

# LEGISLATIVE REPORT

A publication of the Nevada Taxpayers Association serving the citizens of Nevada since 1922

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Issue 9 of Legislative Report covered bills that had to be introduced by the first legislative deadline date of March 18, - bills requested by individual legislator. This issue covers the second legislative deadline, March 25, for committee bill introductions. The next deadline occurs on April 12, passage out of the first house committees.

## Notes:

- Page numbers continue from previous issue.
- The default effective date for bills, unless otherwise requested, is October 1, 2013. An effective date for the bills reported will be shown only when it differs from the default date.
- For the purpose of this report, the “fiscal effect” shown is taken from the bill and not determined by NTA.
- The full text of all bills is available at [www.leg.state.nv.us](http://www.leg.state.nv.us); select “Session Information - 2013.”

## TAXES

### Combination

#### **AB 486 - Clark County: More Cops Tax Expansion**

Introduced by the Committee on Taxation and referred to same. (BDR S-1068)

Increases the sales and use tax an additional 1/4 of 1% for equipping and hiring new police officers if approved by a 2/3 vote of the Clark County Commission and the City Councils of Boulder City, Henderson, Las Vegas, Mesquite, and North Las Vegas effective on or after July 1, 2015.

Effective: July 1, 2015. Expires by limitation on October 1, 2025.

Comment: In 2004 the voters of Clark County approved an advisory question to increase the sales and use tax up to 1/2 of 1 percent to be used for new police officers. The 2005 Legislature approved half of the rate increase, 1/4%. As the sales tax is imposed county-wide, each of the cities outside the Metro Police area have also benefitted from the increase, which is why they are included in the approval process.

#### **SB 475 – Removes Sunsets on Various Taxes – Requires 2/3 Majority**

On behalf of Department of Administration, introduced by Committee on Finance and referred to Committee on Revenue and Economic Development. (BDR 32-1124)

Extends until June 30, 2015 the increased rate of the MBT on general business at 1.17 percent of total wages, but increases the exemption on the tax to the first \$85,000 in wages paid per quarter; currently \$62,500 per quarter. Extends until June 30, 2015 the requirement for advance payment of the tax on the net proceeds of minerals and royalties of a mining operation and also delays until January 1, 2016 reinstatement of the deduction for insurance premiums and certain other health care costs in computing the net proceeds amount. The rate of \$200 for a state business license is continued until July 1, 2015. The expiration of the 0.35% increase in the Local School Support Tax is delayed until June 30, 2015. Extends the sunset of the room tax allocation from Clark and Washoe Counties to be used for operation of school district and charter schools in those counties to July 1, 2015, after which the room tax revenue will go to the State Supplemental School Support Fund.

Fiscal effect: Yes, on State.

Effective: Upon passage and approval.

### Business

#### **SB 445 – Modified Business Tax (MBT): Credit for Tuition Donation**

On behalf of the Governor, introduced by Committee on Education and referred to Committee on Revenue and Economic Development. (BDR 34-907)

A credit is allowed against the Modified Business Tax on general business and financial institutions equal to the amount of a donation to a scholarship organization. The scholarship organization must be a non-profit [501(c)3] organization, not own any school, not use more than 5% of income for administration, provide grants to low-income households to allow these children to attend schools chosen by their parents or guardians, and other conditions. The scholarship organization must apply to the Department of Taxation for approval of each credit before accepting the donation. Time restraints are set for this process. The total of tax credits that may be approved for a fiscal year is \$5 million. Provisions on reporting and application of credits are included.

Fiscal effect: Yes, on State.

Effective: Upon passage and approval for regulations and January 1, 2014 for all other purposes.

Note: Also see AB 373 under “Taxes” heading in Issue 9 on page 53.

**Property****AB 418 - County Property Tax Distribution: Clark and Washoe Counties**

Introduced by Committee on Government Affairs and referred to same. (BDR 31-1087)

For counties over 100,000 (Clark and Washoe Counties), the distribution formula for the additional 5 cent property tax levied by those counties is changed to: 40% of proceeds to the county, cities and towns in proportion to projected assessed value and 60% to the State Highway Fund. Projected assessed value means the assessed value of real and personal property, excluding property in a redevelopment area.

Fiscal effect: Yes, on State. May have impact on local government.

Effective: July 1, 2013.

**Miscellaneous****SB 465 – Livestock Tax Increase – Requires 2/3 Majority**

On behalf of the Department of Administration, introduced by Committee on Finance and referred to Committee on Natural Resources. (BDR 50-1147)

Increases the maximum rate the Department of Agriculture may set each year for the special tax on stock cattle (from \$.28 to \$.50), dairy cattle (from \$.53 to \$.60), hogs and pigs (from \$.07 to \$.30) and goats (from \$.06 to \$.10) and increases the minimum amount of the tax from \$5 to \$10 per owner. An owner who was not assessed the tax in any one fiscal year may have the tax assessed within 5 years of the tax not being assessed. Authorizes the Department to waive or reduce interest and penalties for extenuating circumstances.

Effective: July 1, 2013

**SB 454 – Insurance Premium Tax Deduction**

On behalf of Department of Administration, introduced by Committee on Health and Human Services and referred to Committee on Commerce, Labor and Energy. (BDR 57-1167)

Insurers may deduct fees imposed by the Silver State Health Care Exchange before paying the tax on premiums or compensation received by the insurers for qualified health plans offered by the Exchange. Creates the non-reverting Silver State Health Insurance Exchange Account in the General Fund and authorizes the Exchange to offer supplemental coverage to qualified individuals under contracts or policies relating to qualified health plans or other employer benefits and makes other provisions related to the Exchange.

Fiscal effect: Yes, on State.

Effective: Upon passage and approval and July 1, 2013.

**SB 479 – Insurance Premium Tax Credits**

Introduced by Committee on Finance and referred to Committee on Commerce, Labor and Energy. (BDR 57-1200)

The industrial insurance premium credit provided to an insurer for the general insurance premium tax of 3.5% does not expire. The insurer may carry forward any unused amount of the credit into subsequent years until the entire amount of the credit is used.

Fiscal effect: Yes, on State.

Effective: July 1, 2013

**SB 509 - Sparks: Room Tax**

The expiration date for the 2 ½ percent portion of room tax collected in Sparks is removed and made permanent.

Effective: Upon passage and approval.

**Vehicle and Fuel Taxes and Fees****AB 464 – Special Fuel – Requires 2/3 Majority**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR 32-1160)

The Department of Motor Vehicles is authorized to establish by regulation a fee for the issuance of decals to identify special fuel user interstate vehicles that are based in Nevada. The fee is not to exceed the estimated administrative costs of issuing the device.

Effective: July 1, 2013

**AB 472 – Motorcycle Safety Program – Requires 2/3 Majority**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR 43-1152)

Increases the maximum fee allowed to \$150 from \$100 for enrollment in the Program for the Education of Motorcycle Riders. The actual fee is set by the Director of the Department of Public Safety.

Effective: July 1, 2013

**AB 473 – License Plate Fees – Requires 2/3 Majority**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR 43-1170)

A non-reverting License Plate Production Account is created in the State Highway Fund to receive additional motor vehicle, trailer or semitrailer license plate fees to be determined by the Director of the Department of Motor Vehicles to defray costs of production. This is in addition to the 50 cents per plate fee currently paid to the Prison Industries Fund for production costs.

