

LEGISLATIVE REPORT

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

Issue 2-15

Prefiled bills - Electronic Edition

January 26, 2015

This issue of Legislative Report contains a summary of bills, which directly or indirectly will have an impact on our members or be of interest to our members. It does not include industry specific bills. These bills were prefiled between December 18 and 20, 2014. As of the date of this publication, no additional bills have been prefiled.

Notes:

Page numbers continue in sequence from the last issue.

To access the full text of the bills reported in this issue, use the link which appears at the end of the bill summary.

Unless otherwise shown, the effective date of bills reported is July 1, 2015.

Some bills have a fiscal note, which is not indicated in the summary, as specific fiscal information is not currently provided.

To review all bills introduced to date or the BDR list, go to www.leg.state.nv.us and click on "Session Information - 2015."

FEES

SB 38 - Associated Gaming Equipment Licenses - Requires a 2/3s Majority

On behalf of the State Gaming Control Board, requested by Committee on Judiciary and referred to same. (BDR 41-350)

Redefines "gaming employee" and "manufacture" and includes references to manufacturers of "associated equipment" for licensing and control purposes. Requires the Gaming Commission to adopt regulations and set fees for issue and renewals of a license to manufacture, sell or distribute associated gaming equipment. Removes the licensing requirements for certain manufacturers and service providers.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB38.pdf

BUSINESS

AB53 - Administrative Procedures: Standard of Proof

On behalf of the Attorney General, requested by the Committee on Government Affairs and referred to same. (BDR 18-160)

Revises the standard of proof for administrative hearings in the Nevada Administrative Procedure Act according to the Nassiri opinion of the Nevada Supreme Court and makes other changes to the Act, including provisions regarding prevailing party costs awards and license cases.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB53.pdf

AB 65 - Notaries Public

On behalf of the Secretary of State, requested by the Committee on Government Affairs and referred to same. (BDR 19-445)

Reduces mandatory training for Notary appointments and renewals to 3 hours from 4 hours and adds an examination requirement, both of which can be administered by approved outside parties. Makes changes to eligibility and registration requirements relating to citizenship, criminal records, nonprofits and registered agents.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB65.pdf

AB 72 - Professional Licensing Boards: Citation Authority

On behalf of the Attorney General, requested by the Committee on Commerce and Labor and referred to same committee. (BDR 54-161)

Authorizes professional licensing boards to issue citations when violations are evident, including orders to cease operations, pay administrative fines, and reimburse the body for investigation expenses. Hearings may be requested within 30 days.

Effective: Upon passage and approval.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB72.pdf

BUSINESS CONTINUED**SB 24 - Unemployment Compensation**

On behalf of the Employment Security Division, requested by the Committee on Commerce, Labor and Industry and referred to same. (BDR 53-383)

Authorizes certain information to be released to the Board of Regents for legislatively-required reports. Extends the period during which overpayment of benefits can be recovered to 10 years after notice of the overpayment and makes changes to the circumstances of fraud and disability claims.

Effective: October 1, 2015.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB24.pdf

SB 26 - Debts to the State: Wage Garnishment

On behalf of the State Controller, requested by the Committee on Government Affairs and referred to same. (BDR 31-499)

Allows the State Controller to obtain judgements and use wage garnishment to collect debts to the State. Prohibits employers from refusing to hire or take action against an employee subject to a garnishment.

Effective: Upon passage and approval

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB26.pdf

APPROPRIATIONS - In Executive Budget**SB 1 - 78th Legislature Funding**

Requested by Senators Roberson and Ford. Declared an emergency measure.

Appropriates \$18 million from the General Fund for the costs of the 78th Legislative Session. Appropriation included in Executive Budget.

Effective: Upon passage and approval

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB1.pdf

APPROPRIATIONS - Not Included in Executive Budget**SB 51 - Nevada Main Street Program**

On behalf of the Nevada League of Cities and Municipalities, requested by the Committee on Revenue and Economic Development and referred to same. (BDR 18-463)

Appropriates \$500,000 from the State General Fund to the Interim Finance Committee for allocation to the Governor's Office of Economic Development to create a Nevada Main Street Program. The Nevada program is to coordinate with the national effort run by the National Trust for Historic Preservation and could accept donations, grants and other funding to operate the community revitalization program.

