

ASSEMBLY BILL NO. 464—COMMITTEE
ON GOVERNMENT AFFAIRS

(ON BEHALF OF THE LEGISLATIVE COMMISSION)

MARCH 27, 2017

Referred to Committee on Government Affairs

SUMMARY—Revises provisions governing certain reports required to be submitted by or to certain governmental entities. (BDR 22-542)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to reports; eliminating requirements to submit certain reports by or to certain governmental entities; requiring certain information be posted on the Internet websites of the Public Employee’s Retirement System and the Housing Division of the Department of Business and Industry; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 **Section 3** of this bill requires that a regional rapid transit authority established
2 in a county whose population is 700,000 or more (currently Clark County) submit
3 to the Legislature a biennial report instead of an annual report regarding certain
4 activities, findings and plans of the authority.

5 **Section 4** of this bill eliminates the requirement that the Housing Division of
6 the Department of Business and Industry submit to the Legislature an annual report
7 that includes a compilation of reports submitted to the Housing Division by the
8 governing bodies of certain cities and counties regarding the maintenance and
9 development of affordable housing. Instead, the Housing Division must post the
10 compilation on its Internet website.

11 **Section 5** requires the Merit Award Board to submit a biennial report instead of
12 an annual report to the Budget Division of the Office of Finance in the Office of the
13 Governor and to the Interim Finance Committee summarizing employee
14 suggestions rejected and adopted by state agencies and any legislation required to
15 be enacted before an employee suggestion is adopted.

16 **Section 6** of this bill eliminates the requirement that the Public Employees’
17 Retirement Board submit to the Governor and the Legislature an annual report



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18 regarding investments of money from the Public Employees' Retirement System in
19 certain scrutinized companies. Instead, the Board must post the report on the
20 Internet website of the System.

21 **Section 7** of this bill eliminates the requirement that a copy of the capital
22 improvement plan that is submitted by each local government to the Department of
23 Taxation and the appropriate debt management commission also be submitted to
24 the Legislature. **Section 8** of this bill eliminates the requirement that a report
25 concerning capital improvements of local governments that is submitted to the
26 Department of Taxation also be submitted to the Legislature. Instead, in each
27 instance, the Department must provide a copy of the plan or the report, as
28 applicable, to the Director of the Legislative Counsel Bureau upon his or her
29 request.

30 **Section 9** of this bill eliminates the requirement that the Commissioner of
31 Insurance report to the Legislature changes in certain insurance rates or to certain
32 uniform plans regarding insurance.

33 **Section 10** of this bill eliminates the requirement that: (1) the board of county
34 commissioners of each county whose population is 700,000 or more (currently
35 Clark County) submit to the Legislature and to the Legislative Committee on
36 Health Care a quarterly report providing information relating to persons transported
37 to medical facilities by each fire department and ambulance service operating in the
38 county; (2) the Board of Regents of the University of Nevada submit to the
39 Legislature a biennial report concerning the activities of the Police Department of
40 the Nevada System of Higher Education; (3) the Board of Regents submit to the
41 Legislature an annual report concerning the capital improvements owned, leased or
42 operated by the System; and (4) the State Fire Marshall submit to the Legislature a
43 biennial report concerning the effectiveness of provisions of law establishing
44 standards for fire safety for cigarettes and including any recommendations for
45 legislation to improve the effectiveness of such provisions of law.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** (Deleted by amendment.)

2 **Sec. 2.** (Deleted by amendment.)

3 **Sec. 3.** NRS 277A.345 is hereby amended to read as follows:
4 277A.345 1. In a county whose population is 700,000 or
5 more, the commission shall establish a regional rapid transit
6 authority. The membership of the regional rapid transit authority
7 must consist of:

8 (a) The general manager of the commission, who shall act as
9 chair of the authority;

10 (b) One member appointed by the board of county
11 commissioners;

12 (c) Three members, one from each of the three largest cities
13 within the county, who are appointed by the respective governing
14 bodies of each city;

15 (d) One member selected by the association of gaming
16 establishments whose membership collectively paid the most



1 gaming license fees to the State pursuant to NRS 463.370 in the
2 county in the preceding year;

3 (e) One member who is selected by the economic development
4 authority in the county;

5 (f) One member selected by the Department of Transportation;
6 and

7 (g) One member who has expertise in urban planning and design
8 or architecture selected by the Nevada Arts Council.

