

uLegislate

Session 1

The Nevada Senate's Simulation Experience

**June 5, 2014
3:30 PM**

City of Las Vegas Council Chambers, 495 South Main Street

ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF THE ORDER PRESENTED; TWO OR MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY BE DELAYED AT ANY TIME.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

Welcome to uLegislate

1. ROLL CALL AND INVOCATION
2. PLEDGE OF ALLIGIANCE

9. Motions, Resolutions and Notices

3. S.J.R. 1
(R-3) Urges Congress to enact legislation creating a new state from within the present State of Nevada, to be called South Nevada, consisting of territory added to the State of Nevada in 1867 and gives the consent of the Legislature to the creation of the new state.

10. Introduction, First Reading and Reference

4. S.B. 2 (52-2) Establishes provisions relating to the use of certain plastic bags in retail sales transactions.

13. General File and Third Reading

THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.

5. S.B. 2 (52-2) Establishes provisions relating to the use of certain plastic bags in retail sales transactions.
6. S.B.6 (34-8) Prescribes standard attire for pupils in public schools.

AGENDA SUMMARY PAGE
ULEGISLATE (SESSION ONE) MEETING OF: JUNE 4, 2014

SUBJECT:

SJR1 - Discussion for possible action regarding a Resolution urging Congress to enact legislation creating a new state from within the present State of Nevada, to be called South Nevada, consisting of territory added to the State of Nevada in 1867 and gives the consent of the Legislature to the creation of the new state (BDR R-3)

Fiscal Impact

Effect on Local Government: May have Fiscal Impact.

Effect on the State: Yes.

PURPOSE/BACKGROUND:

Urging Congress to enact legislation creating a new state from within the present State of Nevada, to be called South Nevada, consisting of territory added to the State of Nevada in 1867 and gives the consent of the Legislature to the creation of the new state (BDR R-3)

RECOMMENDATION:

None

BACKUP DOCUMENTATION:

Senate Joint Resolution 1

SUMMARY—Urges Congress to enact legislation creating a new state from within the present State of Nevada, to be called South Nevada, consisting of the territory added to the State of Nevada in 1867 and gives the consent of the Legislature to the creation of the new state. (BDR R-3)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.

Effect on the State: Yes.

SENATE JOINT RESOLUTION—Urging Congress to enact legislation creating a new state from within the present State of Nevada, to be called South Nevada, consisting of the territory added to the State of Nevada in 1867 and giving the consent of the Legislature to the creation of the new state.

WHEREAS, When the State of Nevada was admitted to the Union in 1864, its original southern boundary was established as a straight line running from east to west along the thirty-seventh degree of north latitude; and

WHEREAS, In 1866, the United States ceded to the State of Nevada, subject to its consent, certain new territory that lay immediately south of the original boundary of the State consisting of all that extent of territory lying within the following boundaries, to wit: commencing on the thirty-seventh degree of north latitude, at the thirty-seventh degree of longitude west from Washington; and running thence south on said degree of longitude to the middle of the River Colorado of the West; thence down the middle of the said river to the eastern boundary of the



State of California; thence northwesterly along said boundary of California to the thirty-seventh degree of north latitude; and thence east along said degree of latitude to the point of beginning; and

WHEREAS, In 1867, the Legislature of the State of Nevada consented to the new territory ceded by the United States being added to and made a part of the State of Nevada; and

WHEREAS, The new territory so added to and made a part of the State of Nevada consists of all of what is now Clark County as well as the very southernmost portions of Lincoln, Nye and Esmeralda Counties; and

WHEREAS, The overwhelming majority of the growth of the population of this State in recent years has occurred in Clark County, whose population now constitutes more than 70 percent of the total population of the State of Nevada; and

WHEREAS, The increasing concentration of population in Clark County has led directly to a corresponding concentration of political power and has had the effect of progressively diminishing the ability of residents in the remaining parts of this State to participate meaningfully in the political process and to elect to State Government representatives of their choice; and

WHEREAS, The principles of representative government upon which this nation was founded require that its citizens be actually represented in its governing councils and reject the notion that it is sufficient if citizens are virtually represented therein by persons whose interests and loyalties may be remote from those of the citizens they purport to represent; and

WHEREAS, The creation of a new state from within the present State of Nevada consisting of the territory added to the State of Nevada in 1867 would restore and protect the political rights of

residents of this State who reside outside of Clark County and provide more representative governments to the residents of both states; and

WHEREAS, Section 3 of Article IV of the Constitution of the United States provides, in part, that: “New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress”; now, therefore, be it

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That the Legislature of this State hereby consents to the creation of a new state from within the present State of Nevada consisting of the new territory that was added to and made a part of the State of Nevada in 1867; and be it further

RESOLVED, That the members of this present Legislature urge Congress and the Nevada Congressional Delegation to enact legislation creating a new state from within the present State of Nevada, to be called South Nevada, consisting of the territory added to and made a part of the State of Nevada in 1867; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the President of the United States, the Vice President of the United States as the presiding officer of the Senate, the Speaker of the House of Representatives and each member of the Nevada Congressional Delegation; and be it further

RESOLVED, That this resolution becomes effective upon passage.



