

LEGISLATIVE REPORT

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

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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.

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.

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

TAXES

AB 191 – Motor Vehicle Fuel Taxes

Sponsors: Assembly Members Paul Anderson and Kirkpatrick, Joint Sponsors: Senators Hammond and Roberson; referred to Committee on Taxation. (BDR 32-667)

Allows counties, other than Clark and Washoe, to pose a ballot question in November 2016 on imposing additional indexed county taxes on motor fuels beginning January 1, 2017. The money is to be deposited in the State Highway Fund and spent in the county where it was collected. Amends existing statutes on county gas taxes in Clark and Washoe counties.

Effective: October 1, 2015

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB191.pdf

SB 155 – Special Fuels Tax Refunds for Farmers, Ranchers; Farm License Plates

Sponsored by Senators Goicoechea, et al (2 co-sponsors); referred to Committee on Revenue and Economic Development. (BDR 32-707)

Allows ranchers and farmers approved by Department of Tax to claim refunds of 80 percent of taxes paid on bulk purchases of more than 50 gallons of special fuels without keeping records of use related to this refund. Clarifies definitions of farm and ranch vehicles allowed on state highways and reduces the application fee for farm vehicle permits from \$20.50 to \$20.00.

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

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB155.pdf

SB 170 – Partial Abatements for Data Centers

Sponsors: Senators Roberson, et al (3-co-sponsors), Joint Sponsors: Assembly Members Kirkpatrick and Hambrick; referred to Committee on Revenue and Economic Development. (BDR 32-765)

Allows the Office of Economic Development to grant partial abatements of local sales and use taxes and personal property taxes for new or expanded data centers that meet certain requirements. Abatements may also be granted for co-located businesses who will share the data center space for a defined period of time.

Effective: Upon passage and approval for regulations and January 1, 2016 for all other purposes. Expires by limitation on December 31, 2056.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB170.pdf

FEES

AB 181 – Motor Carrier Fees – Requires 2/3s Majority

Sponsor: Assemblywoman Bustamante Adams; referred to Committee on Transportation. (BDR 58-268)

Imposes a \$200 annual fee per vehicle on fully regulated carriers, except tow trucks, limousines and taxis. Raises the document filing fee at the Transportation Authority to \$500 from \$200. Requires all non-fully-regulated charter buses to be inspected before use for a fee not to exceed \$35. Doubles the annual fee for limousines to \$200.

FEES Continued**AB 183 – Deed in Lieu of Foreclosure Penalties – Requires 2/3s Majority**

Sponsor: Assemblyman Elliot Anderson; referred to Committee on Judiciary. (BDR 10-261)

Makes the grantee liable for attorney fees and costs and certain damages if the conveyance is not recorded within 30 days.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB183.pdf

AB 197 – Out-of-School Recreation Program Permits – Requires 2/3s Majority

Sponsors: Assemblywoman Diaz, et al (6 co-sponsors); referred to Committee on Health and Human Services. (BDR 38-506)

Extends the requirements for permitting, inspection, and staffing of out-of-school recreation programs operated by local governments to those operated by non-government providers. Fees for the three-year permits range from \$100 to \$1,250 depending on the number of sites operated.

Effective: October 1, 2015.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB197.pdf

SB 163 – Wildlife Advisory Council; License Fees – Requires 2/3s Majority

Sponsor: Senator Hammond, Joint Sponsor: Assemblywoman Joiner; referred to Committee on Natural Resources. (BDR 45-616)

Creates the 7-member Advisory Council on Nevada Wildlife Conservation and Education and adds an additional fee of \$3 to existing fees for hunting, fishing and trapping licenses. The additional fee is to pay for the education campaign to be developed by the Advisory Council using an outside marketing firm.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB163.pdf

SB 181 – Anesthesiology Assistant Licensing – Requires 2/3s Majority

Sponsors: Senators Hardy, et al (3 co-sponsors), Joint Sponsors: Assemblyman Nelson, et al (2 co-sponsors); referred to Committee on Commerce, Labor and Energy. (BDR 54-240)

Provides for the licensing of anesthesiologist assistants by the Board of Medical Examiners and sets an application fee of \$800 and biennial renewal fee of \$1,000. For these assistants in osteopathic medicine, the Board of Osteopathic Medicine is to charge \$500 for initial licensing and for annual renewal.

