

LEGISLATIVE REPORT

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

ISSUE 14-13

AMENDMENTS TO BILLS THROUGH MAY 20, 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.
- 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; select “Session Information - 2013.”

TAXES

Property

SB 66 2nd Reprint – Powers of Small Counties (Issue 1, page 3; Issue 11, page 86) – Maintains 2/3 Majority

County (under 15,000) boards may authorize highway patrols and county snowplow equipment operated by a county employee on private roads and require reimbursement by the property owner for labor and equipment costs. Removes language related to graffiti removal and nuisance property and abatement expense recovery.

SB 301 2nd Reprint – Property Tax Liens (Issue 9, page 53; Issue 11, page 87)

Fees for recording a property tax assignment may not exceed \$600 for a single family, owner-occupied residence. Upon redemption of the tax lien by the owner, assignees are required to send a copy of the release to the county treasurer.

FEES

AB 54 2nd Reprint – Justice Court Fees (Issue 1, page 6; Issue 11, page 88) – Maintains 2/3 Majority

In addition to other fees, adds a fee of 0.50 per page for copies of records, proceedings or papers.

AB 200 2nd Reprint – Farm to Fork Permits – Maintains 2/3 Majority

A farm which holds more than two farm-to-fork events in any one month becomes a food establishment subject to those requirements for the remainder of the calendar year. Restrictions, registration with the health authority and payment of a fee is still required for less than two events a month.

AB 379 2nd Reprint – Abandoned Recreational Vehicles (Issue 9, page 56, Issue 11, page 89) – Maintains 2/3 Majority

Municipal solid waste landfills are to accept recreational vehicles for disposal if allowable by law and if the proper paperwork is presented and the person disposing of it pays any applicable fee.

AB 482 1st Reprint – Unemployment Insurance: Temporary Assessment (Issue 10, page 72) – Maintains 2/3rd Majority

Removes references to the payment of special revenue bonds issued for the purpose of refinancing advances from the Federal government.

Note: See SB 515 this heading.

AB 494 2nd Reprint – Funeral Board (Issue 10, page 83, Issue 11, page 89) – Maintains 2/3 Majority

The regulatory fee is to be applied to each written and signed agreement for funeral services and payable only once per set of remains.

SB 224 2nd Reprint – DUI Fee (Issue 7, page 35; Issue 11, page 89) – Maintains 2/3 Majority

Removes language referring to included lesser offenses, such as traffic stops.

SB 243 2nd Reprint – DNA Specimen Fee (Issue 8, page 42; Issue 11, page 89) – Maintains 2/3 Majority

Directs the Subcommittee to study the costs, procedures and frequency of requests relating to destruction of DNA samples. Expands the basis for requests to have DNA samples destroyed.

SB 303 2nd Reprint – Driving Authorization Cards (Issue 9, page 56; Issue 11, page 89) – Maintains 2/3 Majority

The Driver Authorization Cards and instruction permits are now to be similar in design to a regular license and are to meet the Federal Real I.D. requirements. Makes an appropriation of \$739,110 for fiscal year 2013-2014 and \$893,852 for fiscal year 2014-2015 from the Highway Fund to the Department of Motor Vehicles for development and issuance costs for these cards.

SB 319 2nd Reprint – Therapist Reciprocity (Issue 9, page 56; Issue 11, page 89) – Removes 2/3 Majority

Removes all language relating to therapists and reciprocal licensing and accompanying registration fees. Leaves in place requirements for continuing education for physicians.

SB 321 2nd Reprint – Homeowner Bill of Rights (Issue 9, page 57; Issue 11, page 90) - Removes 2/3 Majority

Financial institutions (rather than credit unions) that have foreclosed on 100 or fewer owner-occupied homes during the immediately preceding annual reporting period are exempt. Clarifies that an application by the borrower for a foreclosure prevention alternative must either be denied or an alternative offered within 30 days. The borrower then has 14 days to respond. Establishes procedures for appeal of a denial. Also makes technical language changes

SB 515 – Unemployment Trust Fund– Requires 2/3 Majority - *This bill was erroneously reported under State Government last week in Issue 13-13.*

Introduced by Committee on Finance and referred to same. (BDR 53-1214)

The State Board of Finance, upon request of the DETR Administrator, is authorized to issue special obligation (revenue) bonds to raise money to repay federal advances to the State unemployment compensation system and to raise adequate balances in the State's account in the Unemployment Trust Fund of the U.S. Treasury. Employers are required to pay, in addition to regular contributions, special bond contributions at a rate to be set annually by the Administrator while bond amounts are outstanding.

Effective: Upon passage and approval.

Note: The current amount owed to the Federal government for unemployment benefits advances is over \$800 million and until the interest on the loan is paid, the FUTA rate will continue to increase each year by .03%. Also see AB 482, this heading.

BUSINESS ISSUES

AB 99 2nd Reprint – Notarial Acts (Issue 4, page 18; Issue 12, page 92)

Further restricts those who are exempt from signing the notary's journal to employers or coworkers in connection with transactions performed in the ordinary course of business.

