

LEGISLATIVE REPORT

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

ISSUE 6-17

THROUGH MARCH 24, 2017

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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. Editor's Note: This week's bills are reported in two issues, numbers 5 & 6.

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, 2017.
- To review all bills introduced to date or the BDR list, go to www.leg.state.nv.us and click on "Session Information – 2017".

GOVERNMENT

State

AB 328 - Professional Licensing Boards

Assemblymen Pickard, Bustamante Adams, et al (6 co-sponsors) Referred to the Committee on Commerce and Labor. (BDR 54-157)

Establishes limitations on the employment or retention of attorneys by regulatory bodies; requires attorneys who act as legal counsel to carry professional liability insurance that names the State as an additional insured. Prohibits a person from being employed as an executive director or executive secretary by more than one regulatory board and establishes residency requirements. Requires the Department of Administration to adopt regulations relating to the financial operation and administration of regulatory bodies which must include a requirement for annual audits. Requires the Attorney General's office to prosecute any contested case before a regulatory body with certain exceptions. Prohibits an attorney who is employed as legal counsel to a regulatory body from prosecuting a contested case while employed or retained by that regulatory body. Provides immunity from civil liability for persons contracted with regulatory bodies as independent contractors who participate in the disciplinary process of a regulatory body.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB328.pdf>

AB 374 - Medicaid Coverage

Assemblymen Sprinkle, Frierson, Araujo, Carlton, Cohen, et al (21 co-sponsors). Referred to the Committee on Health and Human Services. (BDR 38-881)

Makes coverage through the Medicaid managed care program available for purchase by Nevada citizens without regard to Medicaid eligibility. Requires the Director of the Department of Health and Human Services to seek any necessary waiver of certain provisions of federal law to allow a Medicaid managed care program to be offered for purchase through the Silver State Health Insurance Exchange. Requires the annual premium charged to be set at an amount which represents 150 percent of the median expenditure paid on behalf of a Medicaid recipient during the immediately preceding fiscal year. Prohibits DHHS from using any federal money to carry out the provisions.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB374.pdf>

AB 399 - Nevada State Infrastructure Bank

Assemblywoman Bustamante Adams and referred to the Committee on Government Affairs (BDR 28-1129)

Creates the Nevada State Infrastructure Bank within the State Public Works Board and provides for its establishment and operations. Provides loans for transportation or utility infrastructure projects. Allows the Bank to be an insurer or reinsurer for related obligations. Bonds issued by the Bank are exempt from most forms of taxation.

<https://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB399.pdf>

AB 403 - Administrative Regulation Approval

Assemblymen Daly, Frierson, Diaz, Benitez-Thompson, Araujo, et al (4 co-sponsors). Referred to the Committee on Legislative Operations and Elections (BDR 17-573)

Creates the Governmental Oversight and Accountability Subcommittee of the Legislative Commission and provides for its establishment and operations. Authorizes the Legislative Commission to suspend or nullify a regulation adopted pursuant to the Nevada Administrative Procedure Act under certain circumstances and further precludes judicial review of that decision.

(continued on next page)

AB403 continued from previous page

Abolishes the Subcommittee to Review Regulations of the Legislative Commission and, with limited exceptions, requires only the Legislative Commission to review and approve permanent regulations before those regulations become effective. Authorizes the Legislative Commission to adopt regulations to carry out the provisions of the Nevada Administrative Procedure Act. Requires an agency to submit a proposed regulation to the Legislative Commission for review within the same two year period as submitted to the Legislative Counsel.

NTA Position: Pending. This appears to propose a solution to a non-existent problem.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB403.pdf>

AB 404 - Office of the Inspector General

Assemblymen Miller, McCurdy, Benitez-Thompson, et al (2 co-sponsors). Referred to the Committee on Government Affairs. (BDR 18-740)

Creates the Nevada Office of the Inspector General and provides for its establishment and operations. Requires the Governor to appoint the Inspector General for a term of 4 years from a list of candidates submitted by the Legislative Commission on or before December 1, 2017. Transfers from the Division of Internal Audits to the Inspector General the requirement to establish a telephone number to receive information relating to the abuse, fraud or waste of public money. Provides for the confidentiality of investigative records and the identity of whistleblowers. Makes it a category C felony to retaliate against a whistleblower and a category E felony to use threats or force to prevent the Inspector General's office from performing its duties.

