



TO: Chairman and Committee Members
FROM: John Erwin, Dir. Natural Resources-Planning & Development
DATE: March 11, 2015
SUBJECT: **2015 TMWA Legislative Update Report**

The attached table contains updated data on pending legislative action through the date of this memo. Staff will update the Board on the progress of these bills and positions taken by the Board or its Legislative Subcommittee at future meetings as the Session progresses.

BILL # TOPICS: E- Energy F-Financial, Risk Management G-Governance HR-Human Resources L-Property O-Opening meeting, records, boards & election PE-PERS, PEBS PW-Public works S-Emergency mgmt, safety, vehicles WQ-Water quality, NDEP WR-rights, resources, conservation --A--	BILL/BDR SPONSOR GENERAL BILL TOPIC LEGISLATIVE LINK ASSEMBLY BILL SUMMARY -----B----- <u>OPEN MEETING, RECORDS, BOARDS & ELECTIONS</u>	BILL STATUS, COMMENTS &/OR EXPLANATIONS -----C-----	Board/Cmtee Position Action Date IP- initial position S- Support SA- Support/Amendec N-Neutral O-Oppose W-Watch T-Testify ---D---
5	AB40 Committee on Judiciary Revises provisions relating to the State Gaming Control Board. (BDR 41-352) O http://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB40.pdf Legislative Counsel's Digest: Under existing law, meetings of the State Gaming Control Board must be open to the public, except that certain meetings, including, without limitation, investigative hearings, may be conducted in private under certain circumstances. Section 1 of this bill specifically provides that certain actions and proceedings of the Board are not subject to certain provisions of the Open Meeting Law. Sections 2 and 3 of this bill change the name of the State Gaming Control Board to the Nevada Gaming Control Board.	2/20 Amend, and do pass as amended; Doesn't apply to TMWA but watching for changes that could.	1/27-W; IP
6	AB43 Committee on Transportation Clarifies confidentiality provisions governing certain documents. (BDR 35-377) O http://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB43.pdf Under existing law, the Department of Transportation is authorized to advertise for proposals from design-build teams and contract with a design-build team for the design and construction of certain projects. The Department is also authorized to accept requests from certain persons seeking to develop, construct, improve, maintain or operate certain transportation facilities. The Department may authorize the person who requested such a project to carry out the project or may request that other persons submit proposals for the project. Sections 2 and 3 of this bill provide that certain documents or other information submitted to the Department by a person seeking a contract with the Department for a design-build project or a transportation facility project are confidential until the contract is awarded. Existing law authorizes public bodies to construct public works by advertising for proposals for a construction manager at risk and then selecting and entering into a contract with a construction manager at risk. Section 6 of this bill provides that certain documents or other information submitted to a public body by a construction manager at risk seeking a contract with a public body for a public works project are confidential until the contract is awarded. Under existing law, all public books and records of a governmental entity, the contents of which are not otherwise declared by law to be confidential, are required to be open at all times during office hours for inspection and copying by the public. Section 8 of this bill adds to the list of public books and records which are declared confidential those documents and other information as reflected in sections 2, 3 and 6.	3/5 Amend, and do pass as amended; 2/5 Heard	1/30-W; IP