Effective: July 1, 2013.

**AB 491 – Department of Motor Vehicle (DMV) Fees: Sunset Extended and Reallocated**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR S-1162)

The increase in governmental services tax (GST) charged by DMV put in place by the 2009 Legislature is continued to June 30, 2015 as an allocation to the General Fund. Transfers deposit of certain commissions and delinquency fees collected by DMV (1% of GST collected by county assessors and 6% of all DMV collected GST) to the General Fund for Fiscal Year 2014-2015. Increases authorized administrative use of DMV collected license and registration fees and other charges to 32 percent from 22 percent for Fiscal Year 2014-2015.

Fiscal effect: Yes, on State.

Effective: Upon passage and approval and July 1, 2013.

Comment: Changing the percentage allowed for administrative use further hurts the highway trust fund.

**Administration****AB 466 – Tax Expenditure Report**

Introduced by Committee on Taxation and referred to same. (BDR 32-236)

The Director of the Department of Taxation is required to submit a report on tax expenditures to the Governor and the Legislature in November of even-numbered years. “Tax expenditure” is defined as any law that exempts, in whole or in part, certain persons, income, goods, services or property from the impact of established taxes. The detailed report is to include, when available, estimates of the fiscal impact of tax expenditures on state and local governments, number of taxpayers benefitting from each expenditure, and the revenue that would result from repeal, among other information.

Fiscal effect: Yes, on State.

Effective: Upon passage and approval.

**SB 472 – Reimbursement of Master Settlement Costs**

On behalf of Department of Administration, introduced by Committee on Finance and referred to Committee on Revenue and Economic Development. (BDR 32-1129)

Requires the Attorney General to reimburse the Department of Taxation from the Account for Tobacco Enforcement for costs or expenses incurred by the Department in enforcing or ensuring compliance with the Master Settlement Agreement or requirements of escrow deposits by nonparticipating tobacco manufacturers.

Effective: July 1, 2013

**FEES****AB 426 – Mortgage Loan Servicer Licensing; Mortgage Study – Requires 2/3 Majority**

Introduced by Committee on Commerce and Labor and referred to Concurrent Committees on Commerce and Labor and Legislative Operations and Elections. (BDR 54-42)

Defines a person or institution that directly or indirectly services residential mortgage loans as a “residential mortgage loan servicer” and requires the Commissioner of Mortgage Lending to adopt regulations for licensing the servicers and set a reasonable fee. Requires loan servicers to closely monitor employee actions and keep track of customer complaints. The Legislative Commission is to conduct an interim study on the laws covering mortgage lending in Nevada and other states.

Fiscal effect: Yes, on State.

Effective: July 1, 2013

**AB 482 – Unemployment Insurance: Temporary Assessment – Requires 2/3 Majority**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR 53-1166)

The Interest Repayment Fund is created as a special revenue fund. Money in the fund must only be used to pay interest on advances received from the Federal Government by the Unemployment Compensation Fund or special revenue bonds issued to refinance the advances. The assessment will be calculated by dividing the interest accruing and payable on advances received, by 95% of the total taxable wages paid by all employers in this State during the immediately preceding calendar year. Each employer’s proportionate share of the assessment will be calculated by multiplying the employer’s total taxable wages paid during the immediately preceding calendar year by the amount of the assessment. Employers will be advised of their assessment by June 30 each year, to be paid by July 31 of each year. The provisions do not apply to any nonprofit organization, political subdivision or Indian tribe which makes reimbursements in lieu of contributions. If the administrator determines that the assessment is no longer necessary, all employers will be notified and the assessment will be discontinued.

Fiscal effect: Yes, on State. May have impact on local government.

Effective: Upon passage and approval.

**AB 485 – Toll Roads and Other Fees– Requires 2/3 Majority**

On behalf of Department of Administration, introduced by Committee on Transportation and referred to same. (BDR35-1158)

The Department of Motor Vehicles (DMV) is authorized to enter public-private partnerships to create/build a wide variety of transportation facilities and to charge fees for the use of these facilities, including toll roads and restricted access lanes. Allows the department or the private partner, or both, or a third party to collect fees for use of the facility and makes provisions for the

*Continued on next page*

***AB 485 – Toll Roads and Other Fees, continued***

disposition of the fees collected. The private-public partnership may not be for longer than 55 years unless specified conditions are met to extend the term. Any money collected by the Department is to be credited to the Highway Fund.

Fiscal effect: Yes, on State.

Effective: July 1, 2013

**Position:** Pending additional information.

**AB 486 – Phone and Internet Services – Requires 2/3 Majority**

Introduced by Committee on Commerce and Labor and referred to same. (BDR 58-970)

A Voice over Internet Protocol service (VOIP) is not, with certain exceptions, subject to state regulation but is subject to established telecommunications assessments and surcharges. Allows certain telecommunication “providers of last resort” to file to be relieved of such duties, under certain circumstances, by filing a request with the Public Utilities Commission. Removes obsolete references to telegraph lines and equipment.

**SB 419 – Marriage Officials – Requires 2/3 Majority**

Introduced by Committee on Judiciary and referred to same. ( BDR 11-1107)

Allows notary publics, upon certification from a county clerk, to perform marriages. Sets a \$25 application fee to be paid to a county clerk for a certificate of permission to perform a marriage by a temporary replacement for a minister or a notary public. Raises the fee to be charged by the commissioner of civil marriages, a deputy commissioner, justice of the peace or notary from \$45 to \$70 and makes other provisions.

**SB 430 – Motor Carrier Technology Fee – Requires 2/3 Majority**

Introduced by Committee on Transportation and referred to same. (BDR 58-1072)

Limousine and taxicab operators are required to collect a technology fee in an amount set by the Transportation Authority, not to exceed 22 cents for each compensable trip. The fee is to be sent to the Authority by the 10<sup>th</sup> of each month and used to implement technological improvements in safety, reliability and efficiency, including the implementation of a computerized real-time data system to assist the Authority in carrying out its duties.

Effective: July 1, 2013

**SB 437 – Medicaid False Claims – Requires 2/3 Majority**

On behalf of the Attorney General, introduced by Committee on Government Affairs and referred to same. (BDR 31-1090)

State law is brought into compliance with federal law regarding liability for false Medicaid claims and rewards for whistle blowers. A court award is not to be more than 10 percent of any recovery to a person who provides information and assists in the recovery. Additional provisions are related to the involvement and procedures of the Attorney General in such actions.

Fiscal effect: Yes, on State.

Effective: July 1, 2013

**SB 441 – Secretary of State: Business Entity Changes – Requires 2/3 Majority**

Introduced by Committee on Judiciary and referred to same. (BDR 7-166)

This is an extensive bill relating to legal obligations of directors, officers and registered agents of certain corporations, dissolutions, and other matters. Provisions range from the services of a resident agent to providing conditions under which a limited liability company may have an exception to the general rule of dissolution. If service on a registered agent or other representative of record fails because of a lack of a change notice filing or change of address, the failed service notice may be registered with the Secretary of State for a \$10 fee.

