

The attached document was submitted to the **Washoe County Board of Commissioners** during the meeting

held on 5-16-17

by Al Rogers

for Agenda Item No. 9 $\frac{1}{2}$ 10

and included here pursuant to NRS 241.020(7) as

amended by AB65 of the 2013 Legislative Session.



WASHOE COUNTY

OFFICE OF THE COUNTY MANAGER

INTEGRITY COMMUNICATION SERVICE

2017 Legislative Session Week 14 Report May 8 to May 12 2017

Items of Interest

Week of May 8

Monday:

Assembly Government Affairs

- SB462: Authorizes a board of county commissioners to create a committee to review general improvement districts.
 - The purpose of the bill is to allow for some oversight of the GIDs to ensure they are doing their jobs and are still needed. Senator Settlemeier discussed that some of these districts no longer meet, but Counties have little to no authority to disband them. The bill does not allow for any action against a GID, however it does leave it open should a local government or Legislator wish to bring forward a bill, similar to how the Legislative Sunset Subcommittee does now.
 - Commissioner Berkbigler spoke in support of the bill as a useful tool, for things like TV Districts which are no longer needed, and confirmed that our DA has advised that we do not have nay oversight of GIDs.

Senate Judiciary

- AB254: Revises provisions governing guardianships.
 - Bill aims to set forth guardian to get accounting of trust, if beneficiary, ward is beneficiary of trust.
- AB288: Revises provisions relating to the protection of older persons and vulnerable persons.
 - Closes some of the loop holes that currently exist, which they believe helps to allow abuse to occur.
 - There was an amendment to help clarify some of the criminalization issues and concerns with the bill.

Senate Health and Human Services

- AB438: Revises provisions relating to offenses involving controlled substances.
 - This would be a tool to help not to jail those who simply transport drugs between locations and allows for avenues to be followed to help direct charges and convictions to the "real drug dealers"

Senate Finance

- SB124: Revises provisions concerning the ownership, possession and control of firearms by certain persons.
 - The bill will restrict those convicted of domestic violence, battery or stalking from owning a firearm. The bill is not retroactive.



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Tuesday:

Assembly Government Affairs

- SB356: Revises provisions to collective bargaining.
 - Makes all fact-finding binding, with exception to sheriff and fire, as well as evergreen provisions.
 - We submitted a letter from our DA to express our opposition.

Assembly Natural Resources, Agriculture and Mining

- SB270: Revises provisions relating to water.
 - Would allow anyone with vested claims 10 years to present such claims to the state to confirm such claims. The purpose of the bill is to ensure that when water rights are discussed people with vested water rights that those rights are confirmed, and allows for a better understanding of what water rights might be available before allowing for more water rights in basins where there may not be enough water to grant such requests.
 - There were some concerns expressed that people could lose their water rights, whether that occurs for not filing with the state, or for not having appropriate proof of claim to their rights.
- SB371: Establishes provisions governing the care of an animal which has been impounded.
 - Gives more strength and allowance for counties, by putting in statute options that are available should a resident be in jail and what will happen with their pets. The bill allows for a pet owner to allow release of the animal to a family member or friend, allows them to relinquish their rights, or allows for a charge to be placed on the pet, which must be paid by the owner prior to the animal being released back to the owner upon their release.
 - Animal Regional Services testified in support, noting these follow our current practices and how well we work with the sheriff's office to help find appropriate accommodations for a pet should the owner be in jail.
- SB411: Revises provisions governing cruelty to animals.
 - This puts into statute the rules should a county adopt an ordinance for feral cats, and that the adoption of a "Trap, Neuter and Release" (TNR) program is not abandonment of a cat. It will mirror the program that Washoe currently has for our feral cat program. Senator Manendo discussed the number of cats that we no longer euthanize due to our now enacted "TNR" program.
 - Shyanne Schull testified in support of the bill.

Senate Revenue and Economic Development

- SB487: Imposes an excise tax on sales of marijuana and related products by a retail marijuana store.
 - Allows for up to a 3% tax be added to the cultivation, production and sale of marijuana and marijuana products by a local government
 - Requires flat fee for business licensure of recreational and medicinal marijuana.