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7 AB135 O	Committee on Government Affairs Revises provisions relating to schedules for the retention and disposal of official state records. (BDR 19-547) http://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB135.pdf Existing law requires certain state agencies, boards and commissions, in cooperation with the Division of State Library and Archives of the Department of Administration, to develop a schedule for the retention and disposition of the official state records of the agency, board or commission. Existing law also requires the Division to submit the schedules to the Committee to Approve Schedules for the Retention and Disposition of Official State Records for approval. Upon approval of a schedule, existing law provides that an official state record may be disposed of only in accordance with the approved schedule. (NRS 239.077, 239.080) As recommended by the Sunset Subcommittee of the Legislative Commission, this bill requires the Division to develop and conduct a program of education and training concerning the retention and disposition of official state records for employees of such agencies, boards and commissions. This bill also requires the head of a state agency, board or commission that is required to maintain its official state records in accordance with such an approved schedule to require certain employees to complete the program. This bill further requires the head of an agency, board or commission to issue a letter of reprimand to an employee of the agency, board or commission who disposes of an official state record in a manner contrary to the approved schedule. This bill also authorizes the head of an agency, board or commission to take more severe disciplinary action against such an employee in appropriate circumstances.	2/19 Heard	2/10-W; IP
<u>GOVERNANCE</u>			
8 AB60 G	Committee on Legislative Operations and Elections Revises provisions relating to ethics in government. (BDR 23-309) http://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB60.pdf AN ACT relating to ethics in government; revising provisions relating to ethics in government; and providing other matters properly relating thereto. Under the Nevada Ethics in Government Law, the requirement to disclose a conflict of interest applies to public officers as well as public employees, but the requirements relating to abstention only apply to public officers. Section 2 of this bill extends to public employees the requirements relating to abstention from taking action on matters on which a public employee has a prescribed conflict of interest.	2/5 Heard	1/27-W; IP

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11 AB172 HR	<p>Assemblymen O'Neill, Oscarson, Kirner, and Stewart; Senators Goicoechea, and Settlemeyer Requires contractors and subcontractors on a public work to use the federal E-Verify system to verify eligibility for employment for workers on the public work and revises prevailing wage requirements for public works. (BDR 28-565)</p> <p>http://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB172.pdf</p> <p>Under existing law, a contractor or subcontractor on a public work must comply with certain requirements, such as making employment decisions without discrimination based on race, color, creed, national origin, sex, sexual orientation, gender identity or expression, or age. Section 1 of this bill requires a contractor or subcontractor on a public work to use the federal E-Verify system to verify the employment eligibility of all workers on the public work. Under existing law, any contract for a public work whose cost is \$100,000 or more is subject to the prevailing wage requirements. The prevailing wage requirements also apply if a redevelopment agency provides financial incentives to the developer with a value of more than \$100,000. Existing law also provides specifically that contracts for construction work of the Nevada System of Education for which the estimated cost exceeds \$100,000 require the payment of prevailing wage even if the construction work does not qualify as a public work. Sections 3 and 4 of this bill raise the threshold for the applicability of prevailing wage requirements from \$100,000 to \$5,000,000, and also make a technical correction in section 4 clarifying that if the relevant work will cost exactly \$5,000,000, the work is subject to the prevailing wage requirements. Section 3 also excludes from the prevailing wage requirement: (1) any contract for a public work to which a school district, a charter school or the Nevada System of Higher Education is a party; and (2) a public work of, or constructed by, a school district, a charter school or the Nevada System of Higher Education. Section 6 of this bill eliminates the requirement that the Nevada System of Higher Education pay prevailing wage on certain construction work that does not qualify as a public work.</p>	<p>2/23 Mentioned no jurisdiction 3/10 Crossreference SB108</p>	<p>3/2-W; IP</p>

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16 AB137 PW	<p>Assemblymen Ellison, Wheeler, Hambrick, Fiore, Hansen, Armstrong, Dickman, Gardner, Hickey, Kirner, Munford, O'Neill, Oscarson, Seaman, Silberkraus, Stewart, and Trowbridge; Senators Goicoechea, and Settlemeyer</p> <p>Revises provisions governing contractors. (BDR 54-513) http://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB137.pdf</p> <p>Existing law requires persons engaged in certain construction work to be licensed contractors, regulates the activities of licensed contractors, prohibits persons from making certain advertising claims about themselves as contractors, and provides criminal and monetary penalties for violations of the preceding provisions. Under existing law, it is unlawful for a licensed contractor or an applicant to become a licensed contractor to misrepresent a material fact in connection with any information or evidence furnished officially to the State Contractors' Board. Section 2 of this bill expands the prohibition to include omissions of material facts as well as misrepresentations. Section 3 of this bill adds the solicitation of a bid or estimate from an unlicensed person to the list of acts for which a licensed contractor may be subject to disciplinary action. In addition, section 13.3 mandates the suspension or revocation of the license of any contractor who engages in certain acts. Existing law prohibits licensed contractors and other persons from engaging in certain acts of advertising that are false or misleading. Section 5 of this bill: (1) requires any person who advertises to perform or complete construction work or a work of improvement, and who is not a licensed contractor to affirmatively state in the advertisement that they are not licensed; and (2) makes it unlawful for any person to advertise to perform or complete construction work or a work of improvement using a license number not assigned to that person. Section 6 of this bill increases the monetary fines that may be imposed for violations of certain provisions of chapter 624 of NRS. Sections 1 and 4 of this bill make conforming changes.</p>	3/2 Heard	2/24-W; IP