NTA Comment: See also AB 201, at page 13, Issue 2-17.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB404.pdf>

AB 408 - Medicaid and Health Services

Assemblymen Joiner, Spiegel, Bilbray-Axelrod, Fumo, Sprinkle, et al (17 co-sponsors). Referred to the Committee on Health and Human Services. (BDR 38-957)

Requires the coverage of certain preventive health care services for maternity and newborn care. Requires the coverage of certain preventive health care services for women, adults and children at no cost. Requires insurers to offer health insurance coverage regardless of the health status of the person. Requires insurers to allow the covered adult child of an insured to remain covered by the health insurance of the insured until age 26.

NTA Comment: See also AB 374 at page 40, and SB 394 at page 41, both in this issue.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB408.pdf>

SB 330 - Right to Earn a Living Act

See under BUSINESS, at page 37, Issue 5-17.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB330.pdf>

SB 323 - Supplemental Nutrition Assistance Program (SNAP)

Senators Cancela, Segerblom, Spearman, Woodhouse, Parks, et al (3 co-sponsors). Referred to the Committee on Health and Human Services (BDR 38-627)

Provides that the 36-month eligibility period for SNAP benefits must run continuously and have fixed beginning and ending dates. Requires the Department of Health and Human Services to seek a waiver of the work conditions for receipt of SNAP benefits and extends the waiver to recently discharged military personnel, persons with pending eligibility determinations, persons who do not have custody of their children but who are required to pay child support and those persons who live in counties which have unemployment rates over 10% or are at 20% above the national average. Also requires the Department to establish a workfare program.

Effective October 1, 2017

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB323.pdf>

SB 394 - Affordable Care Act Mandates — Contains an Unfunded Mandate

Senators Spearman, Segerblom, Denis, Manendo and Parks, et al (4 co-sponsors); Assemblywoman Neal, et al (3 co-sponsors). Referred to Committee on Health and Human Services (BDR 38-950)

Expands Medicaid eligibility to persons at or below 400% of poverty. Requires the Director of the Department of Health and Human Services to seek any necessary federal waivers. Requires insurers to cover certain essential health benefits without limits on coverage. Requires adult children to be allowed to remain on their parents' health insurance until age 26.

NTA Comment: See also AB 408, above.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB394.pdf>

SB 407 - Nevada Green Bank

See under FEES, FINES & PENALTIES, at page 37 of Issue 5-17.

www.leg.state.nv.us/Session/79th2017/Bills/SB/SB407.pdf

Local**AB 379 - General Improvement Districts**

Assemblywoman Joiner and referred to the Committee on Government Affairs (BDR 25-211)

Expands the authority of the board of trustees of a general improvement districts to organize within 7 miles from the boundary of an incorporated city provided it furnishes recreational facilities.

NTA Position: Pending. See Sec. 1(4) of the bill. Why would the criteria and restrictions for other general improvement districts NOT apply to those formed for recreational purposes?

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB379.pdf>

SB 356 - Collective Bargaining

Senators Atkinson, Segerblom, Denis, Spearman, Parks, et al (4 co-sponsors). Referred to the Committee on Government Affairs (BDR 23-1132)

Makes substantial changes to collective bargaining, particularly for school districts and their employee bargaining units. Requires at least 4 (down from 8) negotiating sessions before an impasse can be submitted to arbitration. Makes changes to administrator bargaining and conditions of employment as well.

NTA Comment: This is another bill that undoes changes that were approved last session. See also AB 121, at page 12, issue 2-17; AB 271, at page 21, issue 3-17; SB 220, at page 22, issue 3-17; and AB 290, at page 29, issue 4-17.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB356.pdf>

SB 380 - Local Government Lobbying Rules

Senator Roberson, et al (8 co-sponsors). Referred to the Committee on Legislative Operations and Elections. (BDR 23-943)

Applies the current restrictions on lobbying gifts to local governments.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB380.pdf>

SB 422 - Clark County Regional Planning

Senator Manendo and referred to the Committee on Government Affairs (BDR 22-919)

Transfers administration of the Clark County Regional Plan to the Southern Nevada Regional Transportation Commission and eliminates the Southern Nevada Regional Planning Coalition.

NTA Comment: Why is this change needed?

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB422.pdf>

State and Local**AB 396 - Lobbying Disclosures**

Assemblyman Daly and referred to the Committee on Legislative Operations and Elections. (BDR 17-893)

Provides additional exceptions and prohibitions in lobbying state legislators and defines “de minimis” gifts. Amends financial disclosure statement filed by candidates and public officers.

NTA Comment: Also has Legislative impact.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB396.pdf>

AB 406 - Construction

Assemblymen Daly, Benitez-Thompson, Brooks, Carrillo, Bilbray-Axelrod, et al (4 co-sponsors). Referred to the Committee on Government Affairs. (BDR 28-781)

Revises provisions relating to public works projects, payment of prevailing wage, labor union agreements and construction managers.

