

TRI-STRATEGIES

Government Relations & Public Affairs



IVGID

2019 Legislative Session

Weekly Update

02-23-2019

SB42

SB42	
Title	Repeals provisions requiring certain fleets of motor vehicles to use alternative fuels, clean vehicles or vehicles that use alternative fuels
Description	AN ACT relating to motor vehicle fleets; repealing provisions requiring certain fleets of motor vehicles to use alternative fuels, clean vehicles or vehicles that use alternative fuels; and providing other matters properly relating thereto.
Digest	This bill repeals the provisions of chapter 486A of NRS, relating to the use of alternative fuels in certain public fleets of motor vehicles in counties whose population is 100,000 or more (currently only Clark and Washoe Counties). Pursuant to chapter 486A of NRS, the State Environmental Commission is required to adopt regulations regarding: (1) standards and requirements for alternative fuels; (2) specifications for clean vehicles and motor vehicles that use alternative fuels; (3) the acquisition of clean vehicles and motor vehicles that use alternative fuels by certain fleets; (4) standards for emissions from motor vehicles that are converted to alternative fuels; and (5) the establishment of a procedure for approving variances or exemptions from certain requirements. (NRS 486A.150) The State Department of Conservation and Natural Resources is required to enforce the regulations, issue orders and conduct investigations and is authorized to conduct inspections of certain fleets for compliance. (NRS 486A.160, 486A.170)
Sponsor	Senate Committee on Growth and Infrastructure
Status	From Printer
Impact	Repels certain requirements for alternative fuel use in public fleets of motor vehicles.



AB70

AB70	
Title	Revises provisions governing the Open Meeting Law.
Description	AN ACT relating to meetings of public bodies; making various changes relating to meetings of public bodies; providing a penalty; and providing other matters properly relating thereto.
Digest	<p>Section 2 of this bill provides instead that if a member of the public body attends a meeting of the public body by means of teleconference or videoconference, the chair of the public body must ensure that members of the public body and the public can hear or observe each member attending by teleconference or videoconference. Section 4 of this bill makes a conforming change. Section 2 authorizes, under certain circumstances, a member of the public who is the subject of an action item on an agenda of a public meeting to attend and participate in the meeting by teleconference or videoconference. Existing law sets forth the circumstances when a public body is required to comply with the Open Meeting Law. Under existing law, a public body may gather to receive information from an attorney employed or retained by the public body regarding certain matters without complying with the Open Meeting Law. (NRS 241.015) Section 3 of this bill clarifies that any action taken by a public body arising out of any such gathering must be taken in a meeting held in compliance with the Open Meeting Law. Section 7 of this bill requires a public body to have draft minutes of a meeting available for inspection within 30 working days after adjournment of the meeting until the public body approves the minutes. Sections 13-36 of this bill make conforming changes</p>
Sponsor	Assembly Committee on Government Affairs
Status	From Printer
Impact	Makes various changes to public bodies subject to the open meeting law



SB10

SB10	
Title	Revises provisions governing compensation of members of a board of trustees of a general improvement district.
Description	AN ACT relating to general improvement districts; increasing the amount a member of a board of trustees of a general improvement district may be compensated; defining the term “compensation”; and providing other matters properly relating thereto
Digest	Existing law sets the maximum salary a member of a board of trustees of a general improvement district may receive. (NRS 318.085) This bill increases the amount a member of a board of trustees of a general improvement district may be compensated from \$6,000 to \$9,000. This bill also increases the amount a member of a board of trustees of a general improvement district that is granted certain powers may be compensated from \$9,000 to \$12,000. This bill additionally defines “compensation” as salary or wages.
Sponsor	Committee on Government Affairs
Status	Received a hearing in Senate Government Affairs Committee on 02-13-19. Bill was presented by the League of Cities. Committee Chairman Senator Parks agreed to “work on it” before bringing it back for a vote.
Impact	Raises compensation for trustees of a general improvement district.



AB18

AB18	
Title	Authorizes certain local governments to install and maintain ramps on certain public easements and rights-of-way
Description	Relating to local governments; authorizing incorporated cities, unincorporated towns and general improvement districts to install and maintain ramps that meet certain federal requirements; authorizing such ramps to be placed on certain public easements and rights-of-way;.
Digest	Existing law provides the governing bodies of incorporated cities, unincorporated towns and general improvement districts with certain express powers. (Chapter 268, 269 and 318 of NRS) Sections 1-4 of this bill authorize incorporated cities, unincorporated towns and general improvement districts to provide for the construction, installation and maintenance of ramps that comply with the Americans with Disabilities Act of 1990. (42 U.S.C. §§ 12101 et seq.) Sections 1-3 of this bill authorize those entities to locate such ramps within any public easement or right-of-way if the public easement or right-of-way is within a reasonable proximity of any public highway and the ramp may be located safely within the public easement or right-of-way without damaging the facilities of other persons who are authorized to place their facilities within the public easement or right-of-way.
Sponsor	Assembly Committee on Government Affairs
Status	Referred to Assembly Committee on Government Affairs.
Impact	Would make it easier for local governments to comply with the ADA by allowing them an easier way to to build ramps on public easements .