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18 AB215 PW	Committee on Government Affairs Revises provisions governing public works. (BDR 28-540) http://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB215.pdf Existing law defines the term “public work” for certain purposes, including bidding for a contract for the construction of a public work, to include any construction project financed in whole or in part by public money, or any building of the Nevada System of Higher Education of which 25 percent or more of the costs are financed with state or federal money. Section 1 of this bill amends this definition as it pertains to buildings of the System to include a building which is financed with any state or federal money. Existing law provides for a preference in bidding for a public work if an applicant meets certain requirements. Section 2 of this bill amends these requirements to provide that a bid submitted as a construction manager at risk must utilize Nevada residents for 50 percent of their design team in order to receive a bidding preference. Existing law provides for the procedure for evaluating and ranking proposals submitted by construction managers at risk. Section 4 of this bill requires that a panel that reviews the bid proposals and the applicant interviews must contain some independent members who are not employed by the awarding agency. Section 4 also provides that a preference in bidding must be given to an applicant which is headquartered or maintains a permanently staffed office in this State. Section 4 further provides that if a proposal or interview requires the applicant to provide a proposed amount of compensation for managing the preconstruction and construction of the public work, the compensation must be calculated as at least 5 percent, but not more than 20 percent of the bid scoring. Finally, section 4 provides that the rankings of applicants compiled by the review panel must be reviewed and certified by the State Public Works Board.	3/4 From printer. To committee; 3/3 Discussed as BDR	3/12-W; IP

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22 AB190 PE	Committee on Government Affairs Revises provisions governing public employees' retirement. (BDR 23-184) http://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB190.pdf AN ACT relating to public employees' retirement; providing for the establishment of a hybrid retirement program for certain public employees; requiring the program to include a defined benefit plan and a defined contribution plan; setting forth the required provisions of each plan; requiring certain public employers under certain circumstances to make additional contributions to the Public Employees' Retirement System to reduce the unfunded liability of the System; and providing other matters properly relating thereto.	3/11 Without recommendation, and rerefer; 3/3 Heard	3/3-W; IP
<u>WATER QUALITY, NDEP</u>			
23 AB169 WQ	Committee on Health and Human Services Provides for the collection and application of graywater for a single-family residence. (BDR 40-804) http://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB169.pdf AN ACT relating to graywater; requiring the State Board of Health to adopt regulations concerning systems for the collection and application of graywater for a single-family residence; requiring a permit for such graywater systems; providing that state and local governmental agencies must not prohibit graywater systems that meet certain requirements; allowing restrictions on graywater systems within common-interest communities; and providing other matters properly relating thereto.	3/9 Heard; 2/16 Discussed as BDR	2/25-W; IP
<u>WATER RIGHTS, RESOURCES, & CONSERVATION</u>			
24 AB198 WR	Assemblymen Oscarson, and Wheeler; Senators Goicoechea, and Settlemeyer Requires the Legislative Committee on Public Lands to conduct a study concerning water conservation and alternative sources of water for Nevada communities. (BDR S-805) http://www.leg.state.nv.us/Session/78th2015/Bills/AB/AB198.pdf Under existing law, the Legislative Committee on Public Lands is authorized to review and comment on the laws, regulations and policies relating to the use, allocation and management of water in this State. This bill requires the Committee to conduct a study concerning water conservation and alternative sources of water for Nevada communities and to submit a report of its findings and any recommendations for legislation to the 79th Session of the Nevada Legislature.	3/17 Scheduled Meeting; 3/5 Heard	3/3-W; IP