Assembly Taxation

- SB442: Revises provisions relating to economic development.
 - Governor's Office of Economic Development had language that clarified many of the original provisions from the 2015 session and added some language to deal with things not anticipated in 2015.



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Wednesday

Senate Commerce, Labor and Energy

- AB163: Revises provisions governing short-term loans.
 - Addresses some of the issues that allow some bad actors in the short-term lending business to take advantage of existing laws.
 - Many of the pay-day lenders worked with the sponsor and supported the bill that tightens up these issues.

Assembly Government Affairs

- SB469: Revises provisions governing collective bargaining by local government employers.
 - The bill changes the budgeted ending fund balance subject to collective bargaining regarding the local government's ability to pay from 25% to 16.67%.

Assembly Judiciary

- SB29: Provides for the transfer of a criminal case from one justice court or municipal court to another such court or a district court in certain circumstances.
 - Allows for criminal cases where the defendant could be eligible for a specialty court, if were offered in the jurisdiction where the crime occurred, to use such specialty courts in neighboring jurisdictions that do have such courts.
- SB277: Revises provisions relating to criminal justice information.
 - Allows for a centralized crime repository to strengthen the sharing of information between different areas and departments within the State.
 - Sheriff and our District Attorney supported the bill.
- SB344: Revises provisions relating to the labeling, packaging and advertising of marijuana.
 - The bill restricts a local government from implementing their own packaging criteria for marijuana and marijuana edibles. However it does allow for licensure and other rights to the local governments so long as they are not more restrictive or conflicts with state law and regulation. For example, if the state allows for marijuana brownies to be made and sold, a local government cannot create an ordinance which states that marijuana brownies cannot be sold in that jurisdiction.

Senate Government Affairs

- AB271: Revises provisions governing collective bargaining by local government employers.
 - This bill makes no changes to how collective bargaining with law enforcement and firefighters works now. It would make all other fact finding binding and would require local governments to pay for time spent by an employee for their collective bargaining negotiations.

Assembly Ways and Means

- AB295: Makes a supplemental appropriation to the Division of Emergency Management of the Department of Public Safety for a projected shortfall for activities related to reimbursement for the 2017 floods.
 - Work session and passed out of committee



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Thursday:

Assembly Government Affairs

- SB176: Revises provisions relating to public safety.
 - There were questions of including school police, however it was decided that it was not appropriate for this bill, but is something they are looking at for the future.
 - Verizon submitted a letter that doing the E911 surcharge would exempt the state from federal grants. It was clarified in the hearing that because Nevada does not have a statewide 911 system, we are not eligible for such grants anyways.
 - Testified in support for the bill, along with the Sheriff's office and the Public Defenders.

Senate Revenue and Economic Development

- SJR14: Proposes to amend the Nevada Constitution to revise certain provisions relating to property taxes. (Work Session)
 - Passed (5-1)

Friday:

Assembly Judiciary

- SB387: Provides for the issuance of certain protection orders.
 - Allows for protection orders to be initiated by law enforcement officers with approval from district court if they feel a person is in danger and does not feel safe filing one themselves.
 - Also restricts those convicted of domestic violence, stalking or battery from owning a firearm.

Assembly Government Affairs

- SB236: Requires a license or permit issued by a local government to operate certain businesses in which the use of marijuana is allowed or to allow the use of marijuana at certain events.
 - Allows for local governments to issue licenses for marijuana social clubs, where they would not be able to sell the marijuana, but patrons of the establishment would need to bring their own.
- SB176: Revises provisions relating to public safety. (Work Session)
 - Passed out of committee with a 9-4 vote

Bills of Interest:

AB32 (Pest and weed abatement), AB45 (Voter registration), AB97 (sexual assault testing), AB80 (Reno redevelopment extension), AB120 (school construction tax), AB163 (Payday), AB194 (CrossRoads), AB246 (allows for improvement district between 2 counties), AB271 (would make the findings and award of a fact finder concerning employee organizations "final and binding), AB297 (E-commerce safe transaction zones at sheriff office locations), AB379 (creation of parks districts), ACR7 (interim study on property taxes)
SB8 (fee for PSI reports), SB9 (option to run PSI reports), SB176 (Law enforcement body cameras), SB271 (water), SB315 (Recycling), SB352 (Tax abatement for natural disasters). SB462 (GID review board), SJR14 (Amend Nevada Constitution on property taxes)



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Preview of Next Week: May 22 to May 26

Friday May 19 is Second Committee Passage, meaning without an exemption if the bill does not pass out of the second house committee it will be considered dead.