NOTE: We believe this may falls outside the purview of services IVGID provides, but due to the fact this expressly refers to GID's we included it in this report.



AB101

AB101	
Title	Authorizes a private plaintiff to bring an action for a declaratory judgment regarding a violation of state law or a local ordinance by certain governmental entities.
Description	Relating to declaratory judgments; authorizing a private plaintiff to bring an action for a declaratory judgment regarding a violation of state law or a local ordinance by certain governmental entities
Digest	Existing law authorizes a person to seek a declaratory judgment under certain circumstances and provides that any person interested under a deed, written contract or other writings constituting a contract, or whose rights, status or other legal relations are affected by a statute, municipal ordinance, contract or franchise may have determined any question of construction or validity arising under the instrument, statute, ordinance, contract or franchise and obtain a declaration of rights, status or other legal relations thereunder. (Chapter 30 of NRS) This bill authorizes a private plaintiff to bring an action for a declaratory judgment to determine whether the State of Nevada or a political subdivision of the State violated any applicable provision of state law or a local ordinance. If a court issues a declaratory judgment finding that any alleged action of the State or political subdivision violated any applicable provision of state law or a local ordinance, the action taken by the State or political subdivision is null and void.
Sponsor	Assemblyman Skip Daly (D) Sparks area
Status	Heard in Assembly Judiciary Committee on Feb 14, 2019.
Impact	Would provide legal standing to any private individual that might seek declaratory judgment in an action of a government entity.

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AB86

AB86	
Title	Revises provisions relating to governmental purchasing.
Description	relating to governmental purchasing; making provisions relating to purchasing by local governments applicable to a metropolitan police department; exempting certain purchases by local governments from requirements of competitive bidding ; increasing the monetary thresholds at which local governmental purchasing contracts must be advertised; authorizing a local government to dispose of personal property by donating it to another governmental entity or nonprofit organization ; authorizing the Administrator of the Purchasing Division of the Department of Administration to enter into a contract pursuant to a solicitation by certain governmental entities; revising provisions governing certain preferences for businesses owned and operated by a veteran with a service connected disability; making various other changes relating to governmental purchasing; authorizing the Commission to Study Governmental Purchasing to request the drafting of legislative measures for each regular session of the Legislature.
Digest	This bill has 42 sections, mostly concerning amendments to the Local Government Purchasing Act. Please see the attached bill for review.
Sponsor	Assembly Committee on Government Affairs, on behalf of the Purchasing Division of the Department of Administration
Status	Referred to Assembly Committee on Government Affairs.
Impact	Could have significant impact on IVGID purchasing. Requires input from IVGID staff.

Introduced in Assembly Committee for Government Affairs on Feb 21, 2019.



AB136

AB136	
Title	Various changes relating to public construction
Description	Relating to public construction; revising the manner in which the prevailing wage is determined; lowering the estimated thresholds at or above which prevailing wage requirements apply to certain public construction projects
Digest	Under existing law, any contract for a public work whose cost is \$250,000 or more, is subject to the prevailing wage requirements. (NRS 338.075, 338.080) Sections 3 and 4 of this bill lower the minimum threshold for the applicability of prevailing wage requirements from \$250,000 to \$100,000.
Sponsor	Speaker Frierson et al...
Status	Referred to Assembly Committee on Government Affairs.
Impact	Would increase costs of any public work if the project cost is over \$100,000.



AB29

AB29	
Title	Repeals certain provisions relating to general building contractors.
Description	Relating to contractors; repealing provisions which require a general building contractor to be a prime contractor for the purpose of classifying the general contractor in the contracting business
Digest	Under existing law, for the purpose of classification in the contracting business, a general building contractor is a contractor whose principal contracting business involves the construction or remodeling of various buildings or structures which require the use of more than two unrelated building trades or crafts, and upon which the general building contractor is a prime contractor. (NRS 624.215) Section 1 of this bill repeals the requirement that a general building contractor must be a prime contractor for that purpose.
Sponsor	Committee on Commerce and Labor
Status	Heard in Assembly Commerce and Labor on Feb 13, 2019
Impact	Simply eliminates the requirement that a "general contractor" also be the "prime contractor."



