

Amendment No. 956

Assembly Amendment to Assembly Bill No. 214

(BDR 53-25)

Proposed by: Assembly Committee on Ways and Means**Amends:** Summary: No Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) **blue bold italics** is new language in the original bill; (2) **green bold italic underlining** is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) ~~orange double underlining~~ is deleted language in the original bill that is proposed to be retained in this amendment; and (6) **green bold dashed underlining** is newly added transitory language.

AM/WLK



Date: 5/28/2009

A.B. No. 214—Revises provisions regarding industrial injuries and occupational diseases. (BDR 53-25)



ASSEMBLY BILL NO. 214—ASSEMBLYWOMAN PARNELL

FEBRUARY 25, 2009

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions regarding industrial injuries and occupational diseases. (BDR 53-25)

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 employees; including certain employees of the Department of Public Safety and certain park rangers and employees of the Division of State Parks of the State Department of Conservation and Natural Resources in the definition of “police officer” for various purposes relating to industrial injuries and occupational diseases; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law provides for certain police officers suffering from certain occupational diseases to receive disability benefits. (NRS 617.135, 617.455, 617.457, 617.485, 617.487) Existing law defines “police officer” for the purpose of providing those disability benefits to include various law enforcement officers in this State. (NRS 617.135) Existing law also grants the powers of peace officers to certain park rangers and employees of the Division of State Parks of the State Department of Conservation and Natural Resources. (NRS 289.260) ~~This~~ Section 1 of this bill expands the definition of “police officer” to make certain employees of the Department of Public Safety and certain park rangers and division employees of the State Department of Conservation and Natural Resources eligible for the disability benefits provided to police officers.

Section 1.5 of this bill makes an appropriation to the Division of State Parks to provide for any physical examinations or blood tests required pursuant to this bill in the next biennium.

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

Section 1. NRS 617.135 is hereby amended to read as follows:
617.135 “Police officer” includes:
1. A sheriff, deputy sheriff, officer of a metropolitan police department or city policeman;
2. A chief, inspector, supervisor, commercial officer or trooper of the Nevada Highway Patrol Division of the Department of Public Safety;

3. A chief, investigator or agent of the Investigation Division of the Department of Public Safety;

4. *A chief, supervisor, investigator or training officer of the Training Division of the Department of Public Safety;*

5. *A chief or investigator of an office of the Department of Public Safety that conducts internal investigations of employees of the Department of Public Safety or investigates other issues relating to the professional responsibility of those employees;*

6. *A chief or investigator of the Department of Public Safety whose duties include, without limitation:*

(a) *The execution, administration or enforcement of the provisions of chapter 179A of NRS; and*

(b) *The provision of technology support services to the Director and the divisions of the Department of Public Safety;*

7. An officer or investigator of the Section for the Control of Emissions From Vehicles and the Enforcement of Matters Related to the Use of Special Fuel of the Department of Motor Vehicles;

~~5-8~~ 8. An investigator of the Division of Compliance Enforcement of the Department of Motor Vehicles;

~~6-8~~ 9. A member of the police department of the Nevada System of Higher Education;

~~7-8~~ 10. A:

(a) Uniformed employee of; or

(b) Forensic specialist employed by,

the Department of Corrections whose position requires regular and frequent contact with the offenders imprisoned and subjects the employee to recall in emergencies;

~~8-8~~ 11. A parole and probation officer of the Division of Parole and Probation of the Department of Public Safety;

~~9-8~~ 12. A forensic specialist or correctional officer employed by the Division of Mental Health and Developmental Services of the Department of Health and Human Services at facilities for mentally disordered offenders;

~~10-8~~ 13. The State Fire Marshal, his assistant and his deputies; ~~and~~

~~11-8~~ 14. A game warden of the Department of Wildlife who has the powers of a peace officer pursuant to NRS 289.280 ~~1-8~~; and

15. *A ranger or employee of the Division of State Parks of the State Department of Conservation and Natural Resources who has the powers of a peace officer pursuant to NRS 289.260.*

Sec. 1.5. 1. There is hereby appropriated from the State General Fund to the Division of State Parks of the State Department of Conservation and Natural Resources to carry out any physical examinations or blood tests required pursuant to this act:

For the Fiscal Year 2009-2010.....\$16,615

For the Fiscal Year 2010-2011.....\$16,615

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 17, 2010, and September 16, 2011, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State

General Fund on or before September 17, 2010, and September 16, 2011, respectively.

Sec. 2. 1. A person who, on July 1, 2009, is employed as a ranger or employee of the Division of State Parks of the State Department of Conservation and Natural Resources who has the powers of a peace officer pursuant to NRS 289.260 shall submit to a physical examination pursuant to NRS 617.454, 617.455 and 617.457 and a blood test to screen for hepatitis C pursuant to NRS 617.485 and 617.487 on or after July 1, 2009, but on or before September 30, 2009. Each physical examination and blood test must be paid for by the Department.

2. Notwithstanding the provisions of NRS 617.455, 617.457, 617.485 and 617.487, if a person fails to submit to a physical examination or blood test required pursuant to subsection 1, the conclusive presumption relating to diseases of the lungs created by NRS 617.455, diseases of the heart created by NRS 617.457 and infections of hepatitis and hepatitis C pursuant to NRS 617.485 and 617.487 shall be deemed, with regard to that person and for the purposes of those sections, to create a rebuttable presumption that the disease of the lungs or heart or infection of hepatitis or hepatitis C arose out of and in the course of the employment of the person as a ranger or employee specified in subsection 1.

Sec. 3. This act becomes effective on July 1, 2009.