

LEGISLATIVE REPORT

An electronic publication of the Nevada Taxpayers Association ♦ Serving the citizens of Nevada since 1922

ISSUE 19-2

Pre-filed

February 2, 2019

This issue of Legislative Report contains a continuing summary of pre-filed 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, 2019. (The Legislative default date is October 1).

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, click [here](#) or go to www.leg.state.nv.us and click on "Session Information – 80th (2019) Session."

BUSINESS ISSUES

AB 32 – Workforce Recruitment, Assessment and Training Programs

Requested by Office of Economic Development. Introduced by Committee on Taxation. (BDR 18-329)

Expands eligibility to participate in one or more programs to provide workforce development services to persons that create and expand certain businesses to this State, including non-profits and Nevada state and local government employees. Also expands workforce programs to existing employees of existing businesses.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5932/Text>

SB 30 – Employment of Offenders

Requested by Department of Corrections. Introduced by Committee on Judiciary. (BDR 16-202)

Existing statute calls for the Director of Corrections to enter into a contract with a private employer for the employment of offenders and for the employer to provide a surety bond for the prorated annual amount of the contract. Changes the amount of the surety bond to not less than 33% and no more than 100% of the annual prorated amount of the contract.

Effective: Upon passage and approval.

<http://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5913/Text>

SB 40 – Serious Occupational Safety and Health Violations

Requested by Division of Industrial Relations of Department of Business and Industry. Introduced by Committee on Commerce and Labor. (BDR 53-222)

Revises the penalties for serious violations of occupational safety and health from a range of \$5,000 - \$70,000 to an amount not greater than the monetary amount of the corresponding civil penalty for the violation pursuant to 29 U.S.C. Section 666.

Effective: Upon passage and approval.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5959/Text>

EDUCATION: K-12

AB 35 – Accountability of Public Schools: Achievement School District

Requested by Department of Education. Introduced by Committee on Education. (BDR 34-334)

This is an extensive bill that includes establishing zoning boundaries for neighborhood option schools. Eligibility for charter schools to become a transformation school. Existing law requires an achievement schools evaluated after the first 6 years. Reduces the decision to allow the transformation school to continue to 3 years from 6 years.

Effective: Upon passage and approval and January 1, 2020 for Section 12.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5935/Text>

AB 57 – Clark and Washoe School District Board of Trustees: Changes Composition

Requested by Lieutenant Governor. Introduced by Committee on Education. (BDR 34-400)

Changes CCSD Board of Trustees from seven elected members to three elected, one appointed by county commission, and three appointed by governing bodies of the three most populous incorporated cities in the county. Changes WCSD Board of Trustees from seven elected members to three elected, one appointed by the Governor, one appointed by the county commission, and two appointed by the governing bodies of the two most populous incorporated cities in the county.

Effective: Specifies specific dates to change election and appointment requirements.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5982/Text>

AB 64 – Distance Education Charter School Funding

Requested by Eureka County School District. Introduced by Committee on Ways and Means. (BDR 34-455)

Creates formulas for the calculation of the apportionment to charter schools for pupils enrolled in a program of distance education.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5989/Text>

SB 26 – Collective Bargaining: Ending Fund Balance

Requested by Clark County School District. Introduced by Committee on Government Affairs. (BDR 31-398)

Excludes and establishes the percentage of the ending fund balance from negotiations with an employee organization of not more than 8.3% of total budgeted expenditures, less capital outlay, for a general fund or a special revenue fund.

NTA POSITION: SUPPORT. The percentage of an ending fund balance is not guaranteed from one year to the next. It is a safety net, which provides revenue to mitigate unexpected expenses particularly during an economic downturn. Arbitrators and Fact Finders should not be able to include it in their decisions because it creates a future ongoing expense that may not be sustainable.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5909/Text>

SB 41 – Special Qualifications License for Teaching

Requested by Department of Education. Introduced by Committee on Education. (BDR 34-337)

Eliminates special qualifications license which authorizes a person who holds a postsecondary degree and meets certain other requirements to teach in designated grades and designated subject matters within the field of their degree. Transfers authority of prescribing paraprofessional requirements from the Department of Education to the Commission on Professional Standards in Education.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5960/Text>

SB 84 – Prekindergarten Programs

Requested by Department of Education. Introduced by Committee on Education. (BDR 34-338)

Authorizes the creation of Prekindergarten Account in the General Fund. Authorizes Department of Education to award grants to support prekindergarten programs. Requires the Department to establish program measurements and create an application for districts to apply for the grant.

Effective: Upon passage and approval for regulations and January 1, 2020 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6027/Text>

SB 89 – School Achievement and Safety

Requested by Department of Education. Introduced by Committee on Education. (BDR 34-331)

Creates a committee on statewide school safety. Establishes recommendations for a ratio of pupils to specialized instructional support personnel and develop plans to achieve those ratios. Requires progressive discipline plans be changed to restorative discipline.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6036/Text>

EDUCATION: NSHE**SB 82 – College Savings Plans of Nevada**

Requested by State Treasurer. Introduced by Committee on Education. (BDR 31-479)

Authorizes the State Treasurer to appoint a member on the Board of Trustees of the College Savings Plans of Nevada and reduces Governor appointed positions from three to two. Makes administrative changes including but not limited to the Board accepting gifts, depositing of money, and determining appropriate accounting methods.

