**Legislative Update**

**CLARK COUNTY SCHOOL DISTRICT**

**March 6, 2015**

**What a week!**

In a series of dramatic and memorable events, the Nevada State Legislature made history by changing the manner in which school districts in Nevada can access funds to construct new schools and renovate existing ones. Passage of Senate Bill 207 is a significant piece of legislation for the Clark County School District – it is expected to generate at least $3.5 billion over the next 10 years – but provides much-needed relief for Nevada’s other counties, as well. School superintendents across the State commend the Legislature and Governor Sandoval for accepting the responsibility of providing resources to school districts for capital funding. Because of their quick action, the Clark County School District can now move quickly to begin construction of new elementary schools to help ease overcrowding and keep up with the demand for new seats as our student population continues to grow.

For those interested in the details of the passage of the legislation, read the “How It Happened” section, below. If you’re more of a “bottom line” person, please take a few minutes to thank the legislators whose leadership and determination resulted in funding for school construction:

* Senator Michael Roberson (Michael.Roberson@sen.state.nv.us)
* Senator Becky Harris (Becky.Harris@sen.state.nv.us)
* Senator Ben Kieckhefer (Ben.Kieckhefer@sen.state.nv.us)
* Assemblyman John Hambrick (John.Hambrick@asm.state.nv.us)
* Assemblyman Paul Anderson (Paul.Anderson@asm.state.nv.us)

While we thank all who supported SB207, without the leadership and determination of these individuals, CCSD would not be gearing up for a 10-year building program that will provide much-needed relief for our students. Please see the “Want to Learn More?” section at the end of this email to learn how you can find the list of those who voted for and against the bill. Please show your appreciation to those who supported your position on the bill by sending them a quick note. No legislator takes a vote on an important piece of legislation like this lightly, and hearing from constituents is important to them.

**How It Happened:**

**History of SB119:**

February 1: Introduced

February 4: Hearing, Senate Government Affairs

February 6: Voted out of Senate Government Affairs with “do pass” recommendation

February 16: Approved by the Senate (11-9, 1 excused)

February 26: Hearing, Assembly Government Affairs

March 3: Fails to gain enough votes to move out of committee; then reconsidered and moves out of committee “without recommendation”

March 5: Approved by the Assembly (23-19)

March 6: Signed by the Governor

**History of SB207:**

 March 3: Introduced, declared an emergency measure, approved by the Senate (15-4, 2 excused)

 March 4: Approved by Assembly (27-14, 1 excused), signed by the Governor at 2:56 p.m.

**SB207? What happened to SB119???**

For weeks, we’ve been reporting on the significance of Senate Bill 119 for proponents of school construction, yet on Tuesday, the Senate introduced and passed SB207. How did Senate Bill 207 become the school construction bill and what happened to Senate Bill 119?

SB119, the original bill introduced the first week of the session by Senator Becky Harris (from Clark County) and Senator Ben Kieckhefer (from Washoe County) allows a 10-year extension of existing voter-approved property tax rates for school construction. SB119 also included language that provided an exemption from prevailing wage requirements on school construction projects. This controversial language resulted in a mostly-partisan split in support for the bill, causing discomfort for those who wanted to support funding for school construction but who were unwilling to abandon prevailing wage requirements.

Following passage by the Senate (11-9, along party lines) on February 16, SB119 moved to the Assembly, and was assigned to Assembly Government Affairs Committee. Before a bill can be considered by the entire body, it must first be heard by a committee, voted out of committee and then sent to the rest of the body. It is common that a bill is approved by a committee and sent to the floor with a recommendation such as “Do Pass,” or “Amend and Do Pass.” Much less common is a committee sending a bill to the floor “without recommendation.” However, that action allows the bill to move forward; otherwise, the bill is considered dead. As reported in last week’s update, it was doubtful that the votes existed to get SB119 out of the Assembly Government Affairs Committee. On Tuesday, March 3, that doubt became reality as the bill was considered at the beginning of the hearing when Chairman Ellison accepted a motion to move SB119 “without recommendation.” Since Assembly Government Affairs is a 14-member committee, a majority vote of 8 is required. Since the committee has 8 Republicans, some expected the bill to move with a vote along party lines, but Republicans Glen Trowbridge and John Moore declined to support the bill and it “died in committee” on an 8-6 nay vote.