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

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB181.pdf

SB 189 – Trauma Treatment – Requires 2/3s Majority

Sponsors: Senators Woodhouse, et al (7 co-sponsors); referred to Committee on Health and Human Services. (BDR 40-95)

The Division of Public and Behavioral Health of DHHS is to develop a standardized system for collecting and managing information on trauma treatments from hospitals. The Fund for the State Trauma Registry is created to accept from insurers a \$1 fee per automobile and home protection policy.

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

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB189.pdf

BUSINESS ISSUES**AB 179 – Protection of Personal Information**

Sponsors: Assembly Members Flores, et al (28 co-sponsors), Joint Sponsors: Senators Denis, et al (3 co-sponsors); referred to Committee on Commerce and Labor. (BDR 52-756)

Expands the definition of personal information that must be protected by businesses to include email addresses, passwords, passport numbers, health insurance numbers and similar information that is unique to a person. Using the last four digits of common I.D. forms is not included.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB179.pdf

SB 167 – Discrimination in Compensation

Sponsors: Senators Roberson, et al (5 co-sponsors); referred to Committee on Judiciary. (BDR 18-265)

Revises provisions regarding complaints of unlawful practices related to compensation. Sets filing and appeal deadlines, defines remedies, awards and civil penalties.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB167.pdf

BUSINESS ISSUES Continued**SB 190 – Employment Discrimination**

Sponsors: Senators Spearman, et al (8 co-sponsors); referred to Committee on Judiciary. (BDR 18-785)

Revises provisions governing complaints of unlawful discrimination in compensation, setting forth procedures and deadlines for these complaints and appeals and other related matters.

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

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB190.pdf

SB 193 – Overtime Calculation

Requested by Committee on Commerce, Labor and Energy and referred to same. (BDR 53-989)

Changes the “rolling 24-hour day” on which overtime is computed as any hours worked in excess of 8 hours per 24 hours to the federal standard of 40 hours per week.

Effective: October 1, 2015

NTA Position: Support. Reasons for supporting this change can be found in the December 2010 Tax Topics issue available at www.nevadataxpayers.org.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB193.pdf

SJR 8 – Minimum Wage

Sponsored by Senator Segerblom; referred to Committee on Legislative Operations and Elections. (BDR C-425)

Amends the Nevada Constitution to set the minimum wage \$15 per hour if health benefits are provided and \$16 per hour if not. Resets the cost of living base to December 31, 2018.

www.leg.state.nv.us/Session/78th2015/Bills/SJR/SJR8.pdf

EDUCATION: K-12**SB 178 – Mandatory Physical Education**

Sponsor: Senator Hardy; Referred to Committee on Education. (BDR 34-235)

Requires school districts to establish mandatory physical education classes in grades K-11. Beginning July 1, 2016, requires school nurses, health personnel and certain teachers to conduct the required height and weight examination in Clark and Washoe schools and removes the requirement of notifying parents of these examinations in advance.

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

Fiscal Note: Contains an unfunded mandate not requested by the local governments.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB178.pdf

EDUCATION: NSHE**SB 195 – Outstate Tuition; Guinn Scholarships**

Sponsor: Senator Hardy; referred to Committee on Education. (BDR 34-509)

Expands the exemption for out-of-state tuition charges based on one year residency and encourages students receiving Guinn Scholarship support to perform at least 20 hours of community service per year. Addresses staffing for the Western Regional Higher Education Compact and creates a Compact office within the Governor’s Office.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB195.pdf

GOVERNMENT: GENERAL**AB 190 – Public Employee Retirement: Defined Benefit Plan**

Sponsors: Assemblyman Kirner, et al (7 co-sponsors); Referred to Committee on Government Affairs. (BDR 23-184)

Establishes a hybrid defined benefit and defined contribution plan for new employees who become eligible for PERS as of July 1, 2016. The new plan includes a cap on benefits, disallows purchasing additional service credits, and a minimum retirement age in line with social security for unreduced benefits.

