

LEGISLATIVE REPORT

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

ISSUE 12-13

AMENDMENTS: THROUGH APRIL 26, 2013

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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.
- The full text of all bills and amendments is available at www.leg.state.nv.us; select "Session Information - 2013."

FINES & PENALTIES

SB 21, 1st Reprint - State Controller Procedures (Issue 1, page 7) – Maintains the 2/3rds Majority

Increase to \$10 from \$5 the threshold at which the Controller must issue a refund without a written request. Sets the fee to be charged by the Controller's office to debtors of more than \$300 at 2% of the amount of the debt, plus collection costs. Requires the Controller, by September 30, 2013, to pay salaries and wages of all Executive, Judicial, Legislative and other state positions by electronic deposit.

SB 40 1st Reprint - Medical Lab Personnel Licensing (Issue 1, page 7) – Maintains the 2/3rds Majority

Makes technical corrections to the names of professional societies cited for examination certification.

BUSINESS ISSUES

Please Note: AB 220 Credit & Debit Card Fees (Issue 7, page 36) was erroneously identified as AB 200 in Issue 7. AB 220 did not make the April 12 Deadline for passage out of committee.

AB 99 1st Reprint - Notarial Acts, Revised Law (Issue 4, page 18)

Makes substantial technical language changes to update this law, including, but not limited to, a simplified definition of someone "personally" known to the notary.

AB 139 1st Reprint - State Business Portal (Issue 5, page 23) – Retains the unfunded mandate to local government.

Changes the mandated deadline for state and local agencies and health districts to fully integrate into the State Business Portal to January 1, 2014. Local entities can request a waiver of the deadline from the State Board of Examiners and the Legislative Commission. Reduces the penalty for not obtaining and displaying a state business license exemption or a license to \$50 from \$250. Local governments must begin the process of using an applicant's State issued business identification number in local licensing processes, but are not required to immediately begin electronic integration that will transfer information from existing local government systems to the portal. If a local government begins using the business portal data in local licensing processes, the local government will not be subject to the waiver requirement but will be subject to the requirements for reporting to the Division of Industrial Relations.

AB 169 1st Reprint - Independent Contractors (Issue 6, page 29) – Retains the unfunded mandate to local government.

Limits the scope of coverage to state agencies. Increases the allowable term for sole source contracts to 5 years from 2 years and reassigns approval authority to the State Board of Examiners. On projects subject to NRS 338.141, requires the University of Nevada Regents to make reports based on those on provisions.

AB 172 2nd Reprint – Public Works: Bidder Preference (Issue 6, page 29)

Leaves in place existing statute that requires at least 50 percent of workers employed on a public work hold a Nevada license or ID card. Changes a condition for a qualified bidder to not having "materially breached" a public works contract of over \$25 million in the previous year; for preferential bidder status, that amount is \$5million.

AB 184 1st Reprint - Construction Defects (Issue 6, page 30)

Adds a study by an outside consultant of the impact of Nevada's current laws on the arbitration, mediation and litigation of actions for damages resulting from deficiencies in construction and adds an appropriation.

AB 185 1st Reprint - Labor: State & U.S. cooperation (Issue 6, page 30)

Simple language corrections.

AB 218 1st Reprint - Prevailing Wage Benefits (Issue 7, page 36)

Benefit contributions made on behalf of a worker may not exceed 25 percent of hourly wages.

AB 247 1st Reprint - NV Buy American Act (Issue 8, page 43)

Deletes references to “manufactured goods”.

AB 283 1st Reprint - Public Works Bidding (Issue 8, page 44)

Extends authority for the Department of Transportation to contract with a construction manager at risk on highways to on and after July 1, 2013. Revises which subcontractors must be named by certain prime contractors who submit bids for a public work. Makes adjustments to the percentages of work to be completed by various builder entities on a public work.

AB 291 1st Reprint - State Purchasing Preferences (Issue 8, page 44)

Clarifies that the 5% preference to a disabled veteran-owned local business applies to contracts under \$100,000. For contracts between \$100,000 and \$250,000, the 5 percent preference applies only if the veteran is classified as at least 50 percent disabled.

AB 294 1st Reprint – Economic Development: Emerging Small Business (Issue 8, page 44)

Authorizes the Purchasing Division to solicit bids or proposals from local emerging small businesses for materials, supplies or equipment in amounts less than \$50,000, except when a procurement card is used.

AB 326 1st Reprint - Arbitration (Issue 9, page 52)

Excludes collective bargaining agreements.

AB 332 1st Reprint - Abandoned Residential Property (Issue 9, page 59)

Authorizes nonprofit corporations, agencies, or political subdivisions to establish a land bank for the purpose of purchasing abandoned residential property and residential property in need of rehabilitation and selling such property to persons who will use it as owner-occupied housing. Adds the option of using a licensed private process server to determine abandoned status.

AB 339 1st Reprint - Overtime Pay (Issue 9, page 59)

If the employee works a scheduled 10 hours per day for 4 calendar days within any scheduled week of work, the employer must pay the employee overtime compensation whenever the employee works more than 10 hours in any workday. Restores the exemption for automobile salesperson or mechanic.