The next item on the Government Affairs agenda was in important hearing on AB190, a bill that would make dramatic changes to Nevada’s PERS system. As the hearing on this bill proceeded, a lot of unusual activity could be observed in the committee room. Various members of the committee left the room at different times and then returned, lots of whispered conversations took place, and legislators not on the Assembly Government Affairs Committee came in and out of the room, all while the PERS hearing was taking place.

During the course of the hearing, the Senate unexpectedly convened. With little discussion, Senate Majority Leader Michael Roberson introduced Senate Bill 207. SB207 mirrors the language in SB119, but with the controversial prevailing wage language removed. The Senate declared SB207 to be an emergency measure, which means the bill does not have to follow the usual procedures of going to committee for a hearing. The bill was immediately voted upon by the Senate and was approved. For those who were dejected by the failure of SB119 to move through the Assembly Government Affairs Committee, this information was met with glee.

Meanwhile, in Assembly Government Affairs, Chairman Ellison concluded the hearing on AB190 and announced he was bringing SB119 back for reconsideration. He made the members of his committee aware that the Senate had passed SB207 and had sent it to the Assembly for their action, but indicated they would still move forward with SB119. The dialogue that followed was tense. Once again, the motion was made to move SB119 “without recommendation.” This time the vote was passed along party lines (8-6), with the two assemblymen who changed their votes making strong statements about their right to vote differently when the bill went to the Assembly Floor.

About an hour later, the Assembly convened. SB207 was “placed on the Chief Clerk’s desk,” which means action on a bill is suspended until further notice.

The next day, March 4, the Assembly convened again. After much speech-making, SB207 was approved by the Assembly on a 27-14 vote, this time with bipartisan support. A few hours later, at 2:56 p.m., at a ceremony held at Bordewich-Bray Elementary School in Carson City, Governor Sandoval signed the bill.

On Thursday, March 5, 2015, the Assembly voted on SB119; it passed on a 23-19 vote. The language related to school construction is considered redundant and has no impact on the passage of SB207; however this vote returns the prevailing wage exemption to school construction projects.

**Now What?**

Since SB207 is effective upon passage, CCSD has wasted no time in taking action. A joint meeting of the Board of School Trustees and the Bond Oversight Committee has been scheduled for Thursday, March 12 to discuss the impact of Senate Bill 207 and to approve the initial 2-year plan, allowing school construction on the first wave of projects to begin as soon as possible.

**Highlights from Week 5:**

**MONDAY, MARCH 2**

Assembly Government Affairs

* **AB54**, a bill designed to clarify the duties of the Department of Taxation and other entities roles should a local government suffer severe financial emergency. The most controversial part of the bill allows a local government deemed to be in severe financial crisis to be able to suspend their collective bargaining agreements. The debate over this bill was spread over 2 days with the employee groups agreeing to work with the Department on Taxation in finding a solution that will help local government entities pay their bills during tough financial times. No amendment has been brought forward as of yet.

Assembly Committee on Education

* **AB178**, sponsored by Assemblyman Thompson, addresses students labeled as a “Habitual Discipline Problem”. Under NRS 392.4655, defines a Habitual Discipline Problem as:
1. The pupil has threatened or extorted, or attempted to threaten or extort another pupil or school employee one time; or
2. The pupil has been suspended for initiating two fights; or
3. The pupil has been suspended from school five times, for any reason.