**SB 452 – Hospital Assessment Account Fees – Requires 2/3 Majority**

Introduced by Committee on Health and Human Services and referred to same. (BDR 38-1085)

The Board of the Fund for Hospital Care to Indigent Persons is authorized to enter an agreement with the DHHS Division of Health Care Financing and Policy to help provide enhanced rates of reimbursement for hospital care provided to Medicaid recipients and for other support reasons. If that agreement is made, this requires certain hospitals to pay an annual assessment into the Hospital Assessment Account. The assessment amount will be determined annually by the Board. Any uncommitted money at the end of each year is to be proportionately refunded to the hospitals paying assessments.

Effective: July 1, 2013

**SB 456 – Storage Lot Fees: Clark County – Requires 2/3 Majority**

Introduced by Committee on Transportation and referred to same. (BDR 58-1089)

Insurance companies may designate certain vehicle storage lots to which certain vehicles insured by the company must be towed. Law enforcement officers are to make a good faith effort to identify the insurer of a vehicle and to communicate that information to the tow truck operator before the vehicle is towed. The owners of designated vehicle storage lots are required to pay a fee, to be determined by the Transportation Authority, to the law enforcement agency whose officer requested the tow.

Fiscal effect: May have impact on local government.

Effective: Upon passage and approval.

**SB 468 – State Engineer Water Fees – Requires 2/3 Majority**

On behalf of the Department of Administration, introduced by Committee on Finance and referred to Committee on Natural Resources. (BDR 48-1155)

Raises and adds fees charged by the State Engineer for services related to water issues, as follows: For a proof of water used for watering livestock and wildlife purposes, the fee is raised to \$60 from \$50, and for any other character of claim to water, the fee is raised to \$120 from \$100. On the schedule of fees for applications, permits, recordation and other services, most fees are raised approximately 20 percent and several new fees are added.

Effective: July 1, 2013

**SB 470 – Postsecondary Education Fees – Requires 2/3 Majority**

On behalf of the Department of Administration, introduced by Committee on Finance and referred to Committee on Education. (BDR 34-1135)

Raises application, license and other fees charged by the Commission on Postsecondary Education on certain private postsecondary educational institutions and adds a new fee of \$500 for approval of an alcohol awareness program to the schedule.

Effective: July 1, 2013

**SB 502 – Website Background Checks – Requires 2/3 Majority**

On behalf of the Department of Administration, introduced by Committee on Health and Human Services and referred to same. (BDR 40-1137)

The Health Division of DHHS is to establish a restricted-access website to assist in performing required background investigations on employees, prospective employees and temporary employees by certain facilities, hospitals, agencies, programs or homes. The Health Division will accept, for a fee to be determined, “website clients” who may use the site to conduct required investigations. Expands the list of certain crimes which are the basis of license denial for certain facilities and addresses other related matters.

Fiscal effect: Yes, on State. May have impact on local government.

Effective: July 1, 2013

<b>BUSINESS ISSUES</b>
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**AB 427 – Workers’ Comp**

Introduced by Committee on Commerce and Labor and referred to same. (BDR 53-754)

This bill covers the four statutory sections of Industrial Insurance: Administration (NRS 616A); Provisions of coverage (NRS 616B); Benefits for injuries or death (NRS 616C); and Prohibited acts (NRS 616D). Within these sections provisions range from, including wages from employment in another jurisdiction under certain conditions, to specifying how benefits are to be paid by an insurer, to allowing causes of actions to be brought and maintained against insurers and third-party administrators.

Fiscal effect: Yes, on State. May have impact on local government.

**AB 428 – Renewable Energy Incentives**

Introduced by Committee on Commerce and Labor and referred to same. (BDR 58-797)

Revises the participation incentives and payment plans for the solar, wind and water power energy systems. Places a cap on incentives that can be paid by each program between July 1, 2013 and December 31, 2021 and directs the Public Utilities Commission to determine the total amount of incentives for each program and revise categories of participation and payment plans guidelines. Provides specific directives for each of the programs and makes other changes.

Fiscal effect: Yes, on State.

Effective: Upon passage and approval for regulations and January 1, 2015 for all other purposes. Program requirements expire by limitation on December 31, 2021.

**AB 429 – Workers’ Comp Medications**

Introduced by Committee on Commerce and Labor and referred to same. (BDR 53-971)

Physicians treating employees under Workers’ Compensation are to advise employers and the insurer if certain pain medications are prescribed, and to provide other information about the reasons, treatment and follow-up for the employee. Payments may be withheld from physicians who do not comply.

Fiscal effect: Yes, on State. May have impact on local government.

**AB 435 – Insurer Regulation**

On behalf of the Department of Administration, introduced by Committee on Commerce and Labor and referred to same. (BDR 57-1171)

Makes various changes to provisions regarding the regulation of insurers, including, but not limited to, revising the way the assessment on each insurer to benefit the Special Investigative Account is calculated, making it a flat annual fee of \$500 to \$2,000 depending on total premiums; adjustments to requirements of financial condition and reporting; and benefit obligations of the Nevada Life & Health Insurance Guaranty Association.

Comment: Under current law the fees charged are not to exceed the amount that is specified in statute. If the current fees are less than the fees imposed by the bill, it would appear that this bill should require a 2/3s majority vote.

**AB 447 – Rest Area Advertising**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to Committee on Transportation. (BDR 35-1157)

In keeping with recent changes in Federal law, the Director of the Department of Transportation is allowed to develop regulations regarding a private person constructing, sponsoring, operating or maintaining a facility or a sign at a rest area, under contract with the Department. The fines for violations of regulations regarding rest areas are not to be more than \$1,000 for a first offense and not more than \$5,000 for each subsequent offense.

Effective: July 1, 2013

**SB 416 - Restricted Gaming Licenses & Sports Books**

Introduced by the Committee on Judiciary and referred to same. (BDR 41-1104)

Clarifies that a “restricted license” (currently for the operation of not more than 15 slot machines and no other game or gaming device) cannot include a race book or sports pool and prohibits a licensee for a race book or sport pool from operating at such an establishment. Establishes that use of a premises for the operation of a race book or sports pool includes from accepting wagers from patrons to allowing patrons to withdraw cash from an account for wagering. Provides that the transaction can be at an establishment or through mechanical means and requires a separate license to be obtained for each location at which an operation is conducted. For counties with a population over 100,000 there are a series of conditions which must be met from occupying an area that has at least 2,500 square feet available for use by patrons, to containing a restaurant, etc.

Effective: July 1, 2013. The act applies to all race books, sports pools and associated equipment in existence on July 1, 2013.

**SB 417 - Construction Defects: Civil Actions & Definition Revisions**

Introduced by the Committee on Judiciary and referred to same. (BDR 2-1105)

The requirement that a claimant first provide written notice to the contractor before commencing a civil action is removed. The definition of “constructional defect” is expanded to include a defect in the manufacture of a product that is incorporated into a new residence, an alteration of or addition to an existing residence, or appurtenance. Also, expanded is the definition of “Suppliers” to include a person who sells, distributes or manufactures a product that is incorporated into a residence or appurtenance. The amendatory provisions of this act preserve any and all remedies available on October 1, 2014, in an action for a constructional defect.