AB 346 1st Reprint - Mine Reclamation (Issue 9, page 59)

Limits the requirements to create, if feasible, at least one nonmotorized public access to a pit lake to one of more than 200 acres in surface area and provides that past or present owners, operators and others are not responsible for keeping the area safe or warnings posted.

AB 435 1st Reprint - Insurer Regulation (Issue 10, page 74)

Clarifies that the bill applies to “domestic insurers.”

AB 447 1st Reprint - Rest Area Advertising (Issue 10, page 75)

Includes “products” in the description of allowable offerings. Increases the fine for violation to \$1,000 from \$100 for a first offense and to \$5,000 from \$500 for subsequent offenses.

SB 36 1st Reprint - Unemployment Compensation Changes (Issue 2, page 8)

Deletes language relating to shared work unemployment compensation. Deletes the authorization for the Administrator to assess more than a 15 percent penalty on recovery of fraudulent payments.

SB 60 1st Reprint - Business License Exemption; Registered Agents (Issue 2, page 8)

Authorizes the Secretary of State to conduct periodic investigations of the activities of registered agents and to impose up to a \$500 civil penalty for violations. Requires registered agents representing 10 or more companies to register as a commercial registered agent and eliminates the fee for registering as a commercial registered agent or terminating registration as a commercial registered agent.

Comment: The Secretary of State’s Office should be required to establish a due process provision which does not require the first step to be filing a complaint in court.

SB 127 1st Reprint - Employee Credit Reports (Issue 5, page 23)

Exceptions are provided to the prohibition on using employee credit reports, such as when the information contained in the credit report or other credit information is reasonably related to the position of employment.

SB 152 1st Reprint - Retailer Bad Debt Deductions (Issue 5, page 24)

Technical language corrections to the provisions describing a qualifying bad debt.

SB 209 1st Reprint - Economic Development Recruiting (Issue 7, page 36)

Requires recommendations on recruiting and marketing professionals by the Board of Economic Development be included in its overall State Plan recommendation rather than as a separate effort.

SB 246 1st Reprint – Political Action Committees (PAC) Definition (Issue 8, page 44)

Changes the term “major” purpose to “primary” purpose. Clarifies that registration is required within 7 “calendar” days.

SB 278 1st Reprint - Abandoned Residential Property (Issue 8, page 45) – Now Requires 2/3 Majority Vote.

Each county and city must designate an agency to provide certifications that property is abandoned residential property and that agency may charge the beneficiary a fee of not more than \$50 to provide such certification, which is valid for 6 months. If the trustee’s sale is not conducted within 6 months, the beneficiary is liable to the grantor for a civil penalty of \$500. The governing body of a county or city may also, by ordinance, establish a registry of residential property that may be in danger of becoming abandoned. The expedited foreclosure procedures expire by limitation on June 30, 2017.

SB 309 1st Reprint - Mentoring Programs (Issue 9, page 60)

Urges NSHE and businesses to work together to create scholarships that include working with the donor business and to establish best practices for developing mentoring and entrepreneurship programs.

SB 381 1st Reprint – Restrictions on Use of Public Benefits (Issue 9, page 60)

Removes the responsibility to prevent illegal use of public benefits from business entities, relying instead on the written plan by the Division of Welfare and Supportive Services for issuance to the beneficiaries.

SB 404 1st Reprint - Deceptive Trade Practices (Issue 9, page 61)

Clarifies a person is prohibited from entering into a contract with the State, or receiving public money for subcontracting work, unless the person holds a State business license.

SB 416 1st Reprint – Restricted Gaming License: Sports Books (Issue 10, page 75)

Add adds a study to the Gaming Policy Committee to conduct a study of restricted gaming license establishments about the level of compliance with the terms of those licenses and economic impacts of the terms and adds an appropriation. The study is to be submitted to the Gaming Commission and Control Board by June 1, 2014.

PUBLIC EMPLOYEE COMPENSATION**AB 303 1st Reprint – PEBP Subsidy (Issue 8, page 45)**

Makes technical language corrections to change the identified sources for additional subsidy payments to “from any money that is available for that purpose, such as excess reserves.”

AB 364 1st Reprint – Reserve Military Leave; PERS (Issue 9, page 61)

Removes the provisions relating to purchase of service credits in the PERS System.

SB 201 1st Reprint – PERS for Appointees (Issue 6, page 30)

Appointments by the Governor to a salaried board or commission must have been retired for one-year waiting and the retiree must not have been a member of that board or commission before retirement.

EDUCATION**K-12****AB 162 1st Reprint - Class Size Reduction, K-6 (Issue 5, page 24)**

Changes the maximum student to teacher ratio to 16:1 for K-2 and to 18:1 for grade 3.

AB 205 1st Reprint - Charter Schools (Issue 7, page 36)

The contract of a charter school is to be revoked by the sponsor if the school receives three consecutive underperformance ratings after July 1, 2013. In such cases, the provision of NRS 386.535 for a public hearing and opportunity to correct deficiencies do not apply. An application by a college or university to sponsor a charter school is subject to the same process and requirements as a school district.