9 2. The regional rapid transit authority shall develop a plan for
10 the establishment of a regional rapid transit system:

11 (a) In cooperation with economic development, engineering,
12 planning, tourism and utility interests in the county; and

13 (b) With the goal of quantifying the implications of introducing
14 an exclusive rapid transit system in identified corridors in the
15 county.

16 3. In carrying out its duties pursuant to subsection 2, the
17 regional rapid transit authority shall:

18 (a) Hold public meetings to, without limitation:

19 (1) Evaluate the need for and desirability of a regional rapid
20 transit system;

21 (2) Assess corridor and route feasibility and desirability; and

22 (3) Review existing mass transit options to determine how to
23 incorporate such options into a regional rapid transit system;

24 (b) Undertake an analysis of various considerations involved
25 with introducing and implementing a regional rapid transit system in
26 the county, including, without limitation:

27 (1) An assessment of the available rapid transit technologies,
28 including, without limitation, technologies that use solar power or
29 other renewable energy sources to minimize or eliminate the use of
30 carbon-based fuels;

31 (2) An assessment of the opportunities, costs and constraints
32 of corridor options, including, without limitation:

33 (I) An examination and evaluation of existing rail
34 corridors and transit routes for inclusion in the regional rapid transit
35 system;

36 (II) An evaluation of potential sites for stations and
37 facilities for the regional rapid transit system; and

38 (III) Identification of locations in the county that would
39 benefit most from proximity to a regional rapid transit system,
40 including, without limitation, airports and existing or proposed
41 special event venues such as stadiums and racetracks;

42 (3) Estimates as to capital and operating costs;

43 (4) An assessment of potential ridership and passenger
44 demand;

45 (5) An assessment of the environmental impact;



1 (6) A potential project schedule; and
2 (7) An assessment of financing options and funding sources,
3 including, without limitation:

4 (I) Processes for securing federal funding; and
5 (II) The potential for voter approval for bonds to support
6 any portion of the regional rapid transit system.

7 4. On or before February 1 of each *odd-numbered* year, the
8 regional rapid transit authority shall submit a written report to
9 the Director of the Legislative Counsel Bureau for transmittal to the
10 appropriate committee or committees of the Legislature. The report
11 must set forth, without limitation:

12 (a) The activities and meetings of the authority;
13 (b) Any findings made by the authority regarding the analysis
14 required by subsection 3; and
15 (c) The plan or current draft of the plan developed by the
16 authority pursuant to subsection 2.

17 **Sec. 4.** NRS 278.235 is hereby amended to read as follows:

18 278.235 1. If the governing body of a city or county is
19 required to include the housing element in its master plan pursuant
20 to NRS 278.150, the governing body, in carrying out the plan for
21 maintaining and developing affordable housing to meet the housing
22 needs of the community, which is required to be included in the
23 housing element pursuant to subparagraph (8) of paragraph (c) of
24 subsection 1 of NRS 278.160, shall adopt at least six of the
25 following measures:

26 (a) At the expense of the city or county, as applicable,
27 subsidizing in whole or in part impact fees and fees for the issuance
28 of building permits collected pursuant to NRS 278.580.

29 (b) Selling land owned by the city or county, as applicable, to
30 developers exclusively for the development of affordable housing at
31 not more than 10 percent of the appraised value of the land, and
32 requiring that any such savings, subsidy or reduction in price be
33 passed on to the purchaser of housing in such a development.
34 Nothing in this paragraph authorizes a city or county to obtain land
35 pursuant to the power of eminent domain for the purposes set forth
36 in this paragraph.

37 (c) Donating land owned by the city or county to a nonprofit
38 organization to be used for affordable housing.

39 (d) Leasing land by the city or county to be used for affordable
40 housing.

41 (e) Requesting to purchase land owned by the Federal
42 Government at a discounted price for the creation of affordable
43 housing pursuant to the provisions of section 7(b) of the Southern
44 Nevada Public Land Management Act of 1998, Public Law
45 105-263.



