

ASSEMBLY BILL NO. 61—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE DIVISION OF HUMAN
RESOURCE MANAGEMENT)

PREFILED DECEMBER 20, 2014

Referred to Committee on Government Affairs

SUMMARY—Revises provisions requiring the submission of certain reports by the Personnel Commission and the Administrator of the Division of Human Resource Management of the Department of Administration. (BDR 23-286)

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 governmental administration; eliminating the requirement that the Personnel Commission and the Administrator of the Division of Human Resource Management of the Department of Administration submit certain biennial reports; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires that the Personnel Commission report to the Governor biennially on all matters pertinent to the Division of Human Resource Management of the Department of Administration and any other matters requested by the Governor. (NRS 284.065) **Section 1** of this bill removes the requirement that the report be made biennially.

Existing law requires that the Administrator of the Division report to the Commission and the Governor biennially regarding the work of the Division and make such special reports as may be desirable. (NRS 284.105) **Section 2** of this bill removes the requirement for a biennial report regarding the work of the Division.

Existing law authorizes, under certain circumstances, the Administrator of the Division to suspend the requirements of competitive examinations for positions in the State Personnel System. Except in certain limited circumstances, if the Administrator suspends the requirements, he or she must include in the biennial report of the Division an explanation of the circumstances that justified the



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15 suspension. (NRS 284.320) **Section 3** of this bill eliminates this reporting
16 requirement.

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

1 **Section 1.** NRS 284.065 is hereby amended to read as follows:
2 284.065 1. The Commission has only such powers and duties
3 as are authorized by law.

4 2. In addition to the powers and duties set forth elsewhere in
5 this chapter, the Commission shall:

6 (a) Advise the Administrator concerning the organization and
7 administration of the Division.

8 (b) Report to the Governor ~~biennially~~ on all matters which the
9 Commission may deem pertinent to the Division and concerning any
10 specific matters previously requested by the Governor.

11 (c) Advise and make recommendations to the Governor or the
12 Legislature relative to the personnel policy of the State.

13 (d) Adopt regulations to carry out the provisions of this chapter.

14 (e) Foster the interest of institutions of learning and of civic,
15 professional and employee organizations in the improvement of
16 personnel standards in the state service.

17 (f) Review decisions of the Administrator in contested cases
18 involving the classification or allocation of particular positions.

19 (g) Exercise any other advisory powers necessary or reasonably
20 implied within the provisions and purposes of this chapter.

21 **Sec. 2.** NRS 284.105 is hereby amended to read as follows:

22 284.105 1. The Administrator shall direct and supervise all
23 administrative and technical activities of the Division.

24 2. In addition to the duties imposed upon the Administrator
25 elsewhere in this chapter, the Administrator shall:

26 (a) Apply and carry out the provisions of this chapter and the
27 regulations adopted pursuant to it.

28 (b) Establish objectives for the Division in terms which are
29 specific, measurable and conducive to reliable evaluation, and
30 develop a plan for accomplishing those objectives.

31 (c) Establish a system of appropriate policies for each function
32 within the Division.

33 (d) Attend all meetings of the Commission.

34 (e) Advise the Commission with respect to the preparation and
35 adoption of regulations to carry out the provisions of this chapter.

36 (f) Report to the Governor and the Commission upon all matters
37 concerning the administration of the Administrator's office and
38 request the advice of the Commission on matters concerning the
39 policies of the Division, but the Administrator is responsible for the



1 conduct of the Division and its administrative functions unless
2 otherwise provided by law.

3 (g) Establish and maintain a roster of all employees in the public
4 service. The roster must set forth, as to each employee:

5 (1) The class title of the position held.

6 (2) The salary or pay.

7 (3) Any change in class title, pay or status.

8 (4) Other pertinent data.

9 (h) In cooperation with appointing authorities and others, foster
10 and develop programs for improving the effectiveness and morale of
11 employees, including training and procedures for hearing and
12 adjusting grievances.

13 (i) Encourage and exercise leadership in the development of
14 effective personnel administration within the several departments in
15 the public service, and make available the facilities and services of
16 the Division and its employees to this end.

17 (j) Make to the Commission and to the Governor ~~la biennial~~
18 ~~report regarding the work of the Division and~~ such special reports
19 as the Administrator may consider desirable.

20 (k) Maintain a continuous program of recruiting for the
21 classified service.

22 (l) Perform any other lawful acts which the Administrator may
23 consider necessary or desirable to carry out the purposes and
24 provisions of this chapter.

25 **Sec. 3.** NRS 284.320 is hereby amended to read as follows:

26 284.320 1. In case of a vacancy in a position where peculiar
27 and exceptional qualifications of a scientific, professional or expert
28 character are required, and upon satisfactory evidence that for
29 specific reasons competition in that case is impracticable, and that
30 the position can best be filled by the selection of some designated
31 person of high and recognized attainments in the required qualities,
32 the Administrator may suspend the requirements of competition.

33 2. The Administrator may suspend the requirements of
34 competitive examination for positions requiring highly professional
35 qualifications if past experience or current research indicates a
36 difficulty in recruitment or if the qualifications include a license or
37 certification.

38 3. Upon specific written justification by the appointing
39 authority, the Administrator may suspend the requirement of
40 competitive examination for a position where extreme difficulty in
41 recruitment has been experienced and extensive efforts at
42 recruitment have failed to produce five persons in the state service
43 who are qualified applicants for promotion to the position.

44 ~~4. Except in the circumstances described in subsection 2, no~~
45 ~~suspension may be general in its application to any position, and~~



- 1 ~~each case of suspension and the justifying circumstances must be~~
- 2 ~~reported in the biennial report of the Division with the reasons for~~
- 3 ~~the suspension.]~~
- 4 **Sec. 4.** This act becomes effective upon passage and approval.