SB282: Revises provisions relating to peace officers.

AB120: Revises provisions relating to school construction.

AB375: Allows the imposition of certain taxes in a county to fund flood management projects of a flood management authority based on the recommendations of a flood control projects needs committee and voter approval.

SB409: Revises provisions relating to animals.

Washoe County 2017 Legislative Week 14 Bills of Interest

Bill	Description	Direction
Support		
AB297	<p>Requires certain local governments to designate sites for person to meet in order to complete the sale of personal property that was initiated on the Internet.</p> <p><u>Summary:</u> Requires local governments to designate at least 1 law enforcement location to have a designated area for people to meet and conduct their ecommerce sales.</p> <p><u>Status:</u> The bill was heard and passed unanimously out of Senate Government Affairs on May 5. We again testified in support of the bill.</p>	Support
SB176	<p>Revises provisions relating to public safety. (BDR: 23-666)</p> <p><u>Summary:</u> Requires that law enforcement employees who routinely interact with the public wear body cameras. Amended to extended the effective date to July 1, 2018 rather than January 1, 2018. The other provisions have remained the same for the requirement for certain law enforcement officers to wear body cameras and allows a board of county commissioners to enact a 911 surcharge of up to \$1.00, currently Washoe has a \$0.25 charge which means we can increase that by no more than an additional \$0.75.</p> <p><u>Status:</u> The bill was heard in Assembly Government Affairs on May 11, we testified in support of the bill.</p>	Support
SB352	<p>Revises provisions governing the taxation of property rebuilt after a natural disaster.</p> <p><u>Summary:</u> Makes changes to the calculation of property taxes imposed on single-family residences that are being replaced after a natural disaster is declared by the Governor.</p> <p><u>Status:</u> The bill was heard in Assembly Taxation on May 4, we and the Assessor's office testified in support of the bill.</p>	Support
SB462	<p>Authorizes a board of county commissioners to create a committee to review general improvement districts.</p> <p><u>Summary:</u> Allows for a board of county commissioners to create a committee to review each general improvement district in the county, establishing certain requirements for such a committee and requiring the GID to submit certain requested information to said committee.</p> <p><u>Status:</u> The bill was heard on May 8 in Assembly Government Affairs Committee, Commissioner Berkgigler testified in support.</p>	Support

Washoe County 2017 Legislative Week 14 Bills of Interest

Neutral		
AB97	<p>Revises provisions relating to evidence collected from forensic medical examinations of victims of sexual assaults. <u>Summary:</u> Requires law enforcement agencies to submit sexual assault forensic evidence kits to a forensic laboratory within a certain amount of time.</p> <p><i>Status: The bill has been referred to Assembly Committee on Ways and Means, therefore the bill is exempt from the deadline requirements. The bill has been amended with the change that requires a law enforcement entity to submit and sexual assault kits to a forensic lab by 30 days and that the forensic lab has 120 days to test the kit. The bill does allow a \$3,000,000 transfer from the General Fund to the Attorney General's office which can be paid out to the forensic labs through an interlocal agreement to help address the backlog of sexual assault kits. The expect a one time cost of \$300,000 for the lab renovations needed to accomodate the additional staff needed to meet the deadline requirements. We also expect an annual impact of \$1,341,617 for personnel and supplies needed to test the kits.</i></p>	Neutral, with concerns regarding the fiscal impact
Oppose		
AB384	<p>Revises provisions governing the consideration of the criminal history of an applicant for employment by the State or a county or city. <u>Summary:</u> Requires the review and consideration of a persons criminal history occur at the final stages of consideration for employment. Also set peramitures that must be considered concerning the criminal history of an applicant. There are exeptions for law enforcement and some others. If a person is not offered the position due to their criminal history it requires the county to send in writing the cause for not hiring them. It also allows the applicate to bring forward a complaint to the Nevada Equal Rights Commission should they beleive that they were denied the position without just cause.</p> <p><i>Status: The bill is scheduled to be heard on May 15 in Senate Legislative Operations and Elections.</i></p>	Oppose
SB315	<p>Revises provisions relating to waste disposal. <u>Summary:</u> requires reporting to amount or soiid waste that is recycied in a County and mandates what that amount must be, if the mandated amount is not met it would require the governing body to pay a fine to the State Environmental Commission. The bill was amended to apply to both construction recycling as well as their solid waste. What that means is that the 25% recycle mandate that the bill puts into place would only be measuring residential waste collected and compare it to residential recycling collected. If 25% of total residential waste collected is not recycling then we as the County would still be held liable for not meeting the mandate and be subject to penalties. <i>deadlines.</i></p>	Oppose