1 (f) Establishing a trust fund for affordable housing that must be
2 used for the acquisition, construction or rehabilitation of affordable
3 housing.

4 (g) Establishing a process that expedites the approval of plans
5 and specifications relating to maintaining and developing affordable
6 housing.

7 (h) Providing money, support or density bonuses for affordable
8 housing developments that are financed, wholly or in part, with low-
9 income housing tax credits, private activity bonds or money from a
10 governmental entity for affordable housing, including, without
11 limitation, money received pursuant to 12 U.S.C. § 1701q and 42
12 U.S.C. § 8013.

13 (i) Providing financial incentives or density bonuses to promote
14 appropriate transit-oriented housing developments that would
15 include an affordable housing component.

16 (j) Offering density bonuses or other incentives to encourage the
17 development of affordable housing.

18 (k) Providing direct financial assistance to qualified applicants
19 for the purchase or rental of affordable housing.

20 (l) Providing money for supportive services necessary to enable
21 persons with supportive housing needs to reside in affordable
22 housing in accordance with a need for supportive housing identified
23 in the 5-year consolidated plan adopted by the United States
24 Department of Housing and Urban Development for the city or
25 county pursuant to 42 U.S.C. § 12705 and described in 24 C.F.R.
26 Part 91.

27 2. On or before January 15 of each year, the governing body
28 shall submit to the Housing Division of the Department of Business
29 and Industry a report, in the form prescribed by the Division, of how
30 the measures adopted pursuant to subsection 1 assisted the city or
31 county in maintaining and developing affordable housing to meet
32 the needs of the community for the preceding year. The report must
33 include an analysis of the need for affordable housing within the city
34 or county that exists at the end of the reporting period.

35 3. On or before February 15 of each year, the Housing Division
36 shall compile the reports submitted pursuant to subsection 2 and
37 ~~transmit~~ *post* the compilation ~~to the Legislature, or the Legislative~~
38 ~~Commission if the Legislature is not in regular session.~~ *on the*
39 *Internet website of the Housing Division.*

40 **Sec. 5.** NRS 285.060 is hereby amended to read as follows:

41 285.060 1. Upon receiving an employee suggestion pursuant
42 to NRS 285.050, the Secretary of the Board shall:

43 (a) Record and acknowledge receipt of the employee suggestion;



1 (b) Notify the state employee or each state employee of a group
2 of state employees who made the employee suggestion of any undue
3 delays in the consideration of the employee suggestion; and

4 (c) Refer the employee suggestion at once to the head of the
5 state agency or agencies affected, or his or her designee, for
6 consideration.

7 2. Within 30 days after receiving an employee suggestion that
8 is referred pursuant to subsection 1, the head of the state agency, or
9 his or her designee, shall report his or her findings and
10 recommendations to the Board. The report must indicate:

11 (a) Whether the employee suggestion has been adopted.

12 (b) If adopted:

13 (1) The day on which the employee suggestion was placed in
14 effect.

15 (2) The actual or estimated reduction, elimination or
16 avoidance of expenditures or any improvement in operations made
17 possible by the employee suggestion.

18 (3) If the employee suggestion was made by a group of state
19 employees, a recommendation of the distribution of any potential
20 award made pursuant to NRS 285.070 to each state employee in the
21 group. Such a distribution must be proportionate, fair and equitable
22 based on the contributions by each state employee to the employee
23 suggestion.

24 (c) If rejected, the reasons for rejection.

25 (d) If applicable, whether legislation will be required before the
26 employee suggestion may be adopted.

27 3. The Board shall:

28 (a) Review the findings and recommendations of the state
29 agency and may obtain additional information or take such other
30 action as is necessary for prompt, thorough and impartial
31 consideration of each employee suggestion.

32 (b) Evaluate each employee suggestion, taking into
33 consideration any action by the state agency, staff recommendations
34 and the objectives of the Merit Award Program.

35 (c) Monitor the efficacy and progress of employee suggestions
36 that have been adopted and placed into effect.