AB 224 1st Reprint - Student Records (Issue 7, page 37)

Inserts qualifying language -- “to the extent money is available” --to provide a unique identifier to the new children-of-military records requirements. Deletes parental veteran status from the identifying data required to be recorded. Requires each school district to take actions to implement the unique identifier number for these pupils in the 2013-2014 school year and report progress to the Legislative Committee on Education. The Department of Education is to submit a similar report to the Legislative Committee on Education. By February 1, 2015 the Department of Education is to submit a status report to the Legislative Counsel Bureau for transmittal to the 78th Session of the Nevada Legislature.

AB 230 1st Reprint - Sex Education Program (Issue 8, page 45)

Makes technical and clarifying language changes to the original language.

AB 272 1st Reprint - English Mastery Council (Issue 8, page 46)

Makes extensive changes to the original bill, including increasing Council membership to 16 from 12 and appropriating \$50,000 for operations; setting target dates for actions of the Council; and requiring the Council to prepare an annual report. Calls for the

Continued on next page

AB 272 1st Reprint - English Mastery Council (continued)

State Board of Education to prescribe criteria for teaching English Language Learners (ELLs) and to monitor school district compliance. Requires the Department of Education and each school district to report on the progress of ELLs in their annual accountability reports. Calls for the Commission on Professional Standards in Education, based on recommendations from the Council, to prescribe the requirements for obtaining an endorsement to teach English as a second language by January 1, 2015. Extends effective dates for some provisions to July 1, 2019.

Note: Now includes an appropriation not included in the Executive Budget.

AB 288 1st Reprint – High School Proficiency Exams (Issue 8, page 46)

Requires the Board of Education, rather than the Superintendent, to select the college and career readiness assessment to be administered in lieu of a high school proficiency exam beginning with the 2014-15 school year. An end-of-course examination is to be developed for pupils in grade 9 or 10. Issuance of a certificate of attendance in lieu of a high school diploma is prohibited. In recognition that continued Federal funding may require administration of an assessment exam, by August 1, 2013 the Board of Education is to identify requirements to obtain a high school diploma.

SB 58 1st Reprint - Distance Learning (Issue 2, page 9)

Changes “is entitled to” to “may.”

SB 157 1st Reprint - School Budgeting Priorities (Issue 5, page 25)

Changes the decision maker for budgeting priorities to the trustees of each district instead of the district’s superintendent of schools and the reverse for using the priorities for actual budgeting.

SB 182 1st Reprint - All-Day Kindergarten (Issue 5, page 25)

Restores language allowing a parent or guardian to file a waiver with a school board to withhold a 5-year-old from kindergarten and that such child must undergo developmental screening to determine if he or she is developmentally ready at age 6 to attend first grade.

SB 269 1st Reprint - Truancy Measures (Issue 8, page 47)

Allows certain requirements to be carried out by a designee.

SB 311 1st Reprint - Empowerment School Petition (Issue 9, page 62)

Parents or guardians of students in underperforming empowerment schools may petition for the school’s conversion to a charter school after three consecutive years of an underperforming rating. If, as a charter school, the school underperforms for 3 consecutive years, the school board must revoke the charter and reinstate public school status.

SB 328 1st Reprint - Career & Technical Schools (Issue 9, page 62)

Limits to 5% the amount of state money that may be used for leadership and training activities in any fiscal year. Prohibits using State money on program receiving federal funding. Expands the criteria for grant eligibility from the State Board.

SB 350 1st Reprint – School District Capital Projects (Issue 9, page 62)

Deletes authorization to use tax money for capital projects that was allocated to the schools for other purposes.

SB 391 1st Reprint - Community College Administration (Issue 9, page 63)

Replaces the original language of the bill with a directive that the Legislative Counsel Bureau conduct an interim study on the structure and funding of community colleges and the advisability of transferring administration to the Education Department.

SB 407 1st Reprint - Performance Evaluation (Issue 9, page 63)

With certain exceptions, pupil achievement data must not be used in the evaluation of a probationary teacher or administrator in the initial year of employment. A process for peer evaluations of teachers is to be developed. A representative validation study of the school employee evaluation system for the 2013-2014 school year is to be conducted. Makes an appropriation of \$1,315,000 to the Interim Finance Committee (IFC) to be distributed to the three regional training programs for training related to the evaluation system once the IFC determines all districts are ready to implement the performance review system in the 2014-2015 school year. If not ready, a second evaluation study year is to occur. Any school district ready to implement the evaluation system for 2013-2014 may apply to implement it immediately.

SB 442 1st Reprint - Education Mandate Repeals (Issue 10, page 76)

Adds repeal of reporting requirements on environmentally sensitive cleaning products used in schools.

SB 447 1st Reprint - Professional Development Training (Issue 10, page 76)

Revises the membership of the Statewide Council for Coordination of the Regional Training Programs. Each regional training program to submit a proposed biennial budget to the Council for its approval and then inclusion in the budget of the Department of Education. Requires the Council to coordinate with the Office of Parental Involvement and Family Engagement. Changes certain reporting requirements.

