

Assembly Bill No. 61—Committee
on Government Affairs

CHAPTER.....

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

(d) Attend all meetings of the Commission.

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

(f) Report to the Governor and the Commission upon all matters concerning the administration of the Administrator's office and request the advice of the Commission on matters concerning the policies of the Division, but the Administrator is responsible for the conduct of the Division and its administrative functions unless otherwise provided by law.

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

(1) The class title of the position held.

(2) The salary or pay.

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

(4) Other pertinent data.

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

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



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

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

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

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

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

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

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

4. Except in the circumstances described in subsection 2, no suspension may be general in its application to any position. ~~† and each case of suspension and the justifying circumstances must be reported in the biennial report of the Division with the reasons for the suspension.†~~

Sec. 4. This act becomes effective upon passage and approval.