AB 172 3rd Reprint – Public Works: Bidder Preference (Issue 6, page 29; Issue 12, page 92)

Restricts those eligible to file a written objection to a contract awarded to a preferential bidder to a person who had submitted a bid or an entity which believes the awarded contractor wrongfully holds a certificate for bidder preference.

AB 181 1st Reprint – Employment Practices: Employee Passwords (Issue 6, page 29)

Adds clarifying language stating employers are not prevented from complying with any state or federal law or regulation or with any rule of a self-regulatory organization, as defined in NRS 90.300

AB 339 2nd Reprint – Overtime Pay (Issue 9, page 59; Issue 12, page 93)

Removes inclement weather and references to circumstances beyond the employer's control from reasons an employee would be paid only for hours worked in a week rather than regular wages.

AB 486 2nd Reprint – Phone and Internet Services (Issue 10, page 73; Issue 11, page 89)

The Public Utilities Commission may obligate an alternative voice service provider to supply service in a specific area for a specified time but only if the provider receives money from the fund to maintain the availability of telephone service. A provider that has been relieved of provider of last resort obligations may only receive money from the fund for lifeline services.

Note: This bill was originally reported under the "Fees" heading. Those provisions were removed in the 1st Reprint.

SB 36 2nd Reprint - Unemployment Compensation (Issue 2, page 8; Issue 12, page 93)

The 1-week eligibility waiting period is deleted.

SB 152 2nd Reprint – Retailer Bad Debts (Issue 5, page 24; Issue 12, page 93)

Removes language making the provisions retroactive to January 1, 2012.

SB 209 2nd Reprint – Economic Development Recruiting (Issue 7, page 36; Issue 12, page 93)

Each regional development authority is to present a recruiting and marketing plan for professionals and businesses to the Executive Director of the Office of Economic Development. The various plans are to be considered in formulating the State plan.

SB 246 2nd Reprint – PAC Definition (Issue 8, page 44; Issue 12, page 94)

Clarifies that major and minor political parties and committees sponsored by political parties are not committees for political action under Nevada's elections laws. Adds other clarifying language on reporting requirements and to encompass activities to affect ballot measures as well as elections in the provisions.

SB 416 2nd Reprint – Restricted Gaming Licenses (Issue 10, page 75; Issue 12, page 94)

Removes the requirement that the Gaming Policy Committee study compliance issues of restricted gaming licensees. Deletes the requirement that an establishment that sells alcoholic beverages have at least eight of its slot machines embedded in the bar and maintains the requirement that there be a permanent physical bar.

EDUCATION**K-12****AB 205 2nd Reprint – Charter Schools (Issue 7, page 36; Issue 12, page 94)**

Ratings for school years prior to 2013-2014 are not included in consecutive annual rating periods. Removes provisions providing for a compliance and completeness review of an application by the Department of Education upon request of the sponsor.

AB 288 2nd Reprint – High School Proficiency Exams (Issue 8, page 46; Issue 12, page 99)

Requires the Board of Education to select a high school equivalency assessment to replace the general education development (GED) test and to develop a document equivalent to a GED certificate for those passing the assessment.

SB 305 2nd Reprint - Intern Programs for Credit (Issue 9, page 52; Issue 11, page 87)

School boards must set qualifications for students to participate in intern programs. The requirements must be approved by the State Board of Education. Medical and health services are added as an approved field for internships.

Note: This bill was originally reported as a tax abatement bill when it offered MBT credits for participating businesses.

SB 442 2nd Reprint – Education Mandate Repeals (Issue 10, page 76; Issue 12, page 95)

Eliminates separate reporting on bullying and harassment to the Department by school districts, instead including that reporting in the annual reports of accountability. Deletes language requiring that bullying and harassment be reported in rules of behavior provided to students. Limits samplings of the height and weight of certain students to districts in counties above 100,000 (Clark and Washoe).

SB 443 1st Reprint – Charter Schools (Issue 10, page 76)

Deletes section 1 of the bill to remove the legislative declaration of what is not authorized for formation of charter schools.

NEVADA GOVERNMENT**AB 445 1st Reprint – Public Meeting Notices (Issue 10, page 77)**

Requires the Department of Administration to establish a directory of all agencies, bureaus, boards, commissions, departments, divisions and political subdivisions on the state website in a conspicuous location.

State**AB 311 1st Reprint – Human Trafficking Victims Fund (Issue 9, page 64)**

Moves administrative authority over the Victims Contingency Account to the Department of Health and Human Services (DHHS) and assigns the authority to review applications and make recommendations to the Director for nonprofit and local government grants from the Account to the DHHS Grants Management Advisory Committee.

SB 228 2nd Reprint – Ethics Law Updates (Issue 8, page 47; Issue 12, page 98)

There are extensive deletions and additions to this bill. If you are interested in the detail of these provisions, log onto www.leg.state.nv.us. Click on Session Info, 2013, and then Bill History to access Amendment No. 780 to SB 228.