<https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB51.pdf>

GOVERNMENT - IN GENERAL**SB 59 - State Business Portal**

On behalf of the Secretary of State, requested by the Committee on Judiciary and referred to same. (BDR 7-448)

Requires local governments, to the extent practicable, to put local business registration and licensing processes online and interface electronically with the State Business Portal.

Note: Contains an unfunded mandate not requested by affected local government.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB59.pdf

SB 70 - Open Meeting Law

On behalf of the Attorney General, requested by the Committee on Government Affairs and referred to same. (BDR 19-155)

Adds the requirement that a public body certify in writing that minimum public notice of each meeting was given. Clarifies language pertaining to quorums, notice, exemptions, proxies, and minutes.

Effective: Upon passage and approval.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB70.pdf

STATE GOVERNMENT

AB 3 - PERS: Board Expansion

Introduced by Assemblyman Kirner and referred to Committee on Government Affairs. (BDR 23-185)

Changes the size from 7 to 9 of the Public Employees Retirement Board and composition to include three members who have experience with retirement plans, are not government employees or elected officials and who have never been active members of the PERS system.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB3.pdf

AB 15 - Stewart Indian School

On behalf of the State Department of Conservation and Natural Resources, requested by Committee on Government Affairs and referred to same. (BDR 18-360)

Creates the Account for the Protection and Rehabilitation of the Stewart Indian School in the State's General Fund. Funds will come from the sale of two parcels of state land in Carson City. Money is to be used to repair and maintain the historic grounds and buildings.

Effective: October 1, 2015

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB15.pdf

AB 17 - Economic Development Office

On behalf of the Office of Economic Development, requested by the Committee on Taxation and referred to same. (BDR 18-292)

Allows the Executive Director of the Department of Economic Development to approve a non-profit that is exempt from paying federal income tax for the purpose of promoting economic development. Establishes the conditions for keeping client records confidential.

Effective: Upon passage and approval for adopting regulations and July 12, 2015 for all other purposes.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB17.pdf

AB 20 - Budget: Carry-Forward Approvals

On behalf of the Department of Administration, requested by the Committee on Government Affairs and referred to same. (BDR 31-287)

Removes the requirement that a gift or grant and the carry-forward of money from one fiscal year to the next without a change in purpose must be approved by the Governor or Interim Finance Committee.

Effective: Upon passage and approval.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB20.pdf

AB 21 - Transportation: Bond Maturity Date

On behalf of the Department of Transportation, requested by the Committee on Transportation and referred to same. (BDR 35-375)

Increases the maximum length of maturity from 20 to 30 years for bonds issued by the Department.

Effective: Upon passage and approval.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB21.pdf

AB 34 - Fire Protection Districts

On behalf of the Division of Forestry, requested by the Committee on Government Affairs and referred to same. (BDR 42-369)

Defines State property to be transferred to certain local fire protection districts and amends NRS 473 and 472 in keeping with certain fire protection districts being transferred to local government entities.

Note: Contains Unfunded Mandate requested by affected Local Government.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB34.pdf

STATE GOVERNMENT CONTINUED

AB 59 - State Office Space

On behalf of the State Public Works Division, requested by the Committee on Government Affairs and referred to same. (BDR 27-299)

Extends Buildings and Grounds authority to properties owned or leased by state boards.

Effective: Upon passage and approval.

NTA Position: Support. Consolidating management of all state owned and leased property was proposed by the Nevada SAGE Commission in 2008.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB59.pdf

AB 60 - Conflicts of Interest

On behalf of the Commission on Ethics, requested by Committee on Legislative Operations and Elections and referred to same. (BDR 23-309)

Clarifies that public employees must abstain from voting on matters where there is a conflict of interest, the required time frame in which complaints must be addressed by the Ethics Commission, and the initiation and confidentiality of requests for opinions.

Effective: Upon passage and approval.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB60.pdf

AB 62 - Veteran Issues

On behalf of the Governor, requested by the Committee on Government Affairs and referred to same. (BDR 19-298)

This is an extensive bill addressing veteran issues, privileges and treatment, including requiring the Office of Economic Development to maintain an electronic directory of businesses it has certified as owned and operated by veterans with service-connected disabilities; making the third Wednesday of March in odd number years Veterans Day at the Legislature, a day of observance; and creating the Nevada Will Always Remember account to accept gift and grants for markers, plaques and other commemorations. Prescribes treatment of unclaimed veteran remains by county coroners.