Currently, once a student is deemed a Habitual Discipline Problem, the student ***must*** be suspended or expelled from school for one semester. This bill would allow the principal discretion as to whether the student should be suspended or expelled. CCSD supports this bill.

**TUESDAY, MARCH 3**

Assembly Committee on Ways and Means and Senate Committee on Finance, Subcommittees on K-12/Higher Education

* The Nevada Department of Education presented their budget to the Joint Committee on Finance Subcommittee on K-12/Higher Education. The hearing was more of an overview on the new funding requests being put forward by the Department. Many of the requests are new due to the expansive education plan put forward by Governor Brian Sandoval. Much of the governor's proposed budget provides additional funding to be distributed through competitive grants, so the Department of Education is seeking additional staff to help manage these programs as well as to oversee and monitor the new budget accounts. As pieces of Governor Sandoval's education plan are heard throughout the session, the Department's budget requests will also become clearer in the process.

Assembly Government Affairs

* **AB190**, Assemblyman Randy Kirner’s bill to restructure the Public Employees Retirement System (PERS), was heard in the midst of the . The bill establishes a hybrid retirement program for new employees who become members of the Public Employees' Retirement System on or after July 1, 2016. The bill also provides for a cap on annual benefits, prohibits the purchase of additional service credits, caps a public employer's contribution to 6%, ties the retirement age to the Social Security Act and makes numerous other changes to the PERS system. The bill was supported by folks representing insurance and investment companies and opposed by the PERS office and employee organizations.

**WEDNESDAY, MARCH 4**

Senate Government Affairs

* **SB28** provides clarity in the law on what local government entities may charge the general public should they make a public records request that requires an extraordinary use of personnel. Opponents of the bill believe the rates and the time defined as “extraordinary” are too high. CCSD supports having clarity in the law as well as making sure staff time is used most effectively. The bill is expected to receive additional amendments, which may lower the thresholds currently written in the bill.

Assembly Education

* **AB121**, commonly referenced as the "Pop Tart" bill, prohibits a school from disciplining a pupil for simulating a firearm or dangerous weapon or wearing clothing or accessories that depict a firearm or dangerous weapon except when it disrupts the education of a pupil or the learning environment. Assemblyman Jim Wheeler brought this measure forward after a 7-year old student in Baltimore, MD was suspended from school when he fashioned a breakfast pastry into the shape of a gun. CCSD proposed an amendment to limit the bill to grades K-8 and to allow discipline if a student substantially disrupts the educational environment.

**FRIDAY, MARCH 6**

Assembly Commerce and Labor

* **AB180**, sponsored by members in both parties in the Assembly, requires open bids for accounting services to perform the audit of PERS, was heard in Assembly Commerce and Labor.

Assembly Government Affairs

* **SB200** is a bill that does two things. First, the bill allows for military families to receive an exemption from the Charter School Lottery if they want to attend a charter school that exists on a military installation. This means that if a charter school was built on Nellis Air Force base, those students living on the base would have first priority for enrollment. The second part of the bill would allow developers who donate land (or charge no more than 25% of the land’s value) to a charter school, to be able choose the neighborhoods they want to attend the school. After significant opposition to the second portion of the bill, the sponsor of the legislation agreed to strike out the controversial language leaving just the language regarding military installations.

**Coming Up:**

To keep current about hearings that are scheduled (and sometimes rescheduled) during the session, it’s important to utilize the “Calendar of Meetings” link on the Nevada Legislature website ([www.leg.state.nv.us](http://www.leg.state.nv.us)). There you will find the most accurate list of committee meeting dates and times as well as the bills scheduled to be heard.