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1 SB26 F	Committee on Government Affairs Revises provisions governing the collection of debts by the State Controller. (BDR 31-499) http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB26.pdf AN ACT relating to state financial administration; authorizing the State Controller to withhold income from the wages of a person who owes a debt to a state agency after a judgment has been obtained against the person; authorizing the imposition of a fine and punitive damages against an employer under certain circumstances; and providing other matters properly relating thereto.	3/11 Amend, and do pass as amended; 2/27 Heard, No Action	3/2-W; IP
2 SB67 F	Committee on Commerce, Labor and Energy Revises provisions governing the regulation of insurance. (BDR 57-371) http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB67.pdf AN ACT relating to insurance; adopting the provisions of various model laws and acts of the National Association of Insurance Commissioners; revising provisions regarding the confidentiality of certain information and materials provided to the Division of Insurance of the Department of Business and Industry; revising provisions regarding the requirements for annual financial statements filed by self-insured groups for workers' compensation; revising provisions regarding licensing requirements; revising provisions regarding the cash value of policies of life insurance; allowing insurer's to issue electronic proof of insurance certificates for automobiles; revising provisions governing state-chartered risk retention groups; authorizing the Division to access certain sealed records of licensees and applicants for licenses; and providing other matters properly relating thereto.	2/20 Amend, and do pass as amended; 2/2 Read first time to committee	3/2-W; IP
3 SB149 F	Senators Atkinson, Kihuen, and Ford; Assemblymen Sprinkle, and Carlton Provides for a program of matching grants to local governments for the maintenance and repair of public works. (BDR 43-669) http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB149.pdf AN ACT relating to public works; requiring the State Treasurer to establish a program to provide matching grants of money to local governments in this State for the maintenance and repair of public works; authorizing for that purpose the issuance of general obligation bonds of the State of Nevada; providing for the administration of the program and authorizing the adoption of regulations; allocating a portion of the basic governmental services tax to the State General Fund and the State Highway Fund; and providing other matters properly relating thereto.	3/5 Heard, No action; 3/2 Notice of eligibility for exemption	3/2-W; IP

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3 SB149 F	Senators Atkinson, Kihuen, and Ford; Assemblymen Sprinkle, and Carlton Provides for a program of matching grants to local governments for the maintenance and repair of public works. (BDR 43-669) http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB149.pdf AN ACT relating to public works; requiring the State Treasurer to establish a program to provide matching grants of money to local governments in this State for the maintenance and repair of public works; authorizing for that purpose the issuance of general obligation bonds of the State of Nevada; providing for the administration of the program and authorizing the adoption of regulations; allocating a portion of the basic governmental services tax to the State General Fund and the State Highway Fund; and providing other matters properly relating thereto.	3/5 Heard, No action; 3/2 Notice of eligibility for exemption	3/2-W; IP
<u>HUMAN RESOURCES</u>			
4 SB24 HR	Committee on Commerce, Labor, and Energy Revises provisions governing unemployment compensation. (BDR 53-383) http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB24.pdf AN ACT relating to unemployment compensation; authorizing the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation to make certain information available to the Board of Regents of the University of Nevada and the Director of the Department; revising the manner in which a person who has received certain benefits or money may elect a base period; revising the period within which the Administrator may recover certain overpayments; expanding the circumstances under which a person may commit unemployment insurance fraud; providing a penalty; and providing other matters properly relating thereto.	2/27 Amend, and do pass as amended; 2/9 Notice of eligibility for exemption; 2/4 Heard, no action	2/3-W; IP
5 SB158 HR	Committee on Government Affairs Revises provisions relating to collective bargaining by local governments. (BDR 23-704) http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB158.pdf If a local government employer is a party to a collective bargaining agreement or similar agreement, existing law requires that the agreement be approved at a public hearing by the governing body of the local government employer. Section 1 of this bill requires that a copy of the proposed agreement and certain supporting material relating to the agreement be made available to the public not less than 10 days before the hearing, either by posting the documents on the Internet website of the local government or, if the local government does not have such a website, by depositing the documents with the clerk of the governing body. Any document so deposited is a public record and must be open for public inspection. Existing law provides for the public dissemination of any supporting material provided to a public body in connection with a meeting of the body, and establishes the time within which such material must be made available to the public. Section 2 of this bill revises those provisions to conform with the requirements of section 1.	2/27 Heard, No Action; 2/17 From printer. To committee	2/13-W; IP