Note: Contains an unfunded mandate not requested by affected local government.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB62.pdf

AB 86 - Silver State Health Insurance Exchange: Expands Board

On behalf of the Governor, requested by Committee on Commerce and Labor and referred to same. (BDR 57-390)

Expands the Board to nine from seven members, allows health insurer affiliations of board members, and allows pay of up to \$80 per day for non-State board members. Removes provision that Exchange must be "state based."

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB86.pdf

AB 90 - Intrastate Mutual Aid System

On behalf of the Division of Emergency Management, requested by the Committee on Government Affairs and referred to same. (BDR 36-391)

Creates a statewide mutual aid system among public agencies, including Indian tribes and nations, and a Committee of emergency management and public safety professionals to shape it. The system will operate under the Division of Emergency Management of the Department of Public Safety.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB90.pdf

SB 3 - DMV: Next-of-Kin Registry

Introduced by Senator Gustavson and referred to the Committee on Transportation (BDR 43-14)

The Department of Motor Vehicles is to set up a next-of-kin registry with up to two contact names for each registrant. Access to the registry is limited to law enforcement or coroner personnel and certain other persons. Registration can be done with application or renewal of driver licenses or I.D. cards.

Effective: Upon passage and approval for adopting regulations and January 16, 2016 for all other purposes.

<https://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB3.pdf>

STATE GOVERNMENT CONTINUED**SB 12 - PERS: Staff**

On behalf of the Public Employees Retirement System, requested by the Committee on Government Affairs and referred to same. (BDR 23-385)

Add a Chief Financial Officer position and eliminates the Assistant Investment Officer position.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB12.pdf

SB 24 - Unemployment Compensation

See Business Issues page 9.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB24.pdf

SB 26 - Debts to the State - Wage Garnishment

See Business Issues page 9.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB26.pdf

SB 46 - Budget Act Exemptions

On behalf of the Colorado River Commission of Nevada, requested by the Committee on Government Affairs and referred to same. (BDR 31-359)

Exempts the Colorado River Commission and Nevada Public Utilities Commission from the State Budget Act, allowing them to submit budgets directly to the Legislature for approval. Removes limitations on employees regarding classified and unclassified positions and salaries.

Effective: Upon passage and approval for the Commissions to carry out duties and July 1, 2015 for all other purposes.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB46.pdf

LOCAL GOVERNMENT**AB 19 - Local Budget Hearings**

On behalf of the Nevada League of Cities and Municipalities, requested by the Committee on Government Affairs and referred to same. (BDR 31-456)

Provides flexibility to the dates for local government budget hearings by allowing the tentative budgets to be heard "on or before" the current statutorily required dates.

Effective: Upon passage and approval.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB17.pdf

AB 54 - Severe Financial Emergencies of Local Governments

On behalf of the Department of Taxation, requested by the Committee on Government Affairs and referred to same. (BDR 31-308)

Revises the conditions under which a local government may be declared to be experiencing a severe financial emergency, and the actions and processes for the Department of Taxation, Committee on Local Government Finance and the Tax Commission in such situations.

Effective: Upon passage and approval.

NTA Position: Support. This bill establishes specific criteria for the various elements of financial emergencies, including severe financial emergency to address previous areas of disagreement.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB54.pdf

AB 64 - City of North Las Vegas

On behalf of the City of North Las Vegas, requested by the Committee on Government Affairs and referred to same. (BDR 21-429)

Allows the City of North Las Vegas to take action on matters Clark County is authorized to do if the county does not take action within 3 months after getting that authority.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB64.pdf

LOCAL GOVERNMENT - CONTINUED

AB 88 - City of Reno Charter

On behalf of the City of Reno, requested by the Committee on Government Affairs and referred to same. (BDR S-478)

Makes a number of changes to the Reno Charter, mainly dealing with personnel, vacancies, authority of the City Manager and the makeup of the Charter Committee.