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

NTA Position: Support. This bill will allow the state and local governments in Nevada to better manage their liability.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB190.pdf

GOVERNMENT: GENERAL Continued**AB 196 – Investment of Government Funds**

Sponsors: Assemblywoman Seaman, et al (4 co-sponsors); referred to Committee on Government Affairs. (BDR 31-857)

Amends provisions governing the types of investments that may be made by the State Treasurer and local governments with public funds. Increases the allowable percentage of investments by local governments from 20 to 25 percent.

Effective: October 1, 2015

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB196.pdf

SB 153 – Heart-Lung Liability

Requested by Committee on Commerce, Labor & Energy and referred to same. (BDR 53-635)

Changes the current life-time presumption of occupationally related diseases of the heart and lung to cases where the disease is diagnosed during the employment or volunteer service of firefighters and police officers. The individual must have 5 years of employment/service at the time of diagnosis.

Effective: Upon passage and approval.

NTA Position: Support. The current life-time presumption associated with heart-lung disease has made it impossible to actuarially determine a governmental entity's liability. The liability is generally couched in terms of a range of potential dollars. As this is part of workers comp law, it should be structured to followed workers comp law as applied to other employees.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB153.pdf

SB 157 – State and Local Government Cooperation Act

Requested by Committee on Government Affairs and referred to same. (BDR 22-706)

Facilitates cooperation between state and local governments by providing consistency in interpretive rulings on statutes, regulations, rules and policies. State agencies must solicit local government comment in advance of rulings and local governments may appeal inconsistencies to the Governor.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB157.pdf

GOVERNMENT: STATE**SB 166 – Commission on Cultural Affairs Voter Question**

Sponsor: Senator Segerblom; referred to Committee on Government Affairs. (BDR 18-424)

Puts a question on the November, 2016 ballot of whether the Commission of Cultural Affairs duties should be expanded to include the preservation and promotion of arts and museums. The Board of Finance is to issue \$10 million in general obligation bonds per year, not to exceed \$100 million over ten years, to fund the effort, including Financial Assistance Awards.

Note: A provision within the bill provides this is not a debt of the state and as such would not require the levy of a property tax rate. The amount approved would have to be paid out of available revenues.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB166.pdf

SB 183 – Transportation Authority

Sponsors: Senators Gustavson and Parks; Joint sponsors: Assemblyman O'Neill, et al (10 co-sponsors); referred to Committee on Transportation. (BDR 58-717)

Relaxes the criteria for issuing a certificate of public convenience and reduces to 60 days, from 180, the amount of time before reapplication is allowed if a certificate is denied.

Effective: October 1, 2015.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB183.pdf

SB 184 – Transportation Authority

Sponsors: Senators Gustavson and Parks, Joint Sponsors: Assemblyman O'Neill, et al (10 co-sponsors); referred to Committee on Transportation.

Shifts authority and responsibility for compliance enforcement, complaint investigation, impoundment, and imposition of fines from the Transportation Authority to Department of Public Safety.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB184.pdf

GOVERNMENT: LOCAL**AB 170 – General Obligation Bond Use**

Sponsors: Assembly Members Dickman, et al (6 co-sponsors); referred to Committee on Government Affairs. (BDR 30-917)

Clarifies that general obligation bonds of municipalities and school districts may only be used for the original stated purpose. Requires the issuing entity to publish notice of its intent to issue bonds and include the process for public rejection and imposes other limitations on issuance of GO bonds and revenue bonds.

NTA Position: Oppose. Voter approved general obligation bonds may only be used for the stated purpose as identified in the ballot question. The revenue cap limitations on the issuance of the GO backed revenue bonds that might be issued in Clark and Washoe counties is unrealistic and would probably cause local governments to issue revenue bonds. Without the GO backing revenue bonds carry a higher interest rate and will increase the cost to the issuing government.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB170.pdf

AB 182 – Collective Bargaining

Sponsors: Assembly Members Kirner, et al (9 co-sponsors); referred to Committee on Commerce and Labor. (BDR 23-646)