SB 467 1st Reprint - Education Advisory Council (Issue 10, page 76)

Removes language that would have abolished the Council to Establish Academic Standards for Public Schools, the Statewide Council for Coordination of the Regional Training Programs (RPDPs), and certain other entities. Makes changes to qualifications and conditions for the Superintendent. Abolishes the Commission on Educational Excellence, revises the purpose for which money in the Account for Programs for Innovation and the Prevention of Remediation may be used to allow its use only for public schools and public education, as authorized by the Legislature. Changes the deadline for school districts to submit annual budget reports to the Superintendent to November 1 from November 10.

SB 471 1st Reprint - Charter School Account (Issue 10, page 76)

Removes the restriction that a loan made to a charter school be for costs incurred in preparing for its first year of operation.

SB 504 1st Reprint – English Language Learners: Teaching, Funding (Issue 10, page 77)

Changes the requirement for a teacher to hold an endorsement to teach English as a second language to apply when the enrollment of the school has more than 50 percent of pupils that are limited English proficient. Makes the endorsement requirement applicable to newly hired teachers on or after July 1, 2013 and to teachers employed at such a school on or after July 1, 2015. Exempts a teacher at such a school before that date if the teacher receives a designation of “highly effective” on his or her performance evaluation during the 2014-2015 school year. Makes an appropriation. The money is to be used to help these teachers obtain an endorsement. Preference is to be given to K-3 teachers.

NSHE**AB 438 1st Reprint - Cooling-Off Period (Issue 10, page 77)**

Applies to a person elected or appointed to the remainder of an unexpired term after July 1, 2013.

NEVADA GOVERNMENT**AB 65 1st Reprint - Open Meeting Law (Issue 2, page 9)**

Deletes language exempting a meeting or subcommittee engaged solely in fact finding activities for the public body. Adds that any law specifically exempting a meeting, hearing or proceeding supersedes the Open Meeting Law. Designees, when authorized, may be done on the record at a meeting rather than in writing. Provides a 24 hour grace period for providing supporting materials in counties or cities over 45,000 (increased from 40,000, which removes Nye County).

AB 172 2nd Reprint - Public Works - Bidder Preference (Issue 6, page 31)

Eliminates the requirement that workers register their personal vehicles in Nevada. Restores the provision that 50 percent of workers must hold a Nevada driver’s license. Limits the requirements for design-build teams. Restores language denying bidder preference for an applicant that materially breached a public work contract of over \$25 million within the preceding year.

AB 408 1st Reprint - Business Impact Statements (Issue 9, page 64)

Removes language allowing a business aggrieved by an adopted rule to commence a court action if the statement is inaccurate, incomplete or underestimated the economic effect of the regulation. If possible, a small business analysis of a likely burden on small business must be conducted by the employee of the agency who is most knowledgeable about the subject of the proposed regulation or by a consultant or other independent contractor who has such knowledge and is retained by the agency. The analysis must be made public with the hearing agenda. Removes the rebuttable presumption that no economic burden is imposed on a business if the governing body does not receive any data or arguments indicating such a burden from a business or trade association.

Position: Contine to **Support**.

Local**AB 25 1st Reprint - Special Assessments for Abatements (Issue 2, page 11)**

Expands the bill to include counties and changes and shortens in some cases the length of time before a special assessment for penalties may be applied.

AB 50 1st Reprint - Redevelopment: City of Las Vegas (Issue 2, page 11)

Establishes the requirements for the city of Las Vegas to meet in extending the life of a redevelopment area created prior to 1991 to 60 years. Removes the section dealing with loans to be made and clarifies the expenditure of the 18% set-aside for low-income housing and educational facilities.

AB 223 1st Reprint - Constable Duties (Issue 7, page 37)

Deletes a majority of the proposed new language and clarifies that the sheriff in addition to the constable may post certain notices.

AB 363 1st Reprint – Public Nuisance Abatement: Junk Cars (Issue 9, page 65)

Deletes the inclusion of unregistered vehicles from junk cars.

AB 374 2nd Reprint – Event Permits (Issue 9, page 65)

Allows the board of county commissioners to enter into an agreement with an organization or person who has been issued a license or permit to have an event on federal land for the county to provide necessary law enforcement services and receive compensation for providing the services.

AB 417 1st Reprint – Redevelopment Area Loans (Issue 10, page 78)

Extends the period of the loan “not to exceed 5 years.” The security required of the small business to receive the loan must be sufficient to repay the loan in case of default. If the loan provided is more than \$100,000 regardless of whether the project is privately or publicly owned, prevailing wages must be paid. Additionally allows cities in Clark County to adjust the amount of property in a redevelopment area. If such an ordinance is adopted then 18 percent of the revenues received on or after the date of the ordinance must be used to preserve or improve education facilities in the redevelopment area. Also requires reports to the legislature.