Washoe County 2017 Legislative Week 14 Bills of Interest

SB356	<p>Revises provisions relating to collective bargainig.</p> <p><u>Summary:</u> Removes the Evergreen provision which prohibits a local government employer from increasing any compenstion or monetary benefits upon the end of the term of a collective bargaining agreement until the sucessor agreement becomes effective. The bill also revises the requirement for the EMRB to conduct a hearing 45 days after deciding to here the complaing regarding collective bargaining.</p> <p><u>Status:</u> <i>The bill passed heard in Assembly Government Affairs on May 9, we submitted a letter from Civil District Attorney David Watts Vial outlining our opposition to the bill.</i></p>	Oppose
Bills Suggested to Take Position on		
AB271	<p>Revises provisions governing collective bargaining by local employers.</p> <p><u>Summary:</u> Would make the findings and award of a fact finder concerning employee organizations final and binding.</p> <p><u>Status:</u> <i>The bill has been scheduled to be heard on May 10 in Senate Government Affairs.</i></p>	Oppose
SB169	<p>Revises provisions relating to sexual offenses. (BDR 15-472)</p> <p><u>Summary:</u> Requires law enforcement agencies to submit sexual assault forensic evidence kits to a forensic laboratory within a certain amount of time.</p> <p><u>Status:</u> <i>The bill has been amended with the change that requires a law enforcement entity to submit and sexual assault kits to a forensic lab by 30 days and that the forensic lab has 180 days to test the kit. This would require a \$300,000 one time cost for lab renovations needed to meet the new staff requirements that would be needed. We also expect a \$1,221,515 fiscal impact annually for both staff and equipment needed to test the kits in the timeline given.</i></p>	Neutral, with concerns regarding the fiscal impact
Watch		
SB344	<p>Revises provisions relating to the labeling, packaging and advertising of marijuana.</p> <p><u>Summary:</u> Establishes state standards for packaging and restrictions for the production of marijuana and marijuana products. Also does not allow for local governments to create restrictions more stringent or in conflict with the state regualtions created by the bill.</p> <p><u>Status:</u> Has been heard in Assembly Judiciary on May 10.</p>	Watch
SB487	<p>Imposes an excise tax on sales of marijuana and related products by a retail marijuana store.</p> <p><u>Summary:</u> Allows for local governments who allow for sale of marijuana to impose a 3% tax at the cultivation, production and retail level.</p> <p><u>Status:</u> The bill was passed out of the Senate Revenue and Economic Committee on May 9 with a 4-3, party line vote.</p>	Watch