**PUBLIC EMPLOYEE COMPENSATION****SB 483 – State Employee Compensation**

On behalf of Department of Administration, introduced by Committee on Finance and referred to same. (BDR S-1125)

Delays until June 30, 2015 the expiration of the suspension of longevity payments to state employees and delays expiration of the suspension of merit pay increases to July 1, 2014. For the 2013-2015 biennium, requires state employees to take a 2.5 percent salary reduction and an amount of unpaid furlough leave that is equivalent to a 1.15 percent salary reduction (24 hours of unpaid leave each year) or, if exempted from the furlough requirements for the protection of the public health, safety or welfare, an additional equivalent salary reduction. PERS and PEBP credits are not affected by the reductions.

Effective: July 1, 2013

Note: Governor Sandoval announced on April 1, 2013 that unanticipated savings in other areas of the Budget would result in these measures being amended.

**EDUCATION****K-12****AB 458 – Empowerment Schools**

Introduced by Committee on Education and referred to same. (BDR 34-508)

If 51% of parents or legal guardians of students in a school petition the board of trustees to convert the school to an empowerment school, this prescribes the course of action to be taken by the trustees, the time frame for action and other matters related to such a conversion.

Fiscal effect: Yes, on State. May have impact on local government.

Effective: Upon passage and approval for regulations and July 1, 2013 for all other purposes.

**SB 435 – Education Stabilization Account**

On behalf of Legislative Committee on Education, introduced by Committee on Government Affairs and referred to Committee on Finance. (BDR 31-202)

The K-12 Public Education Stabilization Account is created to receive reversions from the Distributive School Account (DSA) at the end of each odd-numbered fiscal year. The Controller is to divide any such reversions equally between the Stabilization Account and the Account for Programs for Innovation and the Prevention of Remediation. Allocations from this Stabilization Account may be requested of the Legislature or IFC to cover shortfalls in the DSA before accessing the State’s rainy day fund. Provisions are made for allowable balances for the Account and other matters.

Fiscal effect: May have impact on local government.

Effective: July 1, 2013

Position: **Support** the concept.

**SB 442 – Education Mandate Repeals**

Introduced by Committee on Education and referred to same. (BDR 34-1078)

Deletes and repeals a long list of provisions regarding K-12 education, including, but not limited to, requirements that the Superintendent of Education prepare certain written materials for school officials and boards; that school boards establish pilot programs of small learning communities and peer mentoring programs in middle and junior high schools; school attendance councils; certain examination reports, and other matters.

Effective: July 1, 2013

**SB 443 – Charter School**

Introduced by Committee on Education and referred to same. (BDR 34-1079)

Amends the application process for a charter school sponsor to include a college or university and directs the Department of Education to adopt regulations in this regard. Removes provisions offering Department assistance in completing sponsor applications and transfers compliance training of charter school governing bodies to the sponsor. Requires affidavits of eligibility for charter school governing body members be submitted to the sponsor rather than the Department. Moves the date of annual charter school sponsor reports to the Department to October 1, from August 15, and makes other provisions.

Fiscal effect: Yes, on State.

Effective: July 1, 2013

Comment: It appears the Department is trying to make sponsors more accountable.

**SB 447 – Professional Development Training**

On behalf of Legislative Committee on Education, introduced by Committee on Education and referred to same. (BDR 34-197)

Requires regional training programs to provide, in addition to other areas of instruction: (1) training for certain administrators relating to the manner in which evaluations of teachers and other licensed educational personnel are conducted; and (2) training for teachers, administrators and other licensed educational personnel relating to correcting deficiencies and addressing recommendations for improvement in performance that are identified in performance evaluations. If a budget adjustment is needed to address these changes, the governing body of the training program must submit the request in writing to the Superintendent of Schools. Certain reporting requirements are adjusted and certain paraprofessionals and teachers' aides are authorized to monitor computer labs unsupervised. Provisions related to truancy and other matters are also addressed.

Fiscal effect: Yes, on State.

Effective: July 1, 2013

**SB 467 – Education Advisory Council**

On behalf of Department of Administration, introduced by Committee on Finance and referred to Committee on Education. (BDR 34-1130)

The Education Advisory Council is to be established by the Superintendent of Public Instruction to advise the Superintendent. Abolishes the Council to Establish Academic Standards for Public Schools and transfers its powers and duties to the Department of Education. Abolishes the Commission on Professional Standards in Education, and transfers its powers and duties to the Superintendent of Public Instruction. Abolishes the Commission on Educational Excellence and the Commission on Educational Technology and transfers certain duties of the latter to the Superintendent of Public Instruction. Abolishes the Statewide Council and regional governing bodies for the three regional training programs for professional development of teachers and administrators and transfers their powers and duties to the Department. The requirement that any expenditure from the Education Gift Fund be approved by the Legislature or IFC is removed. Makes other provisions regarding public education

Fiscal effect: Yes, on State.

**SB 471 – Charter School Account**

On behalf of Department of Administration, introduced by Committee on Finance and referred to Committee on Education. (BDR 34-1133)

The responsibility to administer the Account for Charter Schools is transferred from the Department of Education to the State Public Charter School Authority. The maximum total amount of a loan that may be made to a charter school for costs incurred in preparing for its first year of operation is revised to the lesser of \$500 per pupil to be enrolled or \$200,000. The limitation on the maximum total amount of a loan that may be made to improve a charter school that has been in operation is removed.

Fiscal effect: Yes, on State. May have impact on local government.

Effective: Upon passage and approval.

**SB 477 – Basic Support Guarantee Factors**

On behalf of the Committee to Study a New Method for Funding Public Schools, introduced by Committee on Finance and referred to same. (BDR 34-499)

The factors to be used by the Department of Education in calculating its recommendation to the Legislature on the basic support guarantee per pupil for each school district is specified. Factors, which are to be re-evaluated by the Department every six years, include number of pupils, attendance area, teacher allotment, school district expenditures, transportation, sources and amounts of money available to the district, Department's ranking of the district, and other regulatory factors. In addition, at least every 6 years, the Department is to evaluate its method for allocating special education program units to each district and charter school. An explanation of the Nevada Plan for School Finance is to be posted on the Department's website.

Effective: July 1, 2013.

**SB 481 – School Expenditures, Class Sizes**

On behalf of Department of Administration, introduced by Committee on Finance and referred to same. (BDR S-1132)

The expiration of the temporary waiver imposed by the 26<sup>th</sup> Special Session (2010) on minimum expenditures for all schools on textbooks, supplies, computers, library books, equipment and other categories, as well as the temporary increase in class size for grades 1 through 3 is delayed until June 30, 2015.

Effective: Upon passage and approval. Expires by limitation on June 30, 2015.

**SB 500 – K-12 Public Funding Task Force**

Introduced by Committee on Education and referred to Committee on Finance. (BDR S-1100)

Creates the 15-member Task Force on K-12 Public Education Funding to develop a plan for revising and implementing Nevada's public education funding formula in a manner which equitably accounts for the needs of, and the costs to educate, pupils based upon the individual educational needs and demographic characteristics of pupils, including, without limitation, pupils from low-income families, pupils with disabilities and pupils who have limited proficiency in the English language through a weighted funding formula. A review of the 2012 report, "Study of a New Method of Funding for Public Schools in Nevada" and of funding formulas used in other states is to be included. The Committee's report and recommendations to the Governor and Legislative Counsel Bureau are due by June 30, 2014 for use in the 2015-2017 Executive Budget.

Fiscal effect: Yes, on State.

Effective: Upon passage and approval for appointments and July 1, 2013 for other purposes. Expires by limitation on June 30, 2015.