37 (d) Provide a report to the Budget Division of the Office of
38 Finance and the Interim Finance Committee not later than 30 days
39 after the end of each fiscal year *ending on June 30 of an*
40 *even-numbered year* summarizing, for that fiscal year ~~+~~ *and the*
41 *previous fiscal year:*

42 (1) The employee suggestions that were rejected by state
43 agencies.

44 (2) The employee suggestions that were adopted by state
45 agencies and detailing any actual reduction, elimination or



1 avoidance of expenditures or any improvement in operations made
2 possible by the employee suggestion.

3 (3) Any legislation required to be enacted before an
4 employee suggestion may be adopted.

5 **Sec. 6.** NRS 286.723 is hereby amended to read as follows:

6 286.723 1. Except as otherwise provided in NRS 286.725,
7 the Board shall prepare an annual report of investments of money
8 from the System in scrutinized companies as identified pursuant to
9 NRS 286.721. The report must include the amount of money
10 allocated in such investments and other data and statistics designed
11 to explain the past and current extent to which funds from the
12 System are invested in scrutinized companies.

13 2. The Board shall ~~submit~~ *post* a copy of the report ~~to the~~
14 ~~Governor and the Director of the Legislative Counsel Bureau for~~
15 ~~distribution to the Legislature~~ *on the Internet website of the*
16 *System* on or before February 1 of each year which must cover all
17 investments during the previous calendar year.

18 **Sec. 7.** NRS 354.5945 is hereby amended to read as follows:

19 354.5945 1. Except as otherwise provided in subsection 7,
20 each local government shall annually prepare, on a form prescribed
21 by the Department of Taxation for use by local governments, a
22 capital improvement plan for the fiscal year ending on June 30 of
23 that year and the ensuing 5 fiscal years.

24 2. On or before August 1 of each year, each local government
25 shall submit a copy of the capital improvement plan of the local
26 government to the:

27 (a) Department of Taxation; *and*

28 (b) Debt management commission of the county in which the
29 local government is located. ~~;~~ *and*

30 ~~—(c) Director of the Legislative Counsel Bureau.~~

31 *↳ The Department of Taxation shall provide a copy of a capital*
32 *improvement plan of a local government to the Director of the*
33 *Legislative Counsel Bureau upon his or her request.*

34 3. Each local government shall file a copy of the capital
35 improvement plan of the local government for public record and
36 inspection by the public in the offices of:

37 (a) The clerk or secretary of the governing body; and

38 (b) The county clerk.

39 4. The total amount of the expenditures contained in the capital
40 improvement plan of the local government for the next ensuing
41 fiscal year must equal the total amount of expenditures for capital
42 outlay set forth in the final budget of the local government for each
43 fund listed in that budget.



1 5. The capital improvement plan must include the estimated or
2 actual revenues and expenditures for each capital project and the
3 estimated or actual date for completion of each capital project.

4 6. The capital improvement plan must reconcile the capital
5 outlay in each fund in the final budget for the first year of the capital
6 improvement plan to the final budget in the next ensuing fiscal year.
7 The reconciliation must identify the minimum level of expenditure
8 for items classified as capital assets in the final budget and the
9 minimum level of expenditure for items classified as capital projects
10 in the capital improvement plan. The reconciliation of capital outlay
11 items in the capital improvement plan must be presented on forms
12 created and distributed by the Department of Taxation.

13 7. Local governments that are exempt from the requirements of
14 the Local Government Budget and Finance Act pursuant to
15 subsection 1 of NRS 354.475 are not required to file a capital
16 improvement plan.

17 **Sec. 8.** NRS 354.5947 is hereby amended to read as follows:

18 354.5947 1. In addition to the records and inventory controls
19 established and maintained pursuant to NRS 354.625, the governing
20 body of each local government shall, for each fiscal year, compile a
21 report concerning the capital improvements owned, leased or
22 operated by the local government.

23 2. The report of the capital improvements required pursuant to
24 subsection 1 must be prepared in such detail as is required by
25 generally accepted accounting principles.