Effective: Upon passage and approval for regulations and July 1, 2019 for Sections 1-5.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6025/Text>

GOVERNMENT: State and Local**AB 32 – Workforce Recruitment, Assessment and Training Programs**

Requested by Office of Economic Development. Introduced by Committee on Taxation. (BDR 18-329)

Refer to BUSINESS, this issue for summary.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5932/Text>

AB 34 – State Treasurer Securities Investing

Requested by State Treasurer. Introduced by Committee on Government Affairs. (BDR 31-476)

Expands the type of investments the State Treasurer can invest to bonds, notes or other obligations issued that are in US dollars, are senior unsecured unsubordinated obligations, have a remaining term to maturity of 5 years or less, and are rated by a nationally recognized rating service as “AA” or better.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5934/Text>

AB 39 – State Treasurer Deposits

Requested by State Treasurer. Introduced by Committee on Government Affairs. (BDR 31-477)

Requires the State Treasurer to deposit State funds into an insured state or national bank. Adds the deposit of collateral with a trust company, an investment company or an insured bank, to acceptable depositories.

Effective: Upon passage and approval for regulations and July 1, 2019 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5939/Text>

AB 40 – Nevada Executive Branch and Local Government Lobbying Regulation Act

Requested by Lieutenant Governor. Introduced by Committee on Legislative Operations and Elections. (BDR 23-401)

Prohibits gifts by lobbyists to public officers in State Executive Branch and local government officials. Makes uniform with the Legislative Branch Lobbying Act of 2015.

Effective: Upon passage and approval for regulations and January 1, 2020 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5940/Text>

AB 71 – Disaster Relief Expansion

Requested by Division of Emergency Management of Department of Public Safety. Introduced by Committee on Government Affairs. (BDR 31-349)

Authorizes the Attorney General to enter into an agreement with a tribal government to provide disaster relief. Creates a revolving account within the General Fund to award grants to persons who occupy homes damaged by disaster.

Effective: Upon passage and approval for regulations and January 1, 2020 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6014/Text>

AB 75 – PERS - Hybrid Retirement Program

Requested by State Controller. Introduced by Committee on Government Affairs. (BDR 23-466)

Establishes a hybrid retirement program for new employees who become members of Public Employees' Retirement System on or after July 1, 2020. It must consist of a defined benefit plan and a defined contribution plan. The plan must include but is not limited to, an annual cap on benefits, prohibit purchase of service credit, and provides a formula for monthly service retirement allowance.

Effective: Upon passage and approval for regulations and January 1, 2020 for all other purposes.

NTA Comment: PERS announced the need for retirement contribution increases as follows: Regular Employer/Employee paid would increase from 14.5% to 15.25% for a 0.75% increase; and Police/Fire Employer/Employee paid would increase from 20.75% to 22% each side (1.25% increase). The cost of the PERS increase to the General Fund is estimated at \$36.8 million (includes DSA which is \$21 million).

NTA POSITION: SUPPORT. Adoption of a hybrid plan should allow a slowing of the unfunded liability. That liability caused the contribution rate to the current defined benefit plan to increase again this biennium, which in turn decreases the amount of revenue available to state and local governments in Nevada to provide services and programs.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6018/Text>

GOVERNMENT: State

AB 33 – Office of the Chief Information Officer

Requested by Division of Enterprise Information Technology Services of Department of Administration. Introduced by Committee on Government Affairs. (BDR 19-192)

Changes the name of the Information Technology Oversight Committee and creates the Office of the Chief Information Officer within Department of Administration. Reorganizes Division of Enterprise Information Technology Services including the restructuring of the advisory committee.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5933/Text>

SB 51 – State Personnel System

Requested by Division of Human Resource Management of Department of Administration. Introduced by Committee on Legislative Operations and Elections. (BDR 23-183)

Officers authorize appointments to positions in unclassified service may appoint a full-time equivalent to serve concurrently for no more than 90 days. Removes classified/unclassified service and will have Division of Human Resource Management determine which positions are not entitled to overtime.

Effective: Upon passage and approval for regulations and January 1, 2020 for all other purposes.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5970/Text>

SB 70 – Charter Agency Creation

Requested by State Controller. Introduced by Committee on Government Affairs. (BDR 18-464)

Authorizes the Governor to designate, or rescind designation, of any department within the Executive Branch a charter agency. Provisions include, but are not limited to requiring the Governor and director of the proposed designated department to enter an agreement for performance measures to all employees of the charter agency becoming unclassified after one year.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6001/Text>

SB 78 – Ending Fund Balance

Requested by State Controller. Introduced by Committee on Government Affairs. (BDR 31-468)

Requires 50% of all remaining balances of appropriations made from the General Fund or the Highway Fund for operation of a state agency that are not obligated for expenditure before the end of the fiscal year must not revert back to the General Fund or Highway Fund and must be retained by the agency. This does not apply to a supplemental or one-time appropriation.