**SB 504 - English Language Learners: Teaching and Funding**

Introduced by the Committee on Education and referred to same. (BDR 34-1099)

There are four main elements to this bill. First it requires a teacher at a school where 25 percent or more of the student are English Language Learners (ELL), and who will teach English to ELL to hold an endorsement to teach English as a second language. It also provides for training programs for ELL teachers. Second, pilot programs are to be adopted by the Boards of Trustees in Clark and Washoe Counties in cooperation with UNLV and the UNR respectively for the establishment of reading skills development centers at high-risk schools in the Districts as designated by the Boards of Trustees. The pilot program for the Clark County School District starts in FY 2013-2014 and in FY 2014-2015 for the Washoe County School District. The Districts are to report to the legislative committees on education at the beginning of the 2015 Legislative session on the results of the pilot program. Third, the Teachers and Leaders Council of Nevada is to make recommendations to the State Board of Education and the Legislature on methods to evaluate teachers and other licensed educational personnel on the effectiveness of instruction to ELL students. Fourth, a series of appropriations are made for various programs that service ELL students.

*See the Appropriations heading on page 82 of this issue for the amounts.*

Effective: July 1, 2013

**Nevada System of Higher Education****AB 438 – Cooling-Off Period**

Introduced by Committee on Legislative Operations and Elections and referred to same. (BDR 23-815)

With specific exceptions, mandates a 2-year cooling-off period before former public officers who were elected to office as a member of a local legislative body or the Board of Regents may serve as paid lobbyists on any matters under consideration by the public body on which he or she served. Applies to those leaving office after July 1, 2013.

Fiscal effect: Yes, on State.

Effective: July 1, 2013.

**AJR 8 – Board of Regents Composition**

On behalf of Legislative Committee on Education, introduced by Committee on Education and referred to same. (BDR C-201)

Proposes to change the State Constitution to allow the Board of Regents to appoint a Student Regent as a voting member of the otherwise elected-position Board. The Board is to determine the qualifications and term of the office.

Fiscal effect: Yes, on State.

Effective: If adopted by the 2013 Legislature and again by the 2015 Legislature, would be presented to voters in 2016.

**NEVADA GOVERNMENTS****AB 445 – Public Meeting Notices**

Introduced by Committee on Legislative Operations and Elections and referred to same. (BDR 19-1121)

Requires the Department of Administration, by January 1, 2014, to establish a location on the State's website for posting of public meeting notices, agendas and other information to be used by all public bodies subject to the Open Meeting Law. This is in addition to the current minimum posting requirements. Local governments have until July 1, 2014 to comply.

Fiscal effect: Yes, on State. May have impact on local government.

Effective: Upon passage and approval and January 1, 2014 and July 1, 2014.

Position: Support. Also see AB 252, page 48, Issue 8.



**State****AB 444 – Death Penalty Audit**

Introduced by Committee on Legislative Operations and Elections and referred to same. (BDR S-817)

Directs the Legislative Auditor to conduct an audit of the fiscal costs of the death penalty in Nevada, including analysis of the costs of prosecuting and adjudicating capital cases compared to noncapital cases. A final written report is to be submitted to the Audit Subcommittee of the Legislative Commission on or before January 31, 2015.

Fiscal effect: Yes, on State.

Effective: Upon passage and approval.

**AB 481 – Digital Imaging Services**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR 19-1134)

Authorizes the Division of State Library and Archives to provide microfilm and digital imaging services to local governments and to retain the money received to use for equipment maintenance and upgrades.

Fiscal effect: Yes, on State.

Effective: July 1, 2013

**AB 489 – Credit/Debit Card and EFT Fees**

Introduced by Committee on Ways and Means and referred to same. (BDR 31-779)

On transactions over \$50 paid to a state agency by credit or debit card or EFT, imposes a mandatory convenience fee of \$2 be charged to the cardholder by the state agency if that agency is charged a fee by the processor.

Fiscal effect: Yes, on State.

Effective: January 1, 2014

Comment: It would appear that the \$2.00 fee would be more than the agency is charged in many cases. If that in fact is the case, why should the agency make money off the purchaser?

**SB 436 – State Parks and Cultural Resources Endowment Fund**

On behalf of Department of Administration, introduced by Committee on Government Affairs and referred to same. (BDR 19-1154)

Creates the Nevada State Parks and Cultural Resources Endowment Fund and directs the State Treasurer to deposit contributions into the Fund, to be used to enhance Nevada's state parks and natural resources as directed by a 5-member board also created by the bill.

Effective: Upon passage and approval.

**SB 438 – Colorado River Commission**

Introduced by Committee on Government Affairs and referred to Committee on Natural Resources. (BDR S-1091)

Authorizes the Colorado River Commission of Nevada, not later than June 30, 2028, to borrow and otherwise become obligated for a principal amount not to exceed \$35,000,000 for the purpose of: (1) prepaying certain costs of electrical capacity and energy generated from the Hoover Dam; or (2) paying, financing or refinancing a portion of the capital costs which contribute to the ongoing costs of electrical capacity and energy generated from the Hoover Dam. The Commission is authorized to issue general and special obligation securities payable from revenue derived by the Commission from any source.

Effective: July 1, 2013

**SB 464 – Division of Consumer Equitability**

On behalf of the Department of Administration, introduced by Committee on Finance and referred to Committee on Natural Resources. (BDR 50-1148)

Renames the Division of Measurement Standards within the State Department of Agriculture as the Division of Consumer Equitability. Renames the State Sealer of Weights and Measures as the State Sealer of Consumer Equitability. Provides conforming language for the changes.

Fiscal effect: Yes, on State

Effective: July 1, 2013

**Local****AB 417 – Redevelopment Area Loans**

Introduced by Committee on Government Affairs and referred to same. BSR 22-234)

Authorizes local governments to create a revolving loan account to make loans at or below market rate to small businesses (less than 25 employees) located or planning to locate in redevelopment areas. Criteria for applications and loan terms are to be set by local agencies. Annual reports are to be made by the local agencies and submitted to the Legislative Counsel Bureau for each fiscal year from 2013-2014 through 2016-2017.

Fiscal effect: May have impact on local government.

Effective: Upon passage and approval. The report provision of this bill expires by limitation on December 31, 2017.

**AB 438 – Cooling-Off Period**

Introduced by Committee on Legislative Operations and Elections and referred to same. (BDR 23-815)

*See page 77 of this issue under heading of Education/Nevada System of Higher Education for description.*

**AB 484 – Clark County Subsidiary Corporation**

Introduced by Committee on Health and Human Services and referred to same. (BDR 40-990)

Authorizes the Clark County Commission (county over 700,000) to create a non-profit county subsidiary corporation to own, lease or control public hospitals and other health care facilities in the county. Makes provisions for the governing, tax exemption, liability and legal status, financing, bonding authority and other matters. Employees transferred to the corporation lose no accrued county benefits and collective bargaining agreements must be honored.

Effective: Upon passage and approval for regulations and July 1, 2013 for all other purposes.

**AB 487 – Recycling Goals, Reports**

On behalf of the Legislative Commission's Committee to Study the Deposits and Refunds on Recycled Products, introduced by Committee on Natural Resources, Agriculture and Mining and referred to same. (BDR 40-120)

The goal in each municipality for recycling of solid waste over the next two years is increased to 40% from 25%. Each county board is to submit a progress report on these goals by November 1, 2014 for the 2015 (78<sup>th</sup>) Legislature.