Effective: October 1, 2015. The amendatory provisions apply prospectively.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB88.pdf

SB 11 - Home Rule

Sponsored by Senator Goicoechea (By Request), referred to the Committee on Government Affairs. (BDR 20-284)

With limited exceptions, expands the authority of county commissions and city councils to exercise all powers needed for the effective operation of county or city government, respectively, even if the power to perform these acts is neither express nor implied, so long as the power is not expressly prohibited or limited by constitutional or statutory provisions or granted to another entity. Does not allow the power to tax.

Note: Also see SB 29, this page.

NTA Position: Support the provisions related to functional home rule. There are times when a commission or council need to address how a new or existing program or service should be addressed without having to go to the legislature.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB11.pdf

SB 20 - Commission for Cultural Centers and Historic Preservation

On behalf of the Office of Historic Preservation, requested by the Committee on Natural Resources and referred to same. (BDR 33-319)

Moves the advisory Commission for Cultural Affairs to the State Department of Conservation and Natural Resources (from the Department of Tourism and Cultural Affairs) and changes its name to the Commission for Cultural Centers and Historic Preservation.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB20.pdf

SB 22 - Liquor Licensing

On behalf of the Nevada League of Cities and Municipalities, requested by the Committee on Revenue and Economic Development and referred to same. (BDR 32-455)

Applications for liquor licenses -- including importers, wholesale dealers of beer or wines and liquors, winemakers, instructional wine-making facilities, breweries, brew pubs and craft distilleries -- when the principal place of business is in an incorporated city, must make application and pay the license fee to the city rather than the county. The city is responsible for monitoring activity of the licensee.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB22.pdf

SB 29 - Home Rule

On behalf of the Nevada Association of Counties, requested by the Committee on Government Affairs and referred to same. (BDR 20-465)

With limited exceptions, authorizes a board of county commissioners to exercise all powers needed to ensure the health and safety of the public, even if such a power is neither express nor implied, so long as the power is not expressly prohibited or limited by constitutional or statutory provisions granted to another entity. Does not allow the power to tax.

Effective: October 1, 2015

Note: See SB 11, this page.

NTA Position: Support the provisions related to functional home rule.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB29.pdf

SB 30 - Longevity Pay for County Commissioners

On behalf of the Nevada Association of Counties, requested by the Committee on Government Affairs and referred to same. (BDR 20-468)

By a two-thirds vote a county commission may withhold longevity pay for an elected county officer for any one fiscal year if, among other provisions, the commission finds the county funds for the additional pay are lacking. The longevity pay may not be paid in a subsequent year.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB30.pdf

LOCAL GOVERNMENT - CONTINUED**SB 47 - Expands the Use of Local Improvement Districts**

On behalf of the City of Henderson, requested by the Committee on Government Affairs and referred to same. (BDR 22-421)

This is an extensive bill that expands the current statutory provisions for “commercial area vitalization” to “neighborhood improvement.” It expands the use of improvement projects within those districts and gives Clark County and the cities within the county, like Washoe County, the right to issue special assessments for projects in redevelopment areas. It also addresses collections of unpaid assessments and procedures for modifying a project.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB47.pdf

SB 71 - Amending City Charters

On behalf of the City of North Las Vegas, requested by the Committee on Government Affairs and referred to same. (BDR 21-430)

In addition to existing Legislative or voter-approved methods, allows a city charter to be amended by ordinance with a two-thirds vote of the city’s governing body, provided that is allowed by the city’s charter. If the city has a charter committee, the committee must first be given 30 days in which to approve/disapprove the proposal by majority vote.

Effective: October 1, 2015

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB71.pdf

EDUCATION - K - 12**AB 22 - Annual Student Counts**

On behalf of the Department of Education, requested by the Committee on Ways and Means and referred to same. (BDR 34-317)

Changes the requirement for an annual audit of student counts for purpose of the distribution of funds from the Department of Education to each school district and requires the audit to be done by a CPA. The department shall continue to conduct the audit for charter and university schools.

Effective: Upon passage and approval for Department to develop an audit manual and July 1, 2016 for all other purposes.