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6	SB164 Senators Parks, Spearman, Woodhouse, Manendo, Atkinson, Ford, and Kihuen; Assemblymen Elliot Anderson, Swank, Carrillo, Araujo, and Thompson Revises provisions prohibiting certain discriminatory acts. (BDR 18-59) http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB164.pdf This bill adds "gender identity or expression" and "sexual orientation" to various provisions of existing law that prohibit discrimination, thus expanding the bases upon which discrimination is impermissible. Section 13 of this bill specifically adds "gender identity or expression" to the list of attributes upon which the murder of a person in the first degree may be aggravated. Sections 5 and 6 of this bill define the terms "gender identity or expression" and "sexual orientation" for use throughout the entirety of the Nevada Revised Statutes (NRS). Sections 1, 7, 12, 14, 18, 23, 29, 34-36, 38 and 40 of this bill delete definitions for those terms from existing sections of NRS, without changing their meanings, to avoid repeating the definitions in multiple locations.	2/17 From printer. To committee.	2/18-W; IP
7	SB167 Roberson, Brower, Hammond, Harris, Lipparelli, and Kieckhefer Revises provisions relating to employment. (BDR 18-265) http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB167.pdf AN ACT relating to employment; revising provisions governing the filing of complaints of employment discrimination with the Nevada Equal Rights Commission; revising the relief that the Commission may order if it determines that an unlawful practice has occurred; providing that it is an unlawful employment practice for an employer, employment agency or labor organization to discriminate against a person for inquiring about, discussing or disclosing information about wages in certain circumstances; revising provisions relating to the time in which an employee may seek relief in district court for a claim of unlawful employment practices; and providing other matters properly relating thereto.	3/2 Heard, No Action; 2/17 From printer. To committee	2/18-W; IP
8	SB168 Senators Settelmeyer, Goicoechea, Gustavson, and Lipparelli; Assemblymen Kirner, O'Neill, Trowbridge, and Wheeler Revises provisions relating to collective bargaining by local government employers. (BDR 23-602) http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB168.pdf Existing law establishes certain mandatory subjects of bargaining in the negotiation of a collective bargaining agreement between a local government employer and a recognized employee organization. Among these mandatory subjects is a requirement that the parties bargain over procedures and requirements for the reopening and renegotiation of the agreement during periods of fiscal emergency. Currently, the existence of such an emergency is determined on the basis of revenue shortfalls or other criteria agreed to by the parties. Section 1 of this bill authorizes a local government to reopen a collective bargaining agreement during a fiscal emergency and sets forth the circumstances under which such an emergency shall be deemed to exist. The procedural requirements relating to the reopening of the agreement remain a mandatory subject of bargaining. Existing law provides for the resolution of an impasse in collective bargaining through fact-finding, arbitration or both, but imposes limitations on the money that a fact finder or arbitrator may consider in determining the financial ability of a local government employer to pay compensation or monetary benefits. Section 2 of this bill provides, for certain governmental funds, that a budgeted ending fund balance of not more than 25 percent of the total budgeted expenditures, less capital outlay, is not subject to negotiation and cannot be considered by a fact finder or arbitrator in determining ability to pay.	3/11 Amend, and do pass as amended; 2/27 Heard, No Action; 2/18 From printer. To committee	2/18-W; IP