SB 436 2nd Reprint – State Parks and Cultural Resources Endowment Fund (Issue 10, page 78; Issue 12, page 98)

Sets additional requirements for members of the Fund's administration committee. Designates Picon Punch as the official state drink of Nevada.

Comment: First there was a bill to add a state dog, now a state drink.

Local**AB 50 2nd Reprint – Redevelopment: City of Las Vegas (Issue 2, page 11; Issue 12, page 96)**

Increases to 14 days from 7 days in advance of a public meeting the public release of detailed information on the plan and its costs. Requires the legislative body of the city to adopt an extension to 60 years, by ordinance, of the redevelopment plan and only if certain conditions are met at the time of the extension.

SB 44 1st Reprint – Disaster Relief Account (Issue 2, page 12)

The Fiscal Analysis Division is added to the notification and report requirements when a request for a loan or grant is submitted.

SB 135 2nd Reprint – Redevelopment Agency Provisions (Issue 5, page 25; Issue 12, page 97)

Changes the application to projects in a redevelopment area in a city over 500,000 (Las Vegas). Removes the exemption for private developers who are not constructing a project for a known owner. Deletes provisions for the small business revolving loan account. Deletes language extending the allowable life of redevelopment plans. Amends hiring provisions regarding residents of the redevelopment area and veterans.

SB 217 2nd Reprint - County Road Repairs (Issue 7, page 37; Issue 12, page 97)

Day laborers are to be employed pursuant to NRS 338 (Prevailing Wage).

LEGISLATURE

SB 405 1st Reprint – Reports to Legislature (Issue 9, page 67)

Technical changes to align the provisions with AB 350 (see issue 9, page 66). Changes the authority to the Director of the Legislative Counsel Bureau rather than the Legislative Commission to determine factors of report obsolescence and changes the statutory reference to NRS 218D from NRS 220.

GENERAL INTEREST

AB 236 2nd Reprint – Rules of the Road: Lane Splitting (Issue 8, page 50, Issue 12, page 100)

Lane splitting is restricted to “between stationary vehicles” and at a maximum speed of 10 miles per hour.

AB 456 2nd Reprint – Health Care Practitioner (Issue 10, page 84, Issue 12, page 101)

Advertisement for health care services must include certain information regarding the qualifications of a health care professional including any license or certification. Ads must not include deceptive or misleading information. A health care professional must communicate his or her specific licensure to all current and prospective patients, including conspicuously posting a written disclosure statement in the office. Name tags indicating licensure or certification must be worn.

SB 424 2nd Reprint – Foreclosures (Issue 10, page 84; Issue 12, page 101)

Clarifies that when the judgment creditor or beneficiary of the deed of trust receives an offer to purchase, a right of first refusal offer must be sent to the debtor or grantor by certified mail. If no response is received within 10 days, the right of first refusal is terminated and the sale may proceed immediately.

STUDIES

AB 301 1st Reprint – Water Management Study (Issue 8, page 51)

Adds clarifying language about the scope of the study including water conservation, alternative sources, gallons per capita per day, and equitable apportionment of groundwater basins that extend beyond state lines.

Bills Deadline Dead as of May 17, 2013 (Committee Passage, Second House)

AB 75	Property Tax Roll Publication	(Issue 2, page 14)
AB 77	Former Legislator Lobbying	(Issue 2, page 16, Issue 12, page 100)
AB 251	Public Body Member Info Disclosure	(Issue 8, page 50, Issue 12, page 101)
AB 293	Off-Hwy. Vehicle Registration	(Issue 8, page 42, Issue 11, page 87)
AB 332	Abandoned Residential Property	(Issue 9, page 59, Issue 12, page 93)
AB 403	Parcel Tax for School District	(Issue 9, page 56, Issue 11, page 89)
AB 438	Cooling-Off Period	(Issue 10, page 77 & 79, Issue 12, page 96 & 97)
SB 2	Functional Home Rule	(Issue 2, page 12)
SB 88	Cancel Notice: Vehicle Insurance	(Issue 2, page 16, Issue 12, page 101)
SB 211	Health Care Disclosure	(Issue 7, page 38, Issue 12, page 101)
SB 250	LID: Energy Improvement	(Issue 8, page 48)
SB 283	Ethics Commission	(Issue 8, page 48, Issue 12, page 98)
SB 324	Reciprocal Licensing	(Issue 9, page 57, Issue 11, page 90)
SB 381	Use of Public Benefits	(Issue 9, page 60, Issue 12, page 94)
SB 418	Federal Election Wagering	(Issue 10, page 85, Issue 12, page 101)
SB 477	Basic Support Guarantee Factors	(Issue 10, page 76)

Nevada Taxpayers Association

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

Carson City Office
116 East 7th Street, Suite 202, 89701
775-882-2697

Las Vegas Office
2303 East Sahara Avenue, Suite 203, 89104
702/457-8442

www.nevadataxpayers.org • info@nevadataxpayers.org