|  |  |  |  |
| --- | --- | --- | --- |
| Bill # | Description | Next Meeting Title | Next Meeting Date |
| AB165 | Establishes the Nevada Educational Choice Scholarship Program. (BDR 34-747) | Assembly Committee on Education -- Work Session Item | 3/9/2015 3:15 PM |
| AB205 | Creates the Nevada Advisory Commission on Mentoring. (BDR 34-116) | Assembly Committee on Education | 3/9/2015 3:15 PM |
| AB206 | Revises provisions relating to certain notices provided to the parent or guardian of a pupil who attends a public school. (BDR 34-740) | Assembly Committee on Education | 3/9/2015 3:15 PM |
| SCR1 | Directs the Legislative Commission to create an interim study concerning the professional development of teachers and administrators. (BDR R-406) | Senate Committee on Legislative Operations and Elections | 3/9/2015 3:30 PM |
| AB58 | Provides the powers of peace officer to all sworn personnel of the Department of Public Safety. (BDR 23-355) | Assembly Committee on Government Affairs -- Work Session Item | 3/10/2015 8:30 AM |
| SB93 | Authorizes certain businesses to apply to the Office of Economic Development for a partial abatement from certain taxes. (BDR 32-291) | Senate Committee on Revenue and Economic Development -- Work Session Item | 3/10/2015 3:30 PM |
| SB170 | Provides for a partial abatement of certain taxes for new or expanding data centers and related businesses in this State. (BDR 32-765) | Senate Committee on Revenue and Economic Development -- Work Session Item | 3/10/2015 3:30 PM |
| SB212 | Revises provisions governing discipline of pupils and prohibited acts at public schools. (BDR 34-177) | Senate Committee on Education | 3/10/2015 3:30 PM |
| AB159 | Makes various changes to provisions governing public works. (BDR 28-936) | Assembly Committee on Government Affairs | 3/11/2015 8:30 AM |
| SB143 | Revises provisions governing concealed firearms. (BDR 15-221) | Senate Committee on Judiciary | 3/11/2015 1:00 PM |
| AB111 | Revises provisions relating to the Governor Guinn Millennium Scholarship. (BDR 34-258) | Assembly Committee on Education -- Work Session Item | 3/11/2015 3:15 PM |
| AB117 | Authorizes a school district to lease school buses or vehicles belonging to the school district in certain circumstances. (BDR 34-510) | Assembly Committee on Education -- Work Session Item | 3/11/2015 3:15 PM |
| AB150 | Revises provisions governing the Governor Guinn Millennium Scholarship Program. (BDR 34-200) | Assembly Committee on Education -- Work Session Item | 3/11/2015 3:15 PM |
| AB216 | Revises provisions governing discipline of pupils and prohibited acts at public schools. (BDR 34-189) | Assembly Committee on Education | 3/11/2015 3:15 PM |

**Attachments**

This update references the following materials which are attached to the email:

* *CCSD Legislation Status Report 3-06-15*

**Want to Learn More?**

In case you didn’t know: here’s how you can learn how legislators voted on a bill. From the home page of the Nevada State Legislature (<http://www.leg.state.nv.us/>), click on NELIS (the first item on the bulleted list on the right). Click on the “Bills” icon (either on the top row or the big button in the middle of the page) and find the row that corresponds to the type of bill you’re looking for. Let’s assume you’d like to know how legislators voted on SB207, the bill we’ve highlighted in this week’s update, so select the 6th row, “Senate Bills (SB) (224).” That will take you to another section where you will select “SB200-224.” Scroll down until you get to SB207, then click on the bill number “SB 207,” which will take you to the overview page for that bill. At a glance you can see the summary of the bill and a wide variety of information about the bill, including the vote tally. If you’re curious about who voted in favor of a bill, click on the “Votes” tab along the top of the page and you’ll see several gray bars in two columns, one for the assembly and one for the senate. You can click on “All” and pull up a list of the entire body, with a red x indicating a no vote and a green check indicating a yes vote. Or, you can click on the “Nay” row, and get a list of just the people who voted against the bill. It makes it very easy to track the voting record of legislators on bills that matter to you.

You can also find an amazing array of additional information on this website, from fiscal notes to exhibits and testimony and summaries of emails received for and against. Dive in and start clicking!