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<u>GOVERNANCE</u>			
11 SB11	<p>Senator Goicoechea Grants power to local governments to perform certain acts or duties which are not prohibited or limited by statute. (BDR 20-284)</p> <p>G http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB11.pdf</p> <p>In 1868, Judge John F. Dillon of the Iowa Supreme Court established a common-law rule of statutory interpretation known as Dillon’s Rule, which limits the powers of local governments. Under Dillon’s Rule, a local government is authorized to exercise only those powers which are: (1) expressly granted; (2) necessarily or fairly implied in or incident to the powers expressly granted; or (3) essential to the accomplishment of the declared purposes of the local government. Under existing law, county commissioners are authorized to exercise only those powers which are expressly granted and powers that are necessarily implied to carry out express powers. Sections 2-7 of this bill authorize a board of county commissioners, with limited exceptions, to exercise all powers needed for the effective operation of county government, 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. Under existing law, a city government is authorized to exercise only those powers expressly granted by the charter or laws creating the city, and the necessary means of employing those powers. Sections 9-14 and 16-21 of this bill authorize city governments, whether created by general law or charter, to exercise all powers needed for the effective operation of city government, with limited exceptions, 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.</p>	<p>3/11 Heard, No Action; 2/25 Mentioned no jurisdiction Cross reference SB29</p>	<p>2/5-W; IP</p>
12 SB29	<p>Committee on Government Affairs Grants power to a board of county commissioners to perform certain acts which are not prohibited or limited by statute. (BDR 20-465)</p> <p>G http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB29.pdf</p> <p>In 1868, Judge John F. Dillon of the Iowa Supreme Court established a common-law rule of statutory interpretation known as Dillon’s Rule, which limits the powers of local governments. Under Dillon’s Rule, a local government is authorized to exercise only those powers which are: (1) expressly granted; (2) necessarily or fairly implied in or incident to the powers expressly granted; or (3) essential to the accomplishment of the declared purposes of the local government. Under existing law, county commissioners are authorized to exercise only those powers which are expressly granted and powers that are necessarily implied to carry out express powers. This bill authorizes a board of county commissioners, with limited exceptions, 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.</p>	<p>2/2 Read first time. To committee</p>	<p>1/23-W; IP</p>

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13 SB157 G	Committee on Government Affairs Enacts the State and Local Government Cooperation Act. (BDR 22-706) http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB157.pdf This bill enacts the State and Local Government Cooperation Act. Section 7 of this bill provides that the purpose of the Act is to facilitate cooperation and coordination between state agencies and local governments to: (1) provide consistency in interpretive rulings made by state agencies and local governments; and (2) encourage communication and foster positive working relationships between the Executive Department of State Government and local governments. Sections 4-6 of this bill define "interpretive ruling," "local government" and "state agency." Section 8 of this bill requires a state agency, before making an interpretive ruling that may affect an interpretive ruling of a local government, to: (1) inform and solicit comments from the local governments that may be affected; (2) allow a reasonable time for each such local government to submit comments; (3) consider any comments received from affected local governments in preparing its interpretive ruling; and (4) inform in writing each affected local government that submitted comments of the state agency's proposed interpretive ruling. Section 8 also authorizes a local government to submit a request to the Governor, or his or her designee, to consider any inconsistency between the proposed interpretive ruling of the state agency and an interpretive ruling of a local government. If the Governor, or his or her designee, considers such a request, he or she may recommend sustaining or amending the state agency's ruling. Section 9 of this bill provides that nothing in the Act shall be interpreted to: (1) limit the power of a state agency to carry out its statutory duties and responsibilities; (2) supersede any law providing for the right of any party to seek administrative or judicial review in a contested case; or (3) otherwise affect the right of any party to seek such review.	2/17 From printer. To committee.	2/16-W, IP
<u>PUBLIC WORKS</u>			
14 SB47 PW	Committee on Government Affairs Makes various changes relating to the Consolidated Local Improvements Law. (BDR 22-421) http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB47.pdf AN ACT relating to local improvements; removing the provision that a commercial area vitalization project is limited to an area zoned primarily for business or commercial purposes and deleting the statutory references to such a project; authorizing the governing body of a municipality to acquire, improve, operate and maintain a neighborhood improvement project for the beautification and improvement of an area without regard to its zoning; authorizing the provision of additional public services in such an area; expanding the applicability of provisions authorizing a special assessment within an improvement district located in a redevelopment area; authorizing the use of money in a surplus and deficiency fund for the payment of certain administrative costs; increasing the amount of money subject to transfer to such a fund after the outstanding indebtedness of an improvement district has been paid; revising provisions for the collection of unpaid assessments and the modification of an improvement project; and providing other matters properly relating	3/11 Amend, and do pass as amended; 2/18 Heard, No Action	2/3-W; IP