26 3. The governing body shall submit, in any format including an
27 electronic format, a copy of the report compiled pursuant to
28 subsection 1 on or before February 1 of the year next succeeding the
29 period to which the report pertains to the Department of Taxation .
30 ~~and the Director of the Legislative Counsel Bureau for distribution~~
31 ~~to each regular session of the Legislature.~~ *The Department of*
32 *Taxation shall provide a copy of the report compiled pursuant to*
33 *subsection 1 to the Director of the Legislative Counsel Bureau*
34 *upon his or her request.*

35 **Sec. 9.** NRS 686B.177 is hereby amended to read as follows:

36 686B.177 ~~H~~ The Advisory Organization shall file with the
37 Commissioner a copy of every prospective loss cost, every manual
38 of rating rules, every rating schedule and every change, amendment
39 or modification to them which is proposed for use in this state at
40 least 60 days before they are distributed to the organization's
41 members, subscribers or other persons. The rates shall be deemed to
42 be approved unless they are disapproved by the Commissioner
43 within 60 days after they are filed.

44 ~~2. The Commissioner shall report any changes in rates or in~~
45 ~~the Uniform Plan for Rating Experience, the Uniform Statistical~~



1 ~~Plan or the Uniform System of Classification, when approved, to the~~
2 ~~Director of the Legislative Counsel Bureau.]~~

3 **Sec. 10.** NRS 244.2962, 396.329, 396.4355 and 477.212 are
4 hereby repealed.

5 **Sec. 11.** This act becomes effective on July 1, 2017.

TEXT OF REPEALED SECTIONS

244.2962 County commissioners in certain counties to submit reports to Legislature with certain information concerning transport of person to medical facility by each fire department and ambulance service in county. The board of county commissioners of a county whose population is 700,000 or more shall, each calendar quarter, submit a report to the Legislative Committee on Health Care and the Director of the Legislative Counsel Bureau for transmittal to the Legislature, if the Legislature is in session, or to the Legislative Commission, if the Legislature is not in session. The report must include, without limitation, the following information related to each fire department and ambulance service operating in the county:

1. The total number of transports of sick or injured persons to a medical facility that were made by the fire department or ambulance service during that calendar quarter.

2. For each person transported by the fire department or ambulance service during the calendar quarter:

(a) The fees charged to transport the person to a medical facility;

(b) Whether the person had health insurance at the time of transport; and

(c) The name of the medical facility where the fire department or ambulance service transported the person to or from.

396.329 Report concerning activities of Police Department.

1. The Board of Regents of the University of Nevada shall, not later than April 15 of each odd-numbered year, prepare and submit to the Director of the Legislative Counsel Bureau for submission to the Legislature, a report concerning the activities of the Police Department for the System.

2. The report must include, without limitation:

(a) A copy of each of the annual security reports compiled for the immediately preceding 2 years pursuant to 20 U.S.C. § 1092, including the executive summary and statistics regarding crimes on campus; and

(b) A statement of:



(1) The policy of each police department regarding the use of force and the equipment authorized for use by its officers in carrying out that policy;

(2) The activities performed by each police department during the reporting period to improve or maintain public relations between the campus and the community;

(3) The number of full-time and reserve officers in each police department;

(4) The programs held in each police department during the reporting period in which training was given to its officers and the rates of participation in those programs; and

(5) The number, itemized by each police department, of incidents during the reporting period in which an excessive use of force was alleged and the number of those allegations which were sustained.

396.4355 Annual report concerning capital improvements; submission to Legislature.

1. The Board of Regents shall, for each fiscal year, compile a report concerning the capital improvements owned, leased or operated by the System.

2. The report of the capital improvements required pursuant to subsection 1 must be prepared in such detail as is required by generally accepted accounting principles.

3. The Board of Regents shall, on or before February 1 of each year, submit, in any format, including an electronic format, a copy of the report compiled pursuant to subsection 1 to the Director of the Legislative Counsel Bureau for distribution to each regular session of the Legislature.

477.212 Submission of written report by State Fire Marshal. On or before January 30 of each odd-numbered year, the State Fire Marshal shall submit to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature a written report concerning the effectiveness of the provisions of NRS 477.172 to 477.214, inclusive, and any recommendations for legislation to improve the effectiveness of NRS 477.172 to 477.214, inclusive.