Washoe County 2017 Legislative Week 14 Bills of Interest

AB379	<p>Amends provisions relating to general improvement districts created for the purpose of furnishing recreational facilities.</p> <p><u>Summary:</u> Allows for the creation of special general improvement districts to create park districts, that can be formed by cities and/or counties and also allows for the creation of one that could be jointly created by cities and counties if they have shared space.</p> <p><u>Status:</u> The bill was heard in Senate Government Affairs on May 5. We are working with the sponsor to work out some concerns with the bill.</p>	Watch
AB120	<p>Revises provisions relating to school construction.</p> <p><u>Summary:</u> Creates a residential school construction tax and extends the time period for school districts to develop land that they acquire through new developments. The bill states that if a school districts asks for the construction tax to be implemented a Board of County Commissioners must enact the tax.</p> <p><u>Status:</u> The bill is scheduled to be heard on May 15 in Senate Government Affairs.</p>	Watch
AB80	<p>Revises provisions governing redevelopment in certain cities. (BDR 22-416)</p> <p><u>Summary:</u> Allowed Reno to extend the date of termination for certain redevelopment plans.</p> <p><u>Status:</u> The bill is scheduled to be work sessioned in Senate Government Affairs on May 15.</p>	Watch
AB32	<p>Revises provisions governing pest control. (BDR: 49-176)</p> <p><u>Summary:</u> Requires certain persons who engage in pest control, including government agencies and their employees to obtain a license from the Director of the State Department of Agriculture. Establishes procedures relating to such licensure and providing penalties to those not in compliance.</p> <p><u>Status:</u> The bill has passed out of the senate with a 20-0 vote.</p>	Watch
AB45	<p>Revises provisions relating to public office.</p> <p><u>Summary:</u> Requires training and accountability for people who work registration drives to decrease illegible, duplicate and incomplete voter registration forms.</p> <p><u>Status:</u> The bill was heard in Senate Legislative Operations and Elections on May 5.</p>	Watch
AB163	<p>Revises provisions governing certain short-term loans.</p> <p><u>Summary:</u> Requires a licensee to verify the ability of the customer to repay the loan before issuing a loan. Increases the grace period before a customer can obtain a second short-term loan.</p> <p><u>Status:</u> The bill was heard in Senate Commerce, Labor and Energy on May 10.</p>	Watch

Washoe County 2017 Legislative Week 14 Bills of Interest

AB194	<p>Provides for the certification of behavioral healthcare peer recovery support specialist.</p> <p><u>Summary:</u> Providing certification for behavioral healthcare peer recovery support.</p> <p><u>Status:</u> <i>The bill was heard on May 8 in Senate Commerce, Labor and Energy.</i></p>	Watch
ACR7	<p>Directs the Legislative Commission to conduct an interim study concerning property taxes.</p> <p><u>Summary:</u> The legislature will appoint a committee to conduct an interim study on property taxes to be considered by the next legislative session.</p> <p><u>Status:</u> <i>The bill was heard in Assembly Legislative Operations and Elections on March 30. The bill does not fall under the deadline rules.</i></p>	Watch
SB8	<p>Revises provisions relating to presentence and general investigations and reports. (BDR: 14-439)</p> <p><u>Summary:</u> Reduces the amount due to be paid by the County for presentence investigation reports to 30% instead of the 70% we currently pay. Further authorizes the County at its own expense to assume the duty of preparing a presentence or general investigation and report from the Division.</p> <p><u>Status:</u> <i>The bill has been referred to Senate Committee on Finance with the amendment to clarify that if a county enters into an agreement with the Division of Parole and Probation it may agree to pay up to the total costs of the presentence investigation reports, rather than paying the total costs. Because the bill has been referred to Finance it is exempt from the First House Passage deadline.</i></p>	Watch
SB9	<p>Revises provisions relating to presentence and general investigations and reports. (BDR: 14-437)</p> <p><u>Summary:</u> Authorizes a county to enter into an agreement with the Division to pay the total cost of the county's presentence or general investigations and reports. Keeps the presentence investigation reports at 70% paid by the County.</p> <p><u>Status:</u> <i>The bill passed has been referred to the Senate Committee on Finance with the amendment that clarifies the costs for the presentence investigation reports the same as SB8, it also states that if a county elects to conduct the reports themselves it will do so with county employees. Because the bill has been referred to Finance it is exempt from the First House Passage Deadline.</i></p>	Watch
SJR14	<p>Proposes to amend the Nevada Constitution to revise certain provisions relating to property taxes.</p> <p><u>Summary:</u> Makes changes to the Nevada Constitution to how property taxes are assessed for purposes of property taxes owed, which states that when a property is sold or transferred the taxes owed by the new owner will reset based on the assessed value of the property is. Requires the legislature to enact a "Senior and Disabled Taxpayer Protection Act" to provide property tax assistance to senior citizens and persons with disabilities.</p> <p><u>Status:</u> <i>The bill was passed out of Senate Revenue and Economic Development on May 11.</i></p>	Watch