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15 SB108 Settelmeyer PW	Revises provisions relating to public works projects. (BDR 28-598) http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB108.pdf Existing law sets forth general provisions applicable to public works for which the cost is in excess of \$100,000, including provisions requiring: (1) reports by the public body undertaking the public work to the Labor Commissioner; (2) enforcement of certain provisions regarding public works contracts by the Labor Commissioner, with prosecution of any violations by the Attorney General; (3) the payment of prevailing wages to employees on the public work; and (4) the advertisement in certain publications for bids on the public work. The prevailing wage requirements and certain reporting requirements also apply to a redevelopment project if a redevelopment agency provides financial incentives to the developer with a value of more than \$100,000. Existing law also sets forth certain provisions applicable to public works for which the cost is less than \$100,000, including a provision requiring a preference in bidding for certain businesses owned by a veteran with a service-connected disability, and provisions authorizing a state or local government to: (1) perform the work itself; or (2) solicit bids from three licensed contractors if the estimated cost of the public work is more than \$25,000 but not more than \$100,000, or solicit bids from at least one licensed contractor if the estimated cost of the public work is \$25,000 or less. This bill changes the \$100,000 threshold to \$1,000,000, and in several sections, a technical correction is made clarifying that if the relevant work will cost exactly \$1,000,000, the requirements for those public works estimated to cost in excess of \$1,000,000 will apply.	2/2 From printer. Read first time. To committee Cross reference AB172	2/2-S; IP
16 SB223 PW	Committee on Commerce, Labor and Energy Revises provisions relating to contractors. (BDR 53-984) http://www.leg.state.nv.us/Session/78th2015/Bills/SB/SB223.pdf Existing law makes an original contractor liable for any indebtedness incurred by a subcontractor for labor costs, including benefits payable to a trust established by a collective bargaining unit. Sections 1 and 3 of this bill provide that a prime contractor is not liable for the labor costs of a subcontractor to the extent those costs are: (1) interest, liquidated damages, attorney's fees or costs resulting from a subcontractor's failure to pay contributions or other payments to, or on behalf of, an employee; or (2) any amounts for which the prime contractor did not receive adequate notice in the manner that section 5 of this bill requires. Section 2 of this bill reduces the statute of limitations period applicable to commencing an action against a prime contractor for the recovery of wages or benefits due to an employee of a subcontractor. Existing law also provides that a mechanics' or materialmen's lien claimant must provide a notice of right to lien to an owner of property upon which work has been performed unless the claimant is a person who only performed labor on the project. Section 4 of this bill provides that a mechanics' and materialmen's lien claimant shall not avoid the obligation to provide a notice of lien to a property owner by a claim that the property owner had actual or constructive notice that the lien claimant provided work, equipment, materials or services to the project. In addition, section 4 excludes from the exemption an express benefit trust which receives a portion of the compensation paid to a laborer. Section 5 of this bill requires an administrator of a Taft-Hartley trust that does not receive a benefit payment required to be made to the trust by a general contractor or subcontractor, within 45 days after the required payment was due, to provide notice to the general contractor and subcontractor that the benefit payment has not been received. Existing law requires the Labor Commissioner, in the context of public works, to enforce various provisions relating to labor, wages and employment practices, allows the Labor Commissioner to impose an administrative penalty of not more than \$5,000 for each violation thereof and requires the Labor Commissioner to report each such violation to the Attorney General. Section 6 of this bill adds failure to comply with the notice requirements of section 5 to the impermissible acts within the scope of the enforcement powers of the Labor Commissioner that are set forth in NRS 228.015.	3/9 Heard, No Action; 3/6 Read first time	3/12-W; IP

