

ASSEMBLY BILL NO. 216—ASSEMBLYMEN KIRNER, HANSEN;
GOEDHART, GOICOECHEA, GRADY, HAMBRICK,
HAMMOND, HARDY, HICKEY, KITE, LIVERMORE,
MCARTHUR, SHERWOOD, STEWART AND WOODBURY

MARCH 1, 2011

JOINT SPONSORS: SENATORS GUSTAVSON,
HALSETH AND SETTELMEYER

Referred to Committee on Government Affairs

SUMMARY—Revises provisions concerning the employee benefits
of employees of law enforcement agencies upon the
merger of the agencies into a metropolitan police
department. (BDR 22-644)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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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 metropolitan police departments; revising
provisions concerning the employee benefits of
employees of law enforcement agencies upon the merger
of the agencies into a metropolitan police department; and
providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes the board of county commissioners of any county and
2 the governing body of any city or cities located in the county to merge their
3 respective law enforcement agencies into one metropolitan police department.
4 (NRS 280.110) Under existing law, the most liberal employee benefits which are
5 applicable to the employees of any of the merging law enforcement agencies before
6 the merger become the benefits that are applicable to the employees of the
7 metropolitan police department initially upon the merger. (NRS 280.123) **Section 1**
8 of this bill provides instead that the employee benefits that are in effect for the
9 employees of each merging law enforcement agency immediately before the
10 merger will continue to be the benefits for those employees after the merger until
11 the earlier of: (1) the date on which the agreement that established those benefits is
12 set to expire; or (2) the date on which a negotiated agreement that establishes the
13 benefits applicable to all employees of the department becomes effective.



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Section 2 of this bill provides that the changes concerning employee benefits made by **section 1** do not apply to a merger initiated, but not completed, before October 1, 2011, which is the effective date of this bill, if all participating political subdivisions have adopted ordinances providing for the merger and those ordinances are in effect on or before October 1, 2011, and, if the merger involves an existing metropolitan police department, its committee on financial affairs has unanimously consented to the merger.

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

Section 1. NRS 280.123 is hereby amended to read as follows:
280.123 1. Employees of the respective law enforcement agencies of the participating political subdivisions, who are so employed at the time of merger, may obtain employment with the department and shall hold positions of rank and grade comparable to their positions prior to merger.

~~2. [Such employees, sworn or civilian, are entitled to suffer no loss in pay, pension, fringe benefits or other job benefits by reason of a merger.]~~

~~3.]~~ Sick leave, longevity and vacation time accrued to such employees in the service of their respective law enforcement agencies shall be credited to them as employees of the department. All rights and accruals of such employees as members of the Public Employees' Retirement System pursuant to the Public Employees' Retirement Act shall remain in force and shall be automatically transferred from the respective law enforcement agencies to the department.

~~[4.]~~ 3. The duties and responsibilities of such employees shall not be diminished by reason of the merger, but their area and division of assignment may be changed at the discretion of the sheriff of the department or his or her designated administrative representative.

~~[5.]~~ 4. Upon merger, the ~~[most liberal]~~ employee benefits which have been negotiated by the respective employee organizations of ~~[the]~~ *each* law enforcement ~~[agencies]~~ *agency* of the participating political subdivisions *and which are in effect immediately before the merger* shall be the benefits applicable to the employees of *that agency who obtain employment with the department* ~~[]~~ *until the earlier of:*

(a) The date on which the agreement that established those benefits is set to expire; or

(b) The date on which an agreement negotiated between the department and the applicable employee organizations that establishes the benefits applicable to all the employees of the



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department becomes effective. As soon as practicable after the merger, the department and the applicable employee organizations shall enter into negotiations for this purpose. Chapter 288 of NRS applies to those negotiations.

Sec. 2. The provisions of NRS 280.123, as amended by section 1 of this act, do not apply to:

1. A merger of the law enforcement agencies of a county and a city or cities located in the county that has been initiated, but not completed, before October 1, 2011, if the board of county commissioners of the participating county and the governing body of each participating city have each adopted an ordinance providing for the merger that is in effect on or before October 1, 2011.

2. A merger into an existing metropolitan police department of the law enforcement agency of a city that did not participate in the merger which created the department that has been initiated, but not completed, before October 1, 2011, if the governing body of the city has adopted an ordinance providing for the merger that is in effect on or before October 1, 2011, and the metropolitan police department committee on financial affairs has given its unanimous consent to the merger on or before October 1, 2011.