AB 438 1st Reprint – Cooling-Off Period (Issue 10, page 79)

The cooling off period will apply to a person who is elected or appointed to a term commencing after July 1, 2013.

SB 135 1st Reprint - Redevelopment Agency Provisions (Issue 5, page 25)

Deletes the requirement that an agency that proposes to provide an incentive to a developer must withhold payment of 10 percent of the incentive. Provides that certain conditions relating to local residents are to be met before the incentive can be granted. Adds a provision to allow a city whose population is 500,000 or more (City of Las Vegas) to create a revolving loan fund for the purposes helping existing small business expand, improve or relocate to the redevelopment area.

SB 148 1st Reprint – Pollution Control Account Distributions (Issue 5, page 26)

Removes the requirement for grants to be submitted for approval to the Department of Motor Vehicles and Division of Environmental Protection and the Interim Finance Committee.

SB 217 1st Reprint – County Road Repairs (Issue 7, page 37)

Restricts the provisions of this bill to counties with a population less than 45,000 (Churchill, Esmeralda, Eureka, Humboldt, Lander, Lincoln, Mineral, Nye, Pershing, Storey and White Pine Counties). Increases the expenditure threshold to \$100,000 and establishes the conditions for a determining if a project can be performed by any county employees or through the employment of day labor.

SB 272 1st Reprint - Washoe/Storey Boundary Lines (Issue 8, page 49)

Revises the coordinates for the boundary lines between Storey and Washoe Counties and provides that taxes and pledged revenues in existence prior July 1, 2013 must not be modified to adversely impair any outstanding obligations. Changes the effective date for the boundary changes to the adoption of a Resolution by the Boards of Commissioners of Washoe and Storey Counties to between July 1, 2013 and June 30, 2015

SB 406 1st Reprint - Tourism Improvement Districts [TID] (Issue 9, page 66)

Authorizes a city to create a TID that includes property in a redevelopment area, but prohibits the revenue from both being used for financing or reimbursement of a project. Changes to 15 miles the distance within the boundary of a TID before a retailer is eligible for financing or reimbursement. Removes the proceeds of the local school support portion of the sales tax collected in the TID from being used for any financing or reimbursement after July 1, 2013, unless the provision would impair existing bonds. The owner of the project must also report to the Department of Taxation which retail facilities open or close within their project.

State

AB 16 1st Reprint – Publication of Policies of State Agencies (Issue 2, page 10)

Deletes original language and creates a statutory duty for the Director of the Department of Administration or Chief of the Budget Division if they are not the same, in his capacity as clerk of the State Board of Examiners to compile and publish in the State Administrative Manual those policies and procedures adopted or amended by the State Board of Examiners.

AB 31 1st Reprint - Public Record Requests (Issue 2, page 10)

Deletes language (Section 4 of the bill) pertaining to response format and timing because this is already covered in the Supreme Court precedent.

AB 41 1st Reprint - State Purchasing Changes (Issue 2, page 11)

Deletes language increasing the threshold of contracts requiring the approval of the State Board of Examiners and the Administrator. The Board may authorize its clerk to approve independent contractor contracts less than \$50,000.

AB 59 1st Reprint - Public Works Revisions (Issue 2, page 11)

Retains existing provisions requiring State Public Works Division to periodically inspect all buildings at UNR and UNLV.

AB 125 1st Reprint - State Lands Lease for Economic Development (Issue 4, page 19)

Limits parcels subject to these provisions for leasing by the State Land Registrar to those less than 25,000 square feet in area. Changes the parties from which approvals are required and qualifying factors for certain leases and lease terms.

AB 179 1st Reprint - Regulatory Board Audits (Issue 6, page 31)

Any board which fails to submit required quarterly reports to the Legislative Counsel Bureau must hire a public accountant to conduct an audit of the board's fiscal records rather than preparing a balance sheet.

AB 243 1st Reprint - Special License Plate Design (Issue 8, page 47)

Changes the effective date to October 1, 2013 from July 1, 2013 for uniform design of special license plates.

AB 252 1st Reprint - Administrative Procedures Act (Issue 8, page 48)

Requires the head of an agency to personally appear before the Legislative Commission to explain the reason for a failure to adopt a regulation within 2 years of submitting it to the Legislative Counsel.

AB 321 2nd Reprint - State Employee Award Limit (Issue 9, page 64)

Deletes all language regarding monetary awards to employees. Directs supervisors to supply information on the Merit Award program to employees as part of the performance review process.

AB 327 1st Reprint - State Accountability (Issue 9, page 64)

Deletes references to transferring the Division of Internal Audits to the Office of the Controller. Requires the Department of Administration, rather than the State Controller, to establish the hot line and post the number on its website. Deletes grant recipients and local governments from entities to be reported on the hot line and limits posting of the number to locations in state agencies.

SB 102 1st Reprint - Guinn Scholarship: Additional Awards (Issue 4, page 19)

Expands the northern and the southern eligibility to any other qualified college or university in each of the two regions that awards a bachelor's degree in education.

SB 205 1st Reprint - Trauma Registry (Issue 6, page 31)

Makes an appropriation of \$200,000 to the Fund for the State Trauma Registry.