Fiscal effect: Yes, on State. May have impact on local government.

Effective: July 1, 2013

**SB 439 – Collective Bargaining Agreement Suspension**

Introduced by Committee on Government Affairs and referred to same. (BDR 23-1092)

A local government employer may suspend a collective bargaining agreement during a severe financial emergency, which means the management of a local government employer is taken over by the Department of Taxation when the local government is insolvent or otherwise unable to continue its regular operations.

Effective: July 1, 2013

**ELECTIONS****AB 439 – Local Election Dates**

Introduced by Committee on Legislative Operations and Elections and referred to same. (BDR 24-985)

Requires incorporated cities and charter cities to hold primary and general municipal elections on the statewide election schedule. This change is to be effective by 2016. Conforming changes to provisions regarding filing deadlines, campaign reporting and terms of current office holders is provided.

Fiscal effect: Yes, on State. May have impact on local government.

Effective: Upon passage and approval and July 1, 2015 and January 19, 2016.

**AB 440 – Voter Registration Deadlines**

Introduced by Committee on Legislative Operations and Elections and referred to same. (BDR 24-987)

Extends the deadline for voter registration to the last day of early voting, which is the Friday before a primary or general election. As of 2016, voters may register, and vote, on the day of the primary or general election at one or two polling places specified by the county clerk upon presenting specific identification and proof of residency.

Fiscal effect: Yes, on State. May have impact on local government.

Effective: Upon passage and approval for regulations and January 1, 2016 for all other purposes.

**AB 441 – General Polling Places**

Introduced by Committee on Legislative Operations and Elections and referred to same. (BDR 24-814)

Authorizes county and city clerks to designate and advertise one or more polling places in the county or city, as applicable, where any person entitled to vote in the county or city may do so, rather than at their respective precinct.

**LEGISLATURE****SB 499 – Legislative Committee on Water Issues**

On behalf of the Legislative Committee to Oversee the Western Regional Water Commission, introduced by Committee on Legislative Operations and Elections and referred to same. (BDR 17-144)

Creates the Legislative Committee on Water Issues and transfers to it the power and duties relating to water resources currently held by the Legislative Committee on Public Lands. The 6-member Committee is to review the programs and activities of the Colorado River Commission and public water authorities, districts and systems in the State, and authorizes the Committee to review and comment on other issues relating to water resources, except matters under the purview of the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System. Provides the biennial reports are to be submitted to the Legislature and other related matters.

Fiscal effect: Yes, on State.

Effective: July 1, 2013 and contingent upon matters regarding the Tahoe Compact, October 1, 2015 and October 1, 2017.

**COURTS**
**SB 463 – Court of Appeals: Enabling Legislation**

Introduced by Committee on Finance and referred to Committee on Judiciary. (BDR 1-1197)

Provides for implementation of the Court of Appeals if SJR 14 of the 2011 session, which provides for the creation of an intermediate appellate court, is approved by the 2013 Legislature and then by voters on November 4, 2014. The bill provides for the initial appointment of three judges by the Governor from a list submitted by the Commission on Judicial Selection,  
Fiscal effect: Yes, on State.

**APPROPRIATIONS**
**Appropriations in Executive Budget**
**AB 462 – Desert Regional Center, DHHS**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR S-1179)

Appropriates \$938,119 from the General Fund to the Desert Regional Center within the Division of Mental Health and Developmental Services of DHHS for a new computer system for medical records, provider invoices and claims processing.

Effective: Upon passage and approval.

**AB 467 – State Parks Equipment**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR S-1185)

Makes an appropriation of \$371,023 from the General Fund to the Division of State Parks of the State Department of Conservation and Natural Resources to replace public safety equipment and worn and obsolete equipment.

Effective: Upon passage and approval.

**AB 468 – Department of Corrections**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR S-1182)

Makes an appropriation of \$1,902,000 from the General Fund to the Department of Corrections for an upgrade and training for the Nevada Offender Tracking Information System.

Effective: Upon passage and approval.

**AB 469 – Conservation and Natural Resources**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR S-1186)

Makes an appropriation of \$1,311,065 from the General Fund to the Department of Conservation and Natural Resources for replacement and maintenance of emergency response, firefighting and other critical equipment and vehicles.

Effective: Upon passage and approval.

**AB 470 – Nevada Highway Patrol**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR S-1188)

Makes an appropriation from the General Fund to the Nevada Highway Patrol Division of the Department of Public Safety of \$10,936,337 to replace fleet vehicles and \$693,726 to replace motorcycles that have exceeded the mileage threshold.

Effective: Upon passage and approval.

**AB 471 – Department of Health and Human Services**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR S-1191)

Makes a supplemental appropriation of \$519,243 from the General Fund to the Department of Health and Human Services for an unanticipated shortfall relating to the operation of the vital records and statistics program in Fiscal Year 2012-2013.

Effective: Upon passage and approval.

**AB 474 – State Accounts**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR S-1174)

Make appropriations from the General Fund to restore the balances in state Accounts:

Stale Claims Account: \$3,000,000

Emergency Account: \$100,000

Reserve for Statutory Contingency Account: \$300,000,000

Contingency Account: \$5,800,000

Effective: Upon passage and approval.

**AB 475 – Legislative Fund**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR S-1177)

Makes appropriations from the General Fund to the Legislative Fund as follows:

\$377,500 in each of Fiscal Years 2013-2014 and 2014-2015 for dues and registration costs of national organizations.

\$1,086,859 for one-time building maintenance and IT purchases for the Legislative Counsel Bureau.

Effective: Upon passage and approval.

**AB 477 – Office of Controller**

On behalf of the Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR S-1176)

Makes an appropriation of \$470,397 from the General Fund to the Office of the State Controller to replace computer servers for the statewide financial system.

Effective: Upon passage and approval.

**AB 478 – Nevada Highway Patrol Division**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR S-1192)

Makes supplemental appropriations from the General Fund to the Nevada Highway Patrol Division of the Department of Public Safety as follows:

\$14,803 Reimbursement for unanticipated visiting dignitary protection assignments.

\$731,409 Unanticipated shortfall resulting from an increase in fuel costs.

Effective: Upon passage and approval.

**AB 479 – Department of Public Safety Investigative Division**

On behalf of the Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR S-1193)

Makes a supplemental appropriation of \$27,844 from the General Fund to the Investigation Division of the Department of Public Safety for an unanticipated shortfall resulting from increases in fuel costs.

**SB 459 – Health Care Financing and Policy**

On behalf of Department of Administration, introduced by Committee on Finance and referred to same. (BDR S-1190)

Makes a supplemental appropriation of \$26,912,208 from the General Fund to the Division of Health Care Financing and Policy of the Department of Health and Human Services for an unanticipated increase in caseloads for medical services and costs per eligible recipient and unanticipated retroactive payments for Upper Payment Limit and Graduate Medical Education costs. Expenditure of \$82,863,609 not appropriated from the State General Fund or the State Highway Fund is authorized during the fiscal years beginning on July 1, 2013, and ending on June 30, 2015, by the Division for the same purposes.

Effective: Upon passage and approval.