Prohibits paycheck deductions for union dues and paid leave for employee organization activities. Excludes administrative and supervisory positions from bargaining unit membership. Addresses layoffs, evergreen clauses, fact-finding, arbitration and what funds may be considered in determining financial ability of the employer.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB182.pdf

SB 158 – Collective Bargaining

Requested by Committee on Government Affairs and referred to same. (BDR 23-704)

Local governments must make copies of collective bargaining agreements available to the public at least 10 days before the public hearing at which adoption will be addressed.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB158.pdf

SB 168 – Collective Bargaining

Sponsors: Senators Settlemeyer, et al (3 co-sponsors), Joint Sponsors: Assemblymen Kirner, et al (3-co-sponsors); referred to Committee on Government Affairs. (BDR 23-602)

Authorizes local governments to reopen agreements during fiscal emergencies and further defines funds that can be considered by arbitrators in determining financial ability.

NTA Position: Support. Allowing a collective bargaining agreement to be reopened is another tool which would be available to assist the local government come out of its fiscal emergency.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB168.pdf

SB 185 – Washoe Fire Services

Sponsor: Senator Kieckhefer; referred to Committee on Government Affairs. (BDR 42-121)

Requires the fire-fighting vehicle closest to a fire to respond regardless of territorial boundaries.

Effective: October 1, 2015

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB185.pdf

ELECTIONS**AB 177 – Candidate Eligibility**

Sponsors: Assembly members Seaman, et al (18 co-sponsors), Joint Sponsors: Senator Goicoechea, et al (3 co-sponsors); referred to Committee on Legislative Operations and Elections. (BDR 24-627)

This is an extensive bill addressing how candidacy, vacancies and vote counting are to be handled in the case of a candidate's death, withdrawal or determination of ineligibility, including residency challenges.

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

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

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB177.pdf

ELECTIONS Continued

SB 168 – Voter I.D.

Sponsors: Senators Settlemeyer, et al (2 co-sponsors), Joint Sponsors: Assembly Members Fiore, et al (5 co-sponsors); referred to Committee on Finance.

Requires proof of identification for voting and the Department of Motor Vehicles to issue free-of-charge voter identity cards if none of the other approved forms is available to the voter. Voters have until the Friday after an election to provide proof of identity to have a provisional ballot counted.

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

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB168.pdf

APPROPRIATIONS NOT INCLUDED IN EXECUTIVE BUDGET
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SB 182 – GOED Pilot Program

Sponsors: Senators Spearman, et al (4 co-sponsors); referred to Committee on Revenue and Economic Development. (BDR S-867)

Directs the Governor’s Office of Economic Development to conduct a pilot program from January 1, 2016 through June 30, 2019 that focuses on helping 10 existing business in the state grow by using technology and information. \$300,000 is appropriated from the General Fund to NSHE to support the project and the balance reverts on September 20, 2019.

Effective: Upon passage and approval for preparation and October 1, 2015. Expires by limitation on June 30, 2019.

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB182.pdf

GENERAL INTEREST

AB 201 – Eminent Domain

Sponsors: Assemblywoman Kirkpatrick, et al (12 co-sponsors); referred to Committee on Judiciary. (BDR 3-960)

Prohibits eminent domain taking of a residential mortgage, deed of trust or note, including condos, townhouses or other units.

Effective: Upon passage and approval.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB201.pdf

SB 165 – Domestic Workers’ Bill of Rights

Sponsor: Senator Segerblom; referred to Committee on Commerce, Labor and Energy. (BDR 53-135)

Requires employers of domestic workers to provide written conditions of employment to domestic employees and addresses overtime, lodging, pay rates and other conditions of employment.

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

www.leg.state.nv.us/Session/78th2015/Bills/SB/SB165.pdf

STUDIES

AB 198 – Water Conservation and Sources

Sponsors: Assemblymen Oscarson and Wheeler, Joint Sponsors: Senators Goicoechea and Settlemeyer; referred to Committee on Legislative Operations and Elections. (BDR S-805)

Requires the Committee on Public Lands to conduct an interim study on water conservation and alternative sources of water and submit the report to the 2017 Legislature.

www.leg.state.nv.us/Session/78th2015/Bills/AB/AB198.pdf

Nevada Taxpayers Association

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