SB 228 1st Reprint - Ethics Law Update (Issue 8, page 47)

Makes technical language corrections and deletes language to amend NRS281A.020, legislative findings and declarations.

SB 283 1st Reprint - Ethics Commission (Issue 8, page 48)

Deletes language prohibiting the Commission from investigating or rendering an opinion on a public officer or employee candidate during the 120 days before an election. Deletes language authorizing the Commission to impose a civil penalty on a person requesting an opinion frivolously, vexatiously or for harassment.

SB 322 1st Reprint - Transportation Board (Issue 9, page 65)

Makes additional stipulations about the counties of residence and interests of people appointed to the Transportation Board.

SB 436 1st Reprint - State Parks and Cultural Resources Endowment Fund (Issue 10, page 78)

The principal of the Fund must not be spent. Only the interest earned on the principal may be used to carry out the provisions.

ELECTIONS**AB 440 1st Reprint - Voter Reg. Deadlines (Issue 10, page 79)**

Deletes language that would have allowed a person to register and vote on the day of an election.

SB 325 1st Reprint - Ballot Questions (Issue 9, page 66)

If a constitutional amendment or statewide measure creates, generates, increases or decreases any public revenue in any form, the first paragraph of the digest must include a statement indicating so. Eliminates obsolete provisions regarding presentation of arguments for and against questions on a ballot.

LEGISLATURE**AB 150 1st Reprint - Government Oversight Committee (Issue 5, page 26)**

Deletes references to creation of the Legislative Bureau of Governmental Oversight, Accountability and Program Evaluation. Abolishes the Legislative Committee on High-Level Radioactive Waste and directs the Legislative Committee on Public Lands to review issues relating to the disposal of high-level radioactive waste. Redirects reports of the Agency for Nuclear Projects to the Legislative Committee on Public Lands.

AB 383 1st Reprint - Sunset Subcommittee (Issue 9, page 67)

Removes the provision that the Committee must submit its proposed list of entities to be reviewed to the Legislative Commission for approval.

SJR 8 1st Reprint - Annual Sessions (Issue 5, page 26)

Removes language regarding a monthly salary for legislators and Senate oversight for Governor appointments to Executive Department positions.

COURTS**SB 463 1st Reprint - Court of Appeals: Enabling Legislation (Issue 10, page 80)**

Court of Appeals judges who have previously served on the Supreme Court, Court of Appeals or as a judge of a district court for at least 4 combined years are entitled to additional salary of 2 percent of the base salary for each year of service, up to 22 percent of the annual base salary.

STATE APPROPRIATIONS**The following previously reported bills now contain appropriations not in the Executive Budget:****AB 184 1st Reprint - Construction Defects (Issue 6, page 30)**

Makes an appropriation of \$150,000 for a study by an outside consultant of the impact of laws on the damage actions resulting from deficiencies in construction.

See AB 184 on page 92 of this report under "Business Issues" and on page 101 under "Studies."

AB 272 1st Reprint - English Mastery Council (Issue 8, page 46)

Makes an appropriation of \$50,000 for the English Master Council's operations.

See AB 272 on page 94 of this report under "Education: K-12" heading.

SB 205 1st Reprint - Trauma Registry (Issue 6, page 31)

Makes an appropriation of \$200,000 to the Fund for the State Trauma Registry.

SB 407 1st Reprint - Performance Evaluation (Issue 9, page 63)

Makes an appropriation of \$1,315,000 to the Interim Finance Committee (IFC) to be distributed to the three regional training programs for training related to the evaluation system once the IFC determines all districts are ready to implement the performance review system.

See SB 407 on page 95 of this report under the "Education:K-12" heading.

SB 416 1st Reprint – Restricted Gaming License: Sports Books (Issue 10, page 75)

Appropriates \$15,000 to the Gaming Policy Committee to conduct a study of restricted gaming license establishments about the level of compliance with the terms of those licenses and economic impacts of the terms. The study is to be submitted to the Gaming Commission and Control Board by June 1, 2014.

SB 504 1st Reprint – English Language Learners: Teaching, Funding (Issue 10, page 77)

Makes an appropriation of \$1,743,750 in each of fiscal years 2013-2014 and 2014-2015 to the Account for Programs for Innovation and the Prevention of Remediation to be distributed to the regional training centers proportionately according to the number of teachers and other licensed personnel in each region's jurisdiction who work at a public school where more than 50 percent of pupils are limited English proficient. The money is to be used to help these teachers obtain an endorsement. Preference is to be given to K-3 teachers.

See SB 504 on page 96 of this report under the heading "Education:K-12".

NOT In Executive Budget**AB 163 1st Reprint - Prekindergarten Educ. Programs (Issue 5, page 27)**

Expands the application of the appropriation to early childhood education programs rather than just prekindergarten programs in schools not receiving federal funding for early childhood programs. To receive needs-based distributions of \$3,200 per participating child, school districts must submit detailed plans to the Department of Education. In lieu of a per child amount, an award of up to \$120,000 may be made for a plan with a detailed budget showing the need for more than the per child amount. Detailed reporting on performance measures and results is required of the Department. Distribution of the appropriation is changed to \$10,000,000 in each of fiscal year 2013-2014 and 2014-2015.