**SB 460 – Commission on Judicial Discipline**

On behalf of Department of Administration, introduced by Committee on Finance and referred to same. (BDR S-1189)

Makes a supplemental appropriation of \$58,293 to the Commission on Judicial Discipline for the costs of one-time leave payouts resulting from the unanticipated retirement of certain staff.

Effective: Upon passage and approval.

**SB 461 – State Lands Division**

On behalf of Department of Administration, introduced by Committee on Finance and referred to same. (BDR S-1187)

Makes an appropriation of \$29,553 from the General Fund to Division of State Lands of the State Department of Conservation and Natural Resources for the replacement of equipment beyond its normal scheduled replacement.

Effective: Upon passage and approval.

**SB 462 – Criminal Records**

On behalf of Department of Administration, introduced by Committee on Finance and referred to same. (BDR S-1184)

Makes an appropriation of \$2,315,090 from the General Fund to the Central Repository for Nevada Records of Criminal History of Department of Public Safety for the initial phase of the project to modernize the Nevada Criminal Justice Information System.

Effective: Upon passage and approval.

**SB 480 – Gaming Control Board**

On behalf of Department of Administration, introduced by Committee on Finance and referred to same. (BDR S-1183)

Makes an appropriation from the General Fund of \$2,000,436 to the State Gaming Control Board to change from a COBOL-based system to a modern technology system.

Effective: Upon passage and approval.

**SB 484 - Mental Health Division**

On behalf of Department of Administration, introduced by Committee on Finance and referred to same. (BDR S-1181)

Makes an appropriation of \$204,000 from the General Fund to the Mental Health Information System Account of the Division of Mental Health and Developmental Services of the Department of Health and Human Services for new software to implement the Department's technology policies.

Effective: Upon passage and approval.

**SB 485 – Welfare and Supportive Services**

On behalf of Department of Administration, introduced by Committee on Finance and referred to same. (BDR S-1180)

Makes an appropriation of \$452,100 from the General Fund to the Division of Welfare and Supportive Services of DHHS for the integration of eligibility rules for the Temporary Assistance for Needy Families program (TANF) and the Supplemental Nutrition Assistance Program (SNAP) into the eligibility system. Authorizes the Division to expend \$10,547,900, not from the General Fund or Highway Fund for the same purpose.

Effective: Upon passage and approval.

**SB 486 – Department of Education**

On behalf of Department of Administration, introduced by Committee on Finance and referred to same. (BDR S-1178)

Makes an appropriation of \$4,000,000 from the General Fund to the Department of Education for data system projects identified by the P-16 Advisory Council.

Effective: Upon passage and approval.

**SB 487 – Guinn Millennium Scholarship**

On behalf of Department of Administration, introduced by Committee on Finance and referred to same. (BDR S-1175)

Makes an appropriation from the General Fund of \$5,000,000 to the Office of the State Treasurer for the Governor Guinn Millennium Scholarship Program.

Effective: Upon passage and approval.

**Appropriations NOT in Executive Budget****AB 490 – Communities in Schools**

Introduced by Committee on Ways and Means and referred to same. (BDR S-533)

Makes an appropriation from the General Fund to Communities in Schools of Nevada, Inc. to coordinate the provision of student and family services to youth in this State:

For the Fiscal Year 2013-2014	\$250,000
For the Fiscal Year 2014-2015	\$250,000

The appropriation is contingent upon matching money being provided by Communities in Schools of Nevada, Inc. or from other sources. No money will be distributed until the matching money has been committed. Reporting is required.

Fiscal effect: Yes, on State. Contains appropriation not included in Executive Budget.

Effective: July 1, 2013

**SB 504 - English Language Learners: Teaching and Funding**

Introduced by the Committee on Education and referred to same. (BDR 34-1099)

From the State General Fund Account for Programs for Innovation and Remediation:

For distribution to Clark, Washoe and Elko School Districts for regional training programs.

FY 2013-2014	\$400,000	FY 2014-2015	\$400,000
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To hire instruction specialists, create pre-kindergarten programs, provide free summer school, with distribution to all school districts based on specific criteria .

FY 2013-2014	\$14,255,000	FY 2014-2015	\$14,255,000
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For full day kindergarten in Title 1 schools.

FY 2013-2014 - \$42,058,463.	FY 2014-2015 - \$42,903,135.
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From the State Supplemental School Support Account:

For Skills Development Centers at:

Clark County School District for 11 high-risk schools:

FY 2013-2014 - \$3,300,000.	FY 2014-2015 - \$4,800,000.
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to UNLV for support of program:

FY 2013-2014 - \$1,100,000.	FY 2014-2015 - \$1,600,000.
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Washoe County School District for 5 high-risk schools:

FY 2014-15 - \$1,500,000.
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to UNR for support of program:

FY 2014-15 - \$500,000.
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Effective: July 1, 2013

*See Education heading on page 77 of this issue for description.*

**BUDGET****AB 491 – DMV Fees Reallocated**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR S-1162)

*See “Fees” heading on page 72 of this issue for description.*

**AB 493 – Abolishes Commission on Sports**

On behalf of the Sunset Subcommittee, introduced by Committee on Government Affairs and referred to same. (BDR 18-572)

As recommended by the Sunset Subcommittee of the Legislative Commission, abolishes the Nevada Commission on Sports.

Effective: Upon passage and approval and July 1, 2013

**AB 494 –State Funeral Board**

On behalf of the Sunset Subcommittee, introduced by Committee on Commerce and Labor and referred to same. (BDR 54-573)

As recommended by the Sunset Subcommittee of the Legislative Commission, converts the Funeral Board into a purely advisory body to the Division of Health and transfers the existing powers and duties of the Board to the Health Division. Licensing of certain professionals and facilities will now be done by the Health Division and licensing and other fees will be used by the Health Division to carry out these duties. Fines are to be credited to the General Fund.

Fiscal effect: Yes, on State.

Effective: Upon passage and approval for regulations and January 1, 2014 for all other purposes.

**AB 495 – Abolishes Committee on Co-Occurring Disorders**

On behalf of the Sunset Subcommittee, introduced by Committee on Health and Human Services and referred to same. (BDR 40-571)

Abolishes the Committee on Co-Occurring Disorders, as recommended by the Legislative Commission's Sunset Subcommittee.

Effective: July 1, 2013

**AB 497 – Parole Functions**

On behalf of Department of Administration, introduced by Committee on Ways and Means and referred to same. (BDR 16-1144)

The Correctional Community Services Division of the Department of Corrections is created to accept the Parole functions now handled by Department of Public Safety. The Director of the new Division is to be named by the Director of Corrections. The Division of Adult Probation in the Department of Public Safety is created to handle presentence investigations and supervision of probationers.

Fiscal effect: Yes, on State.

Effective: July 1, 2013

**SB 455 – English Language Learners**

On behalf of Department of Administration, introduced by Committee on Education and referred to same. (BDR S-1131)

Establishes a pilot program to provide grants to school districts to establish or expand programs for English language learners in prekindergarten through grade 4. Sets requirements for a grant application to the Department of Education and the process for review of applications and grant disbursements. Requires outside evaluation of programs established or expanded with grant money. Requires the Department to submit a report to the Governor and the 78<sup>th</sup> (2015) Legislature which includes recommendations for continuing or expanding the pilot program.