AGENDA SUMMARY PAGE
ULEGSLATE (SESSION ONE) MEETING OF: JUNE 4, 2014

SUBJECT:

SB2 - Discussion for possible action regarding Senate Bill No. 2 - Committee on Commerce, Labor and Energy - Establishes provisions relating to the use of certain plastic bags in retail transactions (BDR 52-2)

Fiscal Impact

Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

PURPOSE/BACKGROUND:

An Act relating to trade regulations; establishing a fund for environmental cleanup; temporarily imposing a fee on the use of nonbiodegradable plastic bags in retail sales transactions; prospectively banning the use of nonbiodegradable plastic bags in retail sales transactions; providing penalties; and providing other matters properly relating thereto.

RECOMMENDATION:

None

BACKUP DOCUMENTATION:

Senate Bill 2

SENATE BILL NO. 2—COMMITTEE ON
COMMERCE, LABOR AND ENERGY

OCTOBER 1, 2013

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Establishes provisions relating to the use of certain plastic bags in retail sales transactions. (BDR 52-2)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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

AN ACT relating to trade regulations; establishing a fund for environmental cleanup; temporarily imposing a fee on the use of nonbiodegradable plastic bags in retail sales transactions; prospectively banning the use of nonbiodegradable plastic bags in retail sales transactions; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 **Section 3** of this bill establishes the Plastic Bag Environmental Cleanup Fund
- 2 for the purpose of cleaning up the environment.
- 3 **Section 4** of this bill requires a person who provides a nonbiodegradable plastic
- 4 bag to a customer in a retail sales transaction for the purpose of carrying or
- 5 transporting purchased goods to collect a fee from the customer of 10 cents per bag
- 6 during the 2-year period after the effective date of this bill.
- 7 **Section 5** of this bill imposes a ban, beginning 2 years after the effective date
- 8 of this bill, on providing nonbiodegradable plastic bags to customers in retail sales
- 9 transactions for the purpose of carrying or transporting purchased goods and
- 10 imposes fines for violations of the ban.



* U S B 2 *

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

- 1 **Section 1.** Chapter 597 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this
3 act.
- 4 **Sec. 2.** *As used in sections 2 to 5, inclusive, of this act, unless*
5 *the context otherwise requires:*
- 6 1. *"Administrator" means the Administrator of the Division.*
7 2. *"Division" means the Division of Environmental*
8 *Protection of the State Department of Conservation and Natural*
9 *Resources.*
- 10 3. *"Fund" means the Plastic Bag Environmental Cleanup*
11 *Fund created pursuant to section 3 of this act.*
- 12 **Sec. 3.** 1. *The Plastic Bag Environmental Cleanup Fund is*
13 *hereby created in the State Treasury.*
- 14 2. *The Division shall administer the Fund for the purpose of*
15 *cleaning up the environment of this State.*
- 16 3. *Interest and income earned on the money in the Fund*
17 *must be credited to the Fund.*
- 18 4. *Money remaining in the Fund at the end of a fiscal year*
19 *does not revert to the State General Fund, and the balance in the*
20 *Fund must be carried forward.*
- 21 5. *The Administrator shall adopt regulations establishing:*
- 22 (a) *Provisions that the Administrator deems necessary for the*
23 *administration and enforcement of sections 2 to 5, inclusive, of*
24 *this act; and*
- 25 (b) *The uses and methods of expenditure of money in the*
26 *Fund.*
- 27 **Sec. 4.** 1. *A person who provides a nonbiodegradable*
28 *plastic bag to a customer in a retail sales transaction for the*
29 *purpose of carrying or transporting purchased goods shall collect*
30 *from the customer a fee of 10 cents per bag.*
- 31 2. *All money collected pursuant to subsection 1 must be*
32 *accounted for separately and held in trust for the Division until*
33 *the money is transmitted to the Division for deposit in and credit to*
34 *the Fund.*
- 35 3. *The Administrator shall adopt regulations establishing*
36 *acceptable methods for accounting for, holding in trust and*
37 *transmitting to the Division money required to be collected*
38 *pursuant to subsection 1. The regulations must include a*
39 *designation of the persons responsible for accounting for, holding*
40 *in trust and transmitting the money collected pursuant to*
41 *subsection 1.*



- 1 **Sec. 5.** 1. *A person shall not provide a nonbiodegradable*
2 *plastic bag to a customer in a retail sales transaction for the*
3 *purpose of carrying or transporting purchased goods.*
4 2. *A person who violates the provisions of subsection 1 shall*
5 *be punished:*
6 (a) *For the first violation, by an administrative fine of \$250.*
7 (b) *For the second violation within 120 days after the first*
8 *violation, by an administrative fine of \$500.*
9 (c) *For the third or subsequent violation within 120 days after*
10 *the first violation, by an administrative fine of \$1,000.*
11 3. *Each day on which a violation occurs constitutes a*
12 *separate violation.*
13 4. *All fines imposed pursuant to this section must be paid to*
14 *the Division to be held in trust for the State. In accordance with*
15 *the regulations adopted pursuant to subsection 5, the Division*
16 *shall transmit the money held in trust pursuant to this subsection*
17 *to the State Treasurer for deposit in and credit to the State General*
18 *Fund.*
19 5. *The State Treasurer shall adopt regulations establishing*
20 *acceptable methods for accounting for and transmitting to the*
21 *State Treasurer money required to be paid by the Division*
22 *pursuant to this section.*
23 **Sec. 6.** 1. This section and sections 1 to 4, inclusive, of this
24 act become effective on the July 1 following the enactment of this
25 act.
26 2. Section 4 of this act expires by limitation 2 years after the
27 effective date in subsection 1.
28 3. Section 5 of this act becomes effective 2 years after the
29 effective date in subsection 1.