Note: Contains an unfunded mandate not requested by affected local government.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB22.pdf

SB 19 - School Board Advisory Questions

On behalf of the Washoe County School District, requested by the Committee on Legislative Operations and Election and referred to same. (BDR 24-477)

Allows a school district board of trustees to submit an advisory question to voters in its jurisdiction at a general election.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB19.pdf

SB 25 - Education

On behalf of the Department of Education, requested by the Committee on Education and referred to same. (BDR 34-316)

This is an extensive bill covering issues including, but not limited to, the makeup of the Board of Education, the funding formula for part-time distance learning students, budget preparation, language courses, end-of-course examinations and revocation of teacher licenses.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB25.pdf

EDUCATION - NEVADA SYSTEM OF HIGHER EDUCATION**AB 76 - Veterans’ Education**

On behalf of the Governor, requested by the Committee on Education and referred to same. (BDR 34-296)

Extends to within 3 years, instead of 2 years, the time in which an honorably discharged veteran is eligible to receive free tuition at a NSHE institution. Encourages the Board of Regents to recognize and respond to the unique challenges of veterans as students and requires specific annual and biennial reports on pupils who are veterans and their dependents. The reporting requirement expires by limitation on July 1, 2020.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB76.pdf

ELECTED OFFICIALS

AB 23 - Contribution Reporting; Recall Petitions

On behalf of the Secretary of State, requested by the Committee on Legislative Operations and Elections and referred to same. (BDR 24-446)

Clarifies the authority of the Secretary of State regarding interpretations and the beginning and ending dates for the purpose of candidate reporting of contributions. Also codifies a Nevada Supreme Court decision regarding who can sign a recall petition.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB23.pdf

AB 63 - Campaign Finance Reports

On behalf of the Attorney General, requested by the Committee on Legislative Operations and Elections and referred to same. (BDR 24-436)

Clarifies reporting requirements in the case of a candidate who is elected to office after ending their campaign without officially withdrawing.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB63.pdf

SB 5 - City Primary Elections

Introduced by Senator Settlemeyer and referred to the Committee on Legislative Operations and Elections. (BDR 24-90)

In nonpartisan city elections, if one candidate in the primary election receives a majority of the votes cast, that candidate is considered elected to the office and must not be placed on the general election ballot. Specifically, the bill applies to the charters of Carson City, Reno and Sparks.

Effective: October 1, 2015

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB5.pdf

GENERAL INTEREST

AB 4 - Wineries in Clark and Washoe

Introduced by Assemblyman Hickey and referred to Committee on Commerce and Labor. (BDR 52-228)

Removes the restriction which prohibits the operation of a winery in Clark and Washoe Counties.

Effective: October 1, 2015

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB4.pdf

AB 49 - Intimate Images Dissemination

On behalf of the Attorney General, requested by Committee on Judiciary and referred to same. (BDR 15-158)

Defines unlawful dissemination of an intimate image of a person and its penalties and certain illegal sexual acts and conduct.

Effective: October 1, 2015

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB49.pdf

AB 50 - Solicitation of Contributions

On behalf of the Secretary of State, requested by Committee on Judiciary and referred to same. (BDR 7-447)

Expands provisions governing solicitation of contributions by nonprofit organizations to include charitable organizations, including required registration, disclosures and reporting. Certain exemptions, including churches, are provided.

Effective: Upon passage and approval for regulations and October 1, 2015 for all other purposes.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB50.pdf

SB 2 - Maximum Highway Speed

Introduced by Senator Gustavson and referred to the Committee on Transportation (BDR 43-13)

Increases the maximum speed on Highways, subject to existing limitations, from 75 to 85 miles per hour.

Effective: October 1, 2015

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB2.pdf

GENERAL INTEREST CONTINUED**SB 48 - Health Information Exchanges**

On behalf of the Department of Health and Human Services, requested by the Committee on Health and Human Services and referred to same. (BDR 40-323)

Removes the requirement for the Department of Health & Human Services (DHHS) to establish a statewide health information exchange and, instead, allows the Department to contract with an outside health exchange to serve as the statewide exchange for certain purposes. Requires private health exchanges to be certified and addresses patient consent.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB48.pdf



Join us for the
2015
Biennial Legislative Dinner
Wednesday, February 25, 2015
Carson Nugget - Carson City, Nevada

No-Host Cocktails - 5:30 p.m. - 6:30 p.m.
Dinner - 6:30 p.m. - 8:30 p.m.
Cost - \$80.00 per person (pre-paid)
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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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