AB 308 1st Reprint - Southern Nevada Enterprise Community (Issue 8, page 49)

Deletes the \$200,000 appropriation and makes additional changes to the prescribed members of the Southern Nevada Enterprise Community Board.

AB 410 1st Reprint - Business Development Pilot Program (Issue 9, page 67)

Increases the appropriation to \$300,000 from \$250,000 and identifies two Centers for the pilot program as College of Southern Nevada for Clark County and UNR for Washoe County. All institutions of NSHE are to participate where applicable. The pilot program goal is expanded to 5 businesses each in Washoe and Clark Counties that generate at least \$100,000 (down from \$250,000) but not more than \$700,000 (up from \$500,000) in revenue.

SB 345 1st Reprint - Advisory Council on STEM (Issue 9, page 68)

Deletes the \$50,000 appropriation. Creates the Council within the Department of Education and requires the State Board of Education to consider the Council's recommendations.

SB 416 1st Reprint – Restricted Gaming License: Sports Books (Issue 10, page 75)

Appropriates \$15,000 to the Gaming Policy Committee to conduct a study of compliance with restricted gaming license terms. *See SB 416 on page 94 of this report under "Business Issues" and on page 102 under "Studies."*

BUDGET**AB 333 1st Reprint - Economic Development: Tax Abatement Analysis (Issue 9, page 68)**

Specifies that the Offices of Economic Development and Energy are each to prepare analyses of the costs and benefits of abatements in effect during the immediately previous two fiscal years for inclusion by the Department of Administration in the budget. Specified reports covering the previous 3 and 6 fiscal years are to be submitted to the Legislative Counsel Bureau.

SB 501 1st Reprint - Substance Abuse Treatment (Issue 10, page 84)

Restricts eligibility of treatment facilities to receive state and federal funds to those licensed by the Health Division. The Health Division is to certify detoxification technicians until this function is taken over by the Board of Examiners for Alcohol, Drug and Gambling Counselors. The Health Division may, for a fee, certify treatment facilities that are not required to be licensed.

GENERAL INTEREST**AB 77 2nd Reprint - Former Legislator Lobbying (Issue 2, page 16)**

Changes the prescribed cooling off period to one beginning on the day an elected or appointed Legislator leaves office to the last day of the next Regular Session of the Legislature. With certain limited exceptions, applies to Legislators elected or appointed after November 4, 2014. Changes the effective date to November 4, 2014.

AB 117 2nd Reprint - Rules of the Road (Issue 4, page 20)

Stipulates that if a person violates certain provisions and that violation results in an injury to another person, the violation creates a rebuttable presumption of all facts necessary to impose civil liability for the injury.

AB 120 1st Reprint - Insurance Policy Disclosures (Issue 4, page 20)

Instead of policy disclosures on insurance scores, requires the Department of Insurance to post on its website a list of insurers who do not use insurance scores for underwriting, rating or calculating premiums for auto or homeowner's policies.

AB 165 1st Reprint - DMV: Personal Information Use (Issue 6, page 32)

Expressly prohibits release of personal information to individuals or companies for marketing of extended vehicle warranties.

AB 173 1st Reprint - Electricity Rates (Issue 6, page 32)

Provides an exception to the prohibition on time-of-day-use rate schedules if the schedule is conditioned on an election by the residential customer to purchase electricity at such a rate.

AB 215 1st Reprint - Graywater: Single Family Residence (Issue 7, page 38)

Adds a specific definition of graywater, distinguishing it from sewage and other origination points, and specifying allowable uses. Provides that the governing documents of a unit-owners' association may prohibit or restrict the use of graywater systems within common interest communities and if not so specified, such use must comply with the laws governing graywater systems.

AB 236 1st Reprint - Rules of Road: Lane Splitting (Issue 8, page 50)

Limits the provisions to motorcycles, excluding mopeds. Inserts specific conditions and speeds that must be observed when driving between vehicles. Changes the effective date to January 1, 2014.

AB 248 1st Reprint - ~~Motor Vehicles Violations~~ Traffic Law Subcommittee (Issue 8, page 50)

Replaces all original language with creation of the Subcommittee on Criminal and Civil Violations of Traffic Laws of the Advisory Commission on the Administration of Justice to study issues related to certain traffic laws and laws relating to drivers' licenses, registration and insurance for motor vehicles, and the treatment of violations of such laws as criminal offenses or civil infractions. Recommendations and a report are due to the 2015 Legislature. Expires by limitation on July 31, 2015.

AB 251 1st Reprint – Personal Information Disclosure: Public Body Member (Issue 8, page 50)

Excludes disclosure of contact information provided to the public body strictly for the public body to contact a member. Allows the public body to use contact information for a member that is created and maintained by the public body for the personal use of a member to satisfy the requirements.

