37 agreement is involuntarily terminated before he is able to fulfill
38 the agreement, the involuntary termination does not constitute a
39 violation of the terms of the agreement.

40 4. If the employment of an emergency medical technician,
41 firefighter or peace officer who has entered into a service
42 commitment agreement is involuntarily terminated before he is
43 able to fulfill the agreement and the Commission, after notice and
44 a hearing, determines that he engaged in a pattern of conduct



1 *reasonably calculated to cause his own termination, he shall be*
2 *deemed to have violated the terms of the agreement.*

3 **Sec. 11.** *An emergency medical technician, firefighter or*
4 *peace officer who wishes to participate in the program and receive*
5 *a salary increase under the program shall:*

6 *1. Pay the cost of obtaining his degree, including, without*
7 *limitation, tuition, books and fees, unless he qualifies for an*
8 *educational assistance or tuition reimbursement program offered*
9 *by his employer, if any;*

10 *2. Submit an application to the Commission on a form*
11 *provided by the Commission;*

12 *3. Demonstrate to the satisfaction of the Commission that he*
13 *fulfills the requirements set forth in subsection 1 of section 8 of*
14 *this act; and*

15 *4. Comply with any other applicable requirements specified*
16 *by the Commission.*

17 **Sec. 12.** *1. The costs and expenses incurred by employers*
18 *to pay salary increases under the program must be borne by the*
19 *State.*

20 *2. If an employer is a local governmental employer, such*
21 *costs and expenses must first be paid by city or county warrants.*
22 *The appropriate city or county officer, as applicable, shall then*
23 *present a claim to the State Board of Examiners for the amount of*
24 *such costs and expenses. Upon approval of the claim by the State*
25 *Board of Examiners, the State Controller shall draw his warrant*
26 *for the payment thereof, and the State Treasurer shall pay the*
27 *same from the Reserve for Statutory Contingency Account.*

28 **Sec. 13.** *1. The Commission shall, in consultation with*
29 *state and local governmental entities which employ emergency*
30 *medical technicians, firefighters or peace officers, or any*
31 *combination of such personnel, adopt such regulations as it*
32 *determines to be necessary or advisable to carry out the provisions*
33 *of sections 2 to 13, inclusive, of this act.*

34 *2. The regulations adopted by the Commission pursuant to*
35 *subsection 1 must include, without limitation, provisions:*

36 *(a) Setting forth the fields or subjects in which a qualifying*
37 *degree may be obtained;*

38 *(b) Prescribing the form of applications and service*
39 *commitment agreements;*

40 *(c) Specifying the conditions under which impossibility or*
41 *undue hardship excuses what would otherwise constitute a*
42 *violation of a service commitment agreement;*

43 *(d) Describing the specific manner in which salary increases*
44 *required to be paid under the program must be disbursed;*



1 (e) *Setting forth the manner in which salary increases must be*
2 *repaid to the State in the event that the recipient of such increases*
3 *violates his service commitment agreement; and*

4 (f) *Addressing such other matters as the Commission deems*
5 *appropriate.*

6 **Sec. 14.** NRS 285.010 is hereby amended to read as follows:

7 285.010 As used in ~~this chapter~~ **NRS 285.010 to 285.070,**
8 **inclusive,** unless the context otherwise requires:

9 1. "Adoption" means the putting of an employee suggestion
10 into effect.

11 2. "Board" means the Merit Award Board.

12 3. "Employee suggestion" means a proposal by a state
13 employee which would:

14 (a) Reduce or eliminate state expenditures; or

15 (b) Improve the operation of State Government.

16 4. "Merit award" means an award to a state employee for an
17 adopted suggestion in the form of either the Governor's certificate
18 of commendation or a cash payment.

19 5. "State employee" means any person employed by a state
20 agency who is not the head of the department.

21 **Sec. 15.** NRS 286.025 is hereby amended to read as follows:

22 286.025 1. Except as otherwise provided by specific statute,
23 "compensation" is the salary paid to a member by his principal
24 public employer.

25 2. The term includes:

26 (a) Base pay, which is the monthly rate of pay excluding all
27 fringe benefits.

28 (b) Additional payment ~~for~~ :

29 (1) **For** longevity, shift differential, hazardous duty, work
30 performed on a holiday if it does not exceed the working hours of
31 the normal workweek or pay period for that employee, holding
32 oneself ready for duty while off duty and returning to duty after
33 one's regular working hours.

34 (2) **Received pursuant to the career incentive program**
35 **created by section 8 of this act.**

36 (c) Payment for extra duty assignments if it is the standard
37 practice of the public employer to include such pay in the
38 employment contract or official job description for the calendar or
39 academic year in which it is paid and such pay is specifically
40 included in the member's employment contract or official job
41 description.

42 (d) The aggregate compensation paid by two separate public
43 employers if one member is employed half-time or more by one,
44 and half-time or less by the other, if the total does not exceed full-
45 time employment, if the duties of both positions are similar and if



1 the employment is pursuant to a continuing relationship between the
2 employers.

3 3. The term does not include any type of payment not
4 specifically described in subsection 2.

5 **Sec. 16.** NRS 289.510 is hereby amended to read as follows:

6 289.510 1. The Commission:

7 (a) Shall meet at the call of the Chairman, who must be elected
8 by a majority vote of the members of the Commission.

9 (b) Shall provide for and encourage the training and education
10 of persons whose primary duty is law enforcement to ensure the
11 safety of the residents of and visitors to this State.

12 (c) Shall adopt regulations establishing minimum standards for
13 the certification and decertification, recruitment, selection and
14 training of peace officers. The regulations must establish:

15 (1) Requirements for basic training for category I, category II
16 and category III peace officers and reserve peace officers;

17 (2) Standards for programs for the continuing education of
18 peace officers, including minimum courses of study and
19 requirements concerning attendance;

20 (3) Qualifications for instructors of peace officers; and

21 (4) Requirements for the certification of a course of training.

22 (d) Shall, when necessary, present courses of training and
23 continuing education courses for category I, category II and
24 category III peace officers and reserve peace officers.

25 (e) May make necessary inquiries to determine whether the
26 agencies of this State and of the local governments are complying
27 with standards set forth in its regulations.

28 (f) Shall carry out the duties required of the Commission
29 pursuant to NRS 432B.610 and 432B.620.

30 (g) May perform any other acts that may be necessary and
31 appropriate to the functions of the Commission as set forth in NRS
32 289.450 to 289.600, inclusive.

33 (h) May enter into an interlocal agreement with an Indian tribe
34 to provide training to and certification of persons employed as
35 police officers by that Indian tribe.

36 *(i) Shall administer the provisions of sections 2 to 13,*
37 *inclusive, of this act.*

38 2. Regulations adopted by the Commission:

39 (a) Apply to all agencies of this State and of local governments
40 in this State that employ persons as peace officers;

41 (b) Must require that all peace officers receive training in the
42 handling of cases involving abuse or neglect of children or missing
43 children; and

44 (c) May require that training be carried on at institutions which
45 it approves in those regulations.



1 **Sec. 17.** This act becomes effective on July 1, 2007.

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