Effective: July 1, 2013

**SB 469 – Dairy Commission Transfer**

On behalf of Department of Administration, introduced by Committee on Finance and referred to same. (BDR 51-1145)

Transfers the State Dairy Commission from the Department of Business and Industry to the State Department of Agriculture. The Director of the Department of Agriculture is to appoint a Manager of Operations of the Commission who will serve as ex-officio Executive Director and Secretary of the Commission.

Fiscal effect: Yes, on State.

Effective: July 1, 2013

**SB 473 – Fund Name Changes**

On behalf of Department of Administration, introduced by Committee on Finance and referred to Committee on Government Affairs. (BDR 18-1128)

Requires interest and income earned on the money in any of the Department of Administration funds to be credited to the respective fund after deducting any applicable charges. The name of the Department's Communications Fund is changed to the Mail Services Fund.

Effective: July 1, 2013

**SB 474 – Improvement Bond Payments**

On behalf of Department of Administration, introduced by Committee on Finance and referred to Committee on Revenue and Economic Development. (BDR 32-1127)

Directs that proceeds from taxes on intoxicating liquor, other than those needed for refunds or apportioned to counties, be used for repayment of bonded indebtedness of the State which is approved by the 77th Legislative Session (2013) to pay the cost of capital improvement projects that are approved by the Session. If the proceeds from the taxes are insufficient in any fiscal year to service the debt, money from the State General Fund is contingently approved for that purpose.

Effective: Upon passage and approval.

**SB 482 - Transfers Among Budget Accounts & Work Program Approvals**

On behalf of the Department Administration. Introduced by the Committee on Finance, and referred to same. (BDR 31-1126)

Allows that money appropriated to any Executive Department is subject to the same dollar amounts for revisions of work programs - \$30,000 or less for general revisions; and whichever is less, 10 percent or \$75,000 for a work program for a computer network, computer system or other means of electronic storage -- to be transferred among the various budget accounts. These provisions do not apply to revisions of work programs that are required by the acceptance of a gift or grant of property or services,

Effective: July 1, 2013.

**SB.488 – Consumer Affairs Division**

On behalf of the Department of Administration, introduced by Committee on Finance and referred to same. (BDR S-1169)

Continues for the 2013-2015 biennium the temporary elimination of the Consumer Affairs Division and the Commissioner of Consumer Affairs and the transfer of the powers and duties of the Division and the Commissioner to the Office of the Attorney General. This was first done for the 2009-2011 biennium.

Effective: Upon passage and approval.

**SB 501 – Substance Abuse Treatment and Prevention**

On behalf of the Department of Administration, introduced by Committee on Health and Human Services and referred to same. (BDR 40-1141)

Adjusts duties and powers related to substance abuse programs among state entities. Makes a drug or alcohol abuse treatment center accredited by a nationally recognized accreditation organization and licensed by the Board of Health eligible to receive federal and state money. Certification of detoxification technicians, facilities and programs for the education and treatment of alcohol and drug abusers is to be done by the Health Division of DHHS rather than the Division of Mental Health and Developmental Services. Standards of approval for evaluation centers is now the responsibility of the Commission on Mental Health and Developmental Services rather than the Board of Health.

Effective: Upon passage and approval for regulations and October 1, 2013 for all other purposes.

<b>GENERAL INTEREST</b>
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**AB 416 –Parking Enforcement: Volunteers**

Introduced by Committee on Government Affairs and referred to Committee on Taxation. (BDR

Expands current law to allow authorized volunteers to issue citations for all state or local parking ordinance violations, rather than just handicapped parking. Local law enforcement agencies may appoint these volunteers.

**AB 433 – Health Care Practitioner Disclosures**

Introduced by Committee on Commerce, Labor and Energy and referred to same. (BDR 54-1098)

*This bill is identical to SB 211, reported in Issue 7 on page 38 and also referred to the Commerce & Labor Committee, please see Issue 7.*

**AB 456 – Health Care Practitioners**

Introduced by Committee on Health and Human Services and referred to same. (BDR 54-1102)

This bill offers the same disclosure provisions as SB 211(see Issue 7, page 38) and AB 433 (above) with the addition of provisions for a person or entity to propose modifying the scope of a health care profession. Such a request must be made in writing to the State Board of Health, which is to appoint a committee to study it and make recommendations to be forwarded to the Legislative Counsel Bureau for possible action by the next Legislature.

**SB 424 – Foreclosures**

Introduced by Committee on Judiciary and referred to same. (BDR 3-1113))

If a bank or other financial institution forecloses on a single-family dwelling, purchases that property at the foreclosure or trustee's sale and intends to accept an offer to sell the single-family dwelling for an amount less than the amount of indebtedness, the debtor must be offered first right of refusal if the debtor incurred the debt to buy the property and had occupied the property since getting the loan.

Effective: July 1, 2013

**SB 426 – Malpractice Claims**

Introduced by Committee on Judiciary and referred to same. (BDR 3-600)

Stipulates that the existing limit of \$350,000 on noneconomic damages in a medical and dental malpractice claim must be adjusted by the CPI each fiscal year. Increases the statute of limitations for injury or death claims to 4 years (from 2 years) after the date of the injury or 2 years (from 1 year) after the date the plaintiff discovers or should have discovered the injury. Removes limitations on the amounts that may be contracted for or collected by attorneys in professional negligence actions.

Effective: Applies to awards, causes of action and contracts after October 1, 2013.

**SB 431 – Vehicle Insurance Verification**

Introduced by Committee on Transportation and referred to same. (BDR 43-167)

*This bill is identical to AB 355, already reported. See Issue 9, page 69.*

**SB 503 – Drivers’ Licenses and ID Cards**

On behalf of Department of Administration, introduced by Committee on Transportation and referred to same. (BDR 43-1159)

Requires the Department of Motor Vehicles (DMV) to issue, on request and with adequate documentation, licenses and ID Cards that are federally qualified. Licenses and ID Cards have typically expired every 4 years. The DMV may now adopt regulations providing for longer valid periods. In such cases, the fee for the license would be the same yearly rate times the number of years.

**SB 418 – Federal Election Wagering**

Introduced by Committee on Judiciary and referred to same. (BDR 418)

Allows wagers on the outcome of Federal elections and requires the Gaming Commission to adopt regulations in this regard by January 1, 2014.

Fiscal effect: Yes, on State

**STUDIES****AB 426 –Mortgage Study – Requires 2/3 Majority**

Introduced by Committee on Commerce and Labor and referred to Concurrent Committees on Commerce and Labor and Legislative Operations and Elections. (BDR 54-42)

Directs the Legislative Commission to conduct an interim study on the laws covering mortgage lending in Nevada and other states.

*See page 72 of this issue under “Fees” heading for full description.*

**SB 451 – Foster Home Care**

Introduced by Committee on Health and Human Services and referred to Committee on Legislative Operations and Elections. (BDR S-1084)

Directs the Legislative Committee on Child Welfare and Juvenile Justice to appoint a subcommittee to conduct an interim study concerning standards of care for specialized foster homes, which are family homes that provide full-time care for children who require special care for physical, mental or emotional issues. A report to the full Committee is due by June 1, 2014.

Effective: July 1, 2013

**NEVADA TAXPAYERS ASSOCIATION**

*Legislative Report* is published weekly during a legislative session.

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