AB 456 1st Reprint - Health Care Practitioner (Issue 10, page 84)

Removes provisions relating to advertising disclosures and modifications to the scope of practice of a health care profession. Requires the health care professional to wear a name tag.

SB 88 1st Reprint - ~~Cancel Notice~~: Vehicle Insurance - DMV Fines (Issue 2, page 16)

Removes language regarding insurance cancellation notices by insurers. Allows the DMV to waive the fine for lapsed insurance if the registered owner can prove that extenuating circumstances prevented maintaining insurance or cancelling the registration and that the vehicle was dormant.

SB 204 1st Reprint - Next of Kin Registry: DMV (Issue 6, page 33)

Removes the exception of commercial driver license holders. Adds addresses to information to be collected. Adds coroners and medical examiners to those authorized to access the registry information. Delays the full effective date to July 1, 2015 from January 1, 2014.

SB 211 1st Reprint - Health Care Disclosure (Issue 7, page 38)

Exempts health care services and practitioners practicing in certain medical facilities and hospitals.

SB 230 1st Reprint - Fallen Soldier Memorial (Issue 8, page 50)

Moves design submission to the American Legion Department of Nevada from Gold Star Families and requires the Nevada Veteran Services Commission rather than the Office of Veterans Services to set criteria for names to be included.

SB 237 1st Reprint - Graffiti Offenses (Issue 8, page 51)

Expands the scope of protected sites.

SB 387 1st Reprint - Vehicle Registration; Insurance (Issue 9, page 70)

Removes language allowing a 24-hour grace period before a lapse in vehicle insurance is fined by the DMV and language requiring insurance policies to expire on the last minute of the expiration date. Allows judicial review of penalties imposed by the DMV for insurance lapses.

SB 418 1st Reprint - Federal Election Wagering (Issue 10, page 85)

Moves authority to accept wagers on federal elections to “sports pools”. Removes language relating to pari-mutuel wagering. Changes effective date to upon passage and approval for regulations and maintains January 1, 2014 for all other purposes.

SB 424 1st Reprint - Foreclosures (Issue 10, page 84)

Clarifies that the right of first refusal must be conditioned on the same terms that the judgment creditor or beneficiary of the deed of trust intends to accept in a subsequent sale of the real property.

SB 503 1st Reprint - Driver ID Cards (Issue 10, page 85)

Removes language related to “federally qualified” licenses and identification cards. Sets the fee for an 8-year driver license at \$37 and sets an additional fee for an 8-year license at \$1.00 per license. Initial issuance and renewal of 8-year ID cards are \$6 for persons under 18 and \$18 for those between 18 and 65. Initial and renewal Commercial driver licenses with an 8-year term are \$108.

STUDIES**AB 184 1st Reprint - Construction Defects (Issue 6, page 30)**

Adds a study by an outside consultant of the impact of current construction defect laws on the arbitration, mediation and litigation of actions for damages.

See AB 184 on page 92 of this report under “Business Issues” and on page 99 under “Appropriations.”

AB 227 1st Reprint - Land Management Study (Issue 8, page 51)

Changes the name of the study group to Nevada Land Management Task Force and directs its report be submitted to the Legislative Committee on Public Lands by September 1, 2014. Requires boards of county commissioners, rather than LCB, to provide administrative support.

AB 248 1st Reprint - ~~Motor Vehicles Violations~~ Traffic Law Subcommittee (Issue 8, page 50)

Creates the Subcommittee on Criminal and Civil Violations of Traffic Laws of the Advisory Commission on the Administration of Justice to study issues related to certain traffic laws and laws relating to drivers’ licenses, registration and insurance for motor vehicles, and the treatment of violations of such laws as criminal offenses or civil infractions. Recommendations and a report are due to the 2015 Legislature. Expires by limitation on July 31, 2015.

Note: This study was created by amendment.

SB 276 1st Reprint - Supported Living Services: Medicaid (Issue 8, page 51)

Adds jobs and day training services -- which are services provided to persons with mental retardation or related conditions to enhance self-sufficiency and success in employment -- to the scope of the study.

SB 318 1st Reprint - Health Claims/Payments Study (Issue 9, page 70)

Requires the Commissioner of Insurance, rather than the Legislative Committee on Health Care, to conduct this study. The report is to be submitted to the Legislative Committee on Health Care by June 1, 2014.

SB 391 1st Reprint - Community College Administration (Issue 9, page 63)

Replaces the original language of the bill with a directive that the Legislative Counsel Bureau conduct an interim study on the structure and funding of community colleges and the advisability of transferring administration to the Education Department.

SB 416 1st Reprint – Restricted Gaming License: Sports Books (Issue 10, page 75)

The Gaming Policy Committee is to conduct a study of restricted gaming license establishments about the level of compliance with the terms of those licenses and economic impacts of the terms. The study is to be submitted to the Gaming Commission and Control Board by June 1, 2014.

See SB 416 on page 94 of this report under the heading “Business Issues.”

Nevada Taxpayers Association

*Legislative*Report is published weekly during a legislative session. Occasional reports are issued prior to the Legislative Session which summarize prefiled bills.

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