NTA Position: Oppose. This undoes the strides made last session to allow more projects to be constructed or repaired with taxpayers' dollars. The provisions that eliminate the 90% prevailing wage on K-12 facility projects and the 25% provision for NSHE facilities will negatively impact the construction budgets for educational facilities and require additional taxpayer funds.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB406.pdf>

SB 317 - Bidder's Preference

Senators Cannizzaro, Ford, Segerblom, Parks, Manendo, et al (7 co-sponsors); Assemblyman Brooks. Referred to the Committee on Government Affairs (BDR 27-936)

Provides a 5% bidder's preference for Nevada-based businesses bidding on state contracts for purchasing and provides the criteria for determining that status.

NTA Comment: See also AB280, at page 27, issue 4-17.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB317.pdf>

SB 335 - Public Private Partnerships

See under BUSINESS, at page 38, Issue 5-17.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB335.pdf>

SB 377 - Public Defenders -- Contains an Unfunded Mandate

Senate Committee on Judiciary and referred to the same (BDR 14-1005)

Creates the Nevada Right to Counsel Commission which will establish the standards for public defenders. Creates the Office of Indigent Legal Services. Allows counties other than Clark and Washoe to transfer their indigent defense to this office and requires the county commission to provide advanced notice of the decision to do so. Provides a system of review of the indigent defense offices in each county and describes the procedures to be used should they be found out of compliance with the standards established by the Counsel.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB377.pdf>

SB 395 - Cybersecurity for Critical Infrastructure

See under FEES, FINES & PENALTIES, at page 36, Issue 5-17

SB 407 - Nevada Green Bank

See under FEES, FINES & PENALTIES, at page 37, Issue 5-17.

ELECTIONS

AB 389 - Elections

Assemblyman Marchant and referred to the Committee on Legislative Operations and Elections. (BDR 24-16)

Provides criteria for declaration of candidacy, challenges to qualifications, residency requirements, voter registration drives and recounts.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB389.pdf>

SB 319 - Voter Eligibility

Senators Settelmeyer, Roberson, Hardy, Gustavson, Kieckhefer, et al (3 co-sponsors); Assemblyman Wheeler (BDR 24-1127)

Requires the Department of Motor Vehicles to match information in the statewide database of names of voters to its driver's license and identification card database. If it has reason to believe a person is a registered voter who is not a citizen of the United States it is required to notify the Secretary of State's Office. If the Secretary of State determines the DMV information is credible, s/he must notify the voter.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB319.pdf>

SB 327 - Voter Registration Contains an Unfunded Mandate

Senator Ford and Assemblyman Araujo and referred to the Committee on Legislative Operations and Elections (BDR 24-22)

Provides for voter registration at the Department of Motor Vehicles and transmission of this information electronically to the Secretary of State and the county clerk in the county in which the voter resides unless the voter affirmatively and in writing opts not to have his information included.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB327.pdf>

SB 331 - Voter Registration

Senator Roberson and referred to the Committee on Legislative Operations and Elections (BDR 24-847)

Requires the Secretary of State to use the information provided by the Department of Motor Vehicles to determine if persons with driver's authorization cards who are not citizens of the United States are registered to vote. The Secretary of State is required to remove those persons from the voter roll.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB331.pdf>

SB 424 - Voter Identification

Senator Roberson and referred to the Committee on Legislative Operations and Elections (BDR 24-846)

Requires voters to provide identification at their polling places. Provides that the Department of Motor Vehicles issue a voter identification card, free of charge, to persons who request them. Allows voters without the proper identification to cast a provisional ballot until his identification can be verified.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB424.pdf>

STATE BUDGET

Appropriations in Executive Budget

SB 359 - Education Savings Accounts

Senators Hammond, Gustavson, Roberson, Kieckhefer and Hardy, et al (4 co-sponsors); Assemblymen Paul Anderson, Wheeler, Oscarson, Ellison, Hambrick, et al (9 co-sponsors). Referred to the Committee on Education. (BDR 34-948)

Appropriates \$723,646 in FY 2017-2018 and \$891,444 in Fiscal Year 2018-2019 to administer the Nevada Educational Choice Scholarship program and provides funding to the program of \$24,276,354 in FY 2017-2018 and \$34,108,556 for FY 2018-2019. Removes provisions from the program that were enjoined by the Nevada Supreme Court in *Schwartz v. Lopez*, 132 Nev. Adv. Op. 73, 382 P.3d 886 (2016).

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB359.pdf>

Appropriations NOT in Executive Budget

AB 371 - Huntridge Theater

Assemblymen Swank and Elliot Anderson and referred to the Committee on Ways and Means. (BDR S-883)

Makes an appropriation of \$3 million to the Division of State Lands of the State Department of Conservation and Natural Resources for the purchase of the Huntridge Theater in Las Vegas.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB371.pdf>

AB 397 - Family Planning Services Grants

Assemblymen Frierson, Carlton and Carrillo and referred to the Committee on Ways and Means. (BDR S-856)

Makes an appropriation of \$4 million to the Division of Public and Behavioral Health of the Department of Health and Human Services to provide grants to local governmental entities and nonprofit organizations for family planning services.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB397.pdf>

SB 363 - Regional Commercial Air Service

Senators Goicoechea, Settelmeyer, et al (4 co-sponsors); Assemblyman Ellison, et al (1 co-sponsor). Referred to the Committee on Revenue and Economic Development (BDR 18-92)

Creates the Nevada Air Service Development Commission and appropriates \$2 million to provide support to an air carrier that will service or provide enhanced service to a commercial service airport that is either a small hub/non hub airport and is certified by the US Department of Transportation.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB363.pdf>

SB 403 - Highway Patrol Salary Increase

Senators Manendo and Ford and referred to the Committee on Finance (BDR S-879)

Appropriates \$1,991,381 for FY 2017/18 and \$2,060,246 for FY 2018/19 to increase Highway Patrol salaries by one grade each.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB403.pdf>

LEGISLATURE

AB 396 - Lobbying Disclosures

See under GOVERNMENT: State and Local on page 42 of this issue.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB396.pdf>

STUDIES

AB 325 - Modernization of State Government Task Force

Assemblywoman Cohen and referred to the Committee on Legislative Operations and Elections. (BDR 19-953)

Creates the Task Force on the Modernization of State Government and provides for its establishment and operations. The Task Force may dissolve itself on or after September 1, 2018. The provisions of this bill expire by limitation on June 30, 2021.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB325.pdf>

AB 343 - Group Homes Interim Study

Assemblyman Ohrenschall and referred to the Committee on Legislative Operations and Elections. (BDR S-1114)

Requests the Legislative Committee on Health Care to conduct an interim study on the rates charged by group homes.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB343.pdf>

AB 360 - High-Speed Rail System Feasibility Study

Assemblyman Marchant and referred to the Committee on Transportation. (BDR 35-885)

Appropriates \$30 million to the Department of Transportation for a feasibility study to establish a high-speed rail system between Las Vegas and Reno. Authorizes NDOT to enter into agreements for transportation facilities.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB360.pdf>

AB 364 - Roadway Traffic and Safety Interim Study

Assemblymen Ohrenschall, Carrillo, Carlton, et al (1 co-sponsor); Senators Manendo and Parks. Referred to the Committee on Transportation. (BDR S-1115)

Directs NDOT, in cooperation with Clark County, City of Las Vegas and City of Henderson to conduct an interim study of roadway traffic and safety in the urban eastern part of Clark County.

<http://www.leg.state.nv.us/Session/79th2017/Bills/AB/AB364.pdf>

ACR 5 - Interim Study on the Requirements and Costs of Operating a Business

Assemblyman Edwards and referred to the Committee on Legislative Operations and Elections. (BDR R-1152)

Requests an interim study concerning the requirements and costs of operating a business in Nevada.

<http://www.leg.state.nv.us/Session/79th2017/Bills/ACR/ACR5.pdf>

ACR 6 - Interim Study on Increases in Salary and Benefits of State Employees

Assemblymen Ellison and Oscarson and referred to the Committee on Legislative Operations and Elections. (BDR R-44)

Requests an interim study concerning increases in the salary and benefits of state employees.

<http://www.leg.state.nv.us/Session/79th2017/Bills/ACR/ACR6.pdf>

SB 348 - Health Care Funding and Pricing Task Force

Senator Cancela and referred to the Committee on Health and Human Services (BDR 40-628)

Creates the Task Force on Health Care Funding and Pricing and establishes its membership. Requires the Task Force to collect data necessary to conduct a comprehensive analysis of the factors affecting the price of health care in this state including private health care and health care funded through Medicaid and the Children's Health Insurance Program.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SB/SB348.pdf>

SCR 3 - Trauma Treatment Interim Study

Senator Woodhouse and referred to the Committee on Legislative Operations and Elections (BDR R-1142)

Requests an interim study of a Standardized system for collection of information regarding the treatment of trauma.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SCR/SCR3.pdf>

SCR 4 - Renewable Energy Resource Interim Study

Senator Spearman and referred to the Committee on Legislative Operations and Elections (BDR R-1130)

Requests an interim study of the development of renewable energy resources in Nevada.

<https://www.leg.state.nv.us/Session/79th2017/Bills/SCR/SCR4.pdf>