

Amendment No. 9

Assembly Amendment to Assembly Bill No. 89	(BDR 23-162)
<b>Proposed by:</b> Assembly Committee on Government Affairs	
<b>Amends:</b> Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date	
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____		Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____		Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added 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 proposed to be retained in this amendment.





ASSEMBLY BILL NO. 89—COMMITTEE  
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE LEGISLATIVE COMMITTEE ON SENIOR  
CITIZENS, VETERANS AND ADULTS WITH SPECIAL NEEDS)

PREFILED JANUARY 24, 2019

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing preferences provided to veterans relating to certain state employment. (BDR 23-162)

FISCAL NOTE: Effect on Local Government: No.  
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 state employment; revising provisions governing the preferences provided to veterans relating to employment in the classified service of the State; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

Existing law establishes certain preferences for veterans relating to appointment and promotion to positions in the classified service of the Executive Department of the State Government. (NRS 284.260, 284.265) Existing law defines a veteran for the purposes of these preferences to mean a resident of this State who has certain military service and was separated from such service under conditions other than dishonorable. (NRS 284.015, 417.005) ~~[This]~~ **Section 1 of this bill removes the residency qualification, thereby making veterans who are not residents of Nevada eligible for the veterans’ preferences relating to employment in the classified service.**

**Existing law requires the Administrator of the Division of Human Resource Management of the Department of Administration to submit to the Director of the Department of Veterans Services and make available to the public a monthly report which lists the names of all veterans and certain other persons who are employed in the classified or unclassified service of the State. (NRS 284.105) Because section 1 removes the residency qualification from the definition of the term “veteran,” section 1 requires the Director to report the names of such veterans who are residents of this State and veterans who do not reside in this State. Section 1.5 of this bill requires the report to state whether each veteran listed is a resident of this State.**

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

**Section 1.** NRS 284.015 is hereby amended to read as follows:

284.015 As used in this chapter, unless the context otherwise requires:

1. "Administrator" means the Administrator of the Division.

2. "Commission" means the Personnel Commission.

3. "Disability," includes, but is not limited to, physical disability, intellectual disability and mental or emotional disorder.

4. "Division" means the Division of Human Resource Management of the Department of Administration.

5. "Essential functions" has the meaning ascribed to it in 29 C.F.R. § 1630.2.

6. "Public service" means positions providing service for any office, department, board, commission, bureau, agency or institution in the Executive Department of the State Government operating by authority of the Constitution or law, and supported in whole or in part by any public money, whether the money is received from the Government of the United States or any branch or agency thereof, or from private or any other sources.

7. "Veteran" ~~has the meaning ascribed to it in NRS 417.005.]~~ *means a person who:*

(a) *Was regularly enlisted, drafted, inducted or commissioned in the:*

*(1) Armed Forces of the United States and was accepted for and assigned to active duty in the Armed Forces of the United States;*

*(2) National Guard or a reserve component of the Armed Forces of the United States and was accepted for and assigned to duty for a minimum of 6 continuous years; or*

*(3) Commissioned Corps of the United States Public Health Service or the Commissioned Corps of the National Oceanic and Atmospheric Administration of the United States and served in the capacity of a commissioned officer while on active duty in defense of the United States; and*

*(b) Was separated from such service under conditions other than dishonorable.*

8. "Veteran with a service-connected disability" has the meaning ascribed to it in NRS 338.13843 and includes a veteran who is deemed to be a veteran with a service-connected disability pursuant to NRS 417.0187.

**Sec. 1.5.** 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) Submit to the Director of the Department of Veterans Services and make available to the public a monthly report which lists the names of all veterans and, to the extent the information is available, widows and widowers of persons killed in the line of duty while on active duty in the Armed Forces of the United States, who are employed in the classified or unclassified service of the State. The report must state whether each veteran listed is a resident of this State.

(i) Submit to the Governor and the Director of the Legislative Counsel Bureau for distribution to the Legislature a report for each calendar quarter on the total combined number of veterans and, to the extent the information is available, widows and widowers of persons killed in the line of duty while on active duty in the Armed Forces of the United States, who were hired in the classified or unclassified service of the State during the quarter.

(j) Ensure, to the extent practicable, that the combined total percentage of officers and employees in public service who are veterans and, to the extent the information is available, widows and widowers of persons killed in the line of duty while on active duty in the Armed Forces of the United States, is proportional to the combined total percentage of veterans and, to the extent the information is available, such widows and widowers, who reside in this State and are in the labor force.

(k) 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.

(l) 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.

(m) Make to the Commission and to the Governor such special reports as the Administrator may consider desirable.

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

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

**Sec. 2.** This act becomes effective:

1. Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. On October 1, 2019, for all other purposes.