AB179

AB179	
Title	Revises provisions relating to public works.
Description	Relating to public works; revising the requirement that certain types of provisions are void and unenforceable in certain agreements with contractors;
Digest	Existing law prohibits a provision in a contract for a public work, other than a contract entered into by the Nevada Department of Transportation, that requires a contractor to waive a right to damages or an extension of time acquired as a result of a delay caused by certain actions by the public body. (NRS 338.480, 338.485) This bill extends this provision to both prime contractors and subcontractors. This bill also prohibits the waiver of a right to damages or an extension of time acquired that results from an acceleration, disruption or impact event that is unreasonable in length, caused by the public body in certain circumstances or within the control of the public body.
Sponsor	Assemblywoman Swank
Status	Referred to Assembly Committee on Government Affairs
Impact	Prohibits public work contracts for both a contractor and subcontractors from containing a waiver of a right to damages or an extension of time acquired as a result of a delay caused by certain actions by the public body



AB190

AB190	
Title	Revises provisions relating to prevailing wage requirements.
Description	Major revisions to Prevailing Wage Requirements. Revising the requirements pursuant to which a contractor or subcontractor engaged on a public work may discharge his or her obligation to pay prevailing wages; revising provisions relating to the determination of the prevailing wages by the Labor Commissioner and the duration of such rates on a public work; decreasing the minimum threshold for the applicability of the prevailing wage requirements ; clarifying the application of prevailing wage requirements to certain construction projects that are not public works; eliminating certain prohibitions relating to agreements with labor organizations concerning contracts with a public body for a public work or with an awardee of certain grants, tax abatements, tax credits or tax exemptions from a public body
Digest	Lowers the threshold for applicability of prevailing wage requirements from \$250,000 to \$100,000. Section 5 of this bill sets the requirements pursuant to which a contractor or subcontractor engaged on a public work may discharge any part of his or her obligation to pay prevailing wages to a worker by providing bona fide fringe benefits in the name of the worker. Existing law, prohibits a public body from: (1) requiring or prohibiting a bidder, contractor or subcontractor from entering into or adhering to any agreement with one or more labor organizations in regard to a public work; or (2) discriminating against a bidder, contractor or subcontractor for entering or not entering into, any agreement with one or more labor organizations in regard to the public work. Section 31 of this bill eliminates these prohibitions.
Sponsor	Eight Primary Sponsors including Assemblyman Daly; 24 Co-Sponsors.
Status	Referred to Assembly Committee on Government Affairs
Impact	Significant impact on the potential cost of public works projects.



SB183

SB183	
Title	Makes various changes relating to governmental administration
Description	Relating to governmental administration; revising certain requirements for public notice of meetings of public bodies; requiring the minutes of meetings of public bodies include a detailed summary of certain matters; revising requirements related to the small business impact statements prepared by state agencies for administrative regulations
Digest	The Open Meeting Law sets forth the minimum public notice required of a meeting of a public body, which must include an agenda. Existing law also specifies certain information that must be included on an agenda. (NRS 244.020) Among other things, this bill requires that if the agenda is revised in any way after it is posted, provided or delivered, the agenda must clearly indicate that the agenda has been revised, what such revisions are and the date that the agenda was revised.
Sponsor	Senators Gansert, Hardy and Hammond
Status	Referred to Senate Committee on Government Affairs
Impact	Adds additional requirements to the Open Meeting Law.



SB129

SB129	
Title	Makes various changes relating to ethics in government.
Description	Relating to ethics in government; making various changes relating to the provisions governing ethics in government; providing penalties.
Digest	<p>This is an enormous bill in terms of size. 72 pages. A portion of the impactful sections include sections 5 and 6 of this bill which restate more clearly the existing scope of the statutory ethical standards and their applicability to the conduct of current and former public officers and employees. Section 6 also codifies the existing rule of construction that the standards are cumulative and supplement each other and all such standards are enforceable to the extent that they apply to the given set of facts and circumstances. Section 11 of this bill adds to the statutory ethical standards by prohibiting public officers and employees from using their position or power in government to take any actions or compel a subordinate to take any actions that a reasonable person would find, based on the given set of facts and circumstances, to be a gross or unconscionable abuse of official position or power that undermines the people's faith in the integrity or impartiality of public officers and employees. Section 35 of this bill revises the contracting prohibition to provide that, with certain exceptions, public officers and employees cannot, directly or through a third party, negotiate, bid on, enter into, perform, modify or renew any government contracts between: (1) the public officers and employees or any business entities in which they have a significant pecuniary interest; and (2) an agency in which they serve or an agency that has any connection, relation or affiliation with an agency in which they serve.</p>
Sponsor	Senate Committee on Legislative Operations
Status	Referred to Senate Committee on Legislative Operations and Elections.
Impact	Numerous changes to the Nevada Ethics in Government Law (Chapter 281A of NRS).



Thank you.

Ricky D. Gourrier, Sr.
ricky@tri-strategies.com
(702) 232-1014

Eddie Z. Ableser
eddie@tri-strategies.com
(775) 300-5331

Paul J. Klein
paul@tri-strategies.com
(775) 830-7285

Victor M. Salcido, Esq.
victor@tri-strategies.com
(775) 771-3244