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AGENDA SUMMARY PAGE
ULEGSLATE (SESSION ONE) MEETING OF: JUNE 4, 2014

SUBJECT:

SB2 - Discussion for possible action regarding Senate Bill No. 2 - Committee on Commerce, Labor and Energy - Establishes provisions relating to the use of certain plastic bags in retail transactions (BDR 52-2)

Fiscal Impact

Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

PURPOSE/BACKGROUND:

An Act relating to trade regulations; establishing a fund for environmental cleanup; temporarily imposing a fee on the use of nonbiodegradable plastic bags in retail sales transactions; prospectively banning the use of nonbiodegradable plastic bags in retail sales transactions; providing penalties; and providing other matters properly relating thereto.

RECOMMENDATION:

None

BACKUP DOCUMENTATION:

Senate Bill 2

SENATE BILL NO. 2—COMMITTEE ON
COMMERCE, LABOR AND ENERGY

OCTOBER 1, 2013

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Establishes provisions relating to the use of certain plastic bags in retail sales transactions. (BDR 52-2)

FISCAL NOTE: Effect on Local Government: May have Fiscal Impact.
Effect on the State: Yes.

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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 trade regulations; establishing a fund for environmental cleanup; temporarily imposing a fee on the use of nonbiodegradable plastic bags in retail sales transactions; prospectively banning the use of nonbiodegradable plastic bags in retail sales transactions; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

- 1 **Section 3** of this bill establishes the Plastic Bag Environmental Cleanup Fund
- 2 for the purpose of cleaning up the environment.
- 3 **Section 4** of this bill requires a person who provides a nonbiodegradable plastic
- 4 bag to a customer in a retail sales transaction for the purpose of carrying or
- 5 transporting purchased goods to collect a fee from the customer of 10 cents per bag
- 6 during the 2-year period after the effective date of this bill.
- 7 **Section 5** of this bill imposes a ban, beginning 2 years after the effective date
- 8 of this bill, on providing nonbiodegradable plastic bags to customers in retail sales
- 9 transactions for the purpose of carrying or transporting purchased goods and
- 10 imposes fines for violations of the ban.



* U S B 2 *

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

- 1 **Section 1.** Chapter 597 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2 to 5, inclusive, of this
3 act.
- 4 **Sec. 2.** *As used in sections 2 to 5, inclusive, of this act, unless*
5 *the context otherwise requires:*
- 6 1. "Administrator" means the Administrator of the Division.
7 2. "Division" means the Division of Environmental
8 Protection of the State Department of Conservation and Natural
9 Resources.
- 10 3. "Fund" means the Plastic Bag Environmental Cleanup
11 Fund created pursuant to section 3 of this act.
- 12 **Sec. 3.** 1. The Plastic Bag Environmental Cleanup Fund is
13 hereby created in the State Treasury.
- 14 2. The Division shall administer the Fund for the purpose of
15 cleaning up the environment of this State.
- 16 3. Interest and income earned on the money in the Fund
17 must be credited to the Fund.
- 18 4. Money remaining in the Fund at the end of a fiscal year
19 does not revert to the State General Fund, and the balance in the
20 Fund must be carried forward.
- 21 5. The Administrator shall adopt regulations establishing:
- 22 (a) Provisions that the Administrator deems necessary for the
23 administration and enforcement of sections 2 to 5, inclusive, of
24 this act; and
- 25 (b) The uses and methods of expenditure of money in the
26 Fund.
- 27 **Sec. 4.** 1. A person who provides a nonbiodegradable
28 plastic bag to a customer in a retail sales transaction for the
29 purpose of carrying or transporting purchased goods shall collect
30 from the customer a fee of 10 cents per bag.
- 31 2. All money collected pursuant to subsection 1 must be
32 accounted for separately and held in trust for the Division until
33 the money is transmitted to the Division for deposit in and credit to
34 the Fund.
- 35 3. The Administrator shall adopt regulations establishing
36 acceptable methods for accounting for, holding in trust and
37 transmitting to the Division money required to be collected
38 pursuant to subsection 1. The regulations must include a
39 designation of the persons responsible for accounting for, holding
40 in trust and transmitting the money collected pursuant to
41 subsection 1.



- 1 **Sec. 5.** 1. *A person shall not provide a nonbiodegradable*
2 *plastic bag to a customer in a retail sales transaction for the*
3 *purpose of carrying or transporting purchased goods.*