NTA POSITION. AMEND. To provide that funds retained by the agency should not be used for ongoing reoccurring expenditures as there is no guarantee there will be sufficient funds retained by the agency for the following year.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6013/Text>

GOVERNMENT: Local

AB 21 – Boards and Commission Members

Requested by Nevada Association of Counties. Introduced by Committee on Government Affairs. (BDR 20-484)

Authorizes county commissioners (in all but Clark and Washoe) to, by ordinance, appoint a member of a local governing body so long as the compensation entitled to be received is less than \$6,000 instead of elected.

<http://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5918/Text>

AB 50 – City Elections Dates

Requested by Secretary of State. Introduced by Committee on Legislative Operations and Elections. (BDR 24-473)

Requires cities to hold elections on the statewide election cycle beginning in the year 2022.

Effective: Upon passage and approval for Sections 17-53 and July 1, 2021 for Sections 1-16.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5950/Text>

SB 13 – County Nonprofit Corporation

Requested by Nevada Association of Counties. Introduced by Committee on Government Affairs. (BDR 20-483)

Authorizes the board of county commissioners to form a nonprofit corporation to aid the county during an emergency or a time of need in providing emergency assistance or any other governmental service including but not limited to social service and financial assistance for food and shelter.

Effective: October 1, 2019

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5869/Text>

SB 36 – Real Property Purchases for County Commissions

Requested by Clark County. Introduced by Committee on Government Affairs. (BDR 20-489)

Authorizes county commissioners to purchase real property for an amount exceeding the appraised value of the property if the board of county commissioners holds a public hearing before the purchase. Revises the provisions on the sale of real property by county commissioners.

NTA POSITION: AMEND. The notice of the auction should be in bold face type, so that it stands out in the legal notices section of the paper.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5955/Text>

SB 77 – Purchasing Groups Addition

Requested by Clark County. Introduced by Committee on Health and Human Services. (BDR 40-488)

Adds nonprofessional services to list of items purchasing groups may band together to purchase for purposes of obtaining a lower cost.

Effective: Upon passage and approval.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/6008/Text>

ELECTIONS

AB 50 – City Election Dates

Requested by Secretary of State. Introduced by Committee on Legislative Operations and Elections. (BDR 24-473)

Refer to GOVERNMENT: Local, this issue for summary.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5950/Text>

COURTS

AB 43 – District Judges

Requested by Nevada Supreme Court. Introduced by Committee on Judiciary. (BDR 1-498)

Increases the number of district court judges by 17.

Effective: October 1, 2019 for Sections 5 and 6 and January 4, 2021 for Sections 1-4.

NTA Comment: The Legislative Commission's Budget Subcommittee received testimony on January 29, 2019 that the increase was reduced to 10.

NTA Comment: This bill contains an unfunded mandate not requested by the affected local government. It provides the statutory provision (NRS 354.599) that prohibits unfunded mandates to local government does not apply to this bill. The cost of the mandate is for courtroom space, clerks, bailiffs, and other support staff.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5943/Text>

AB 46 – Judges Salaries

Requested by Nevada Supreme Court. Introduced by Committee on Judiciary. (BDR 1-500)

Increases prospectively (following the election or reelection) the annual base salary of a judge. The salaries increase as follows: Supreme Court Justices from \$140,000 to \$170,000 then to \$200,000; Court of Appeals Judges from \$165,000 to \$195,000; and District Court Judges from \$130,000 to \$160,000 to \$190,000.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5946/Text>

GENERAL INTEREST

AB 30 – Water Appropriation

Requested by Division of Water Resources of Department of Conservation and Natural Resources. Introduced by Committee on Natural Resources, Agriculture, and Mining. (BDR 48-214)

Allows the State Engineer to consider proposals to avoid or eliminate conflicts for an appropriation for the use of a source of water.

Effective: Upon passage and approval.

<https://www.leg.state.nv.us/App/NELIS/REL/80th2019/Bill/5930/Text>

**CONGRATULATIONS TO THE FINALISTS FOR THE
21st ANNUAL CASHMAN GOOD GOVERNMENT AWARD**

City of Las Vegas
Office of Community Services
Courtyard Homeless Resource Center
(City over 100k)

The Harbor
Clark County Juvenile Assessment Center
(County over 400k)

Patty L. Mamola, PE
Executive Director
Nevada Board of Professional Engineers & Land Surveyors
(State)

Darren Schulz, Director of Public Works
City of Carson City
(City under 100k)

The winner will be announced at the NTA's Biennial Legislative Dinner and Annual Membership Meeting
February 21, 2019 – Carson Nugget, Carson City, Nevada

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Contact Us: www.nevadataxpayers.org ❖ info@nevadataxpayers.org

CARSON CITY OFFICE
116 East 7th Street, Suite 202
Carson City, Nevada 89701
(775) 882-2697

LAS VEGAS OFFICE
2303 East Sahara Avenue, Suite 102
Las Vegas, NV 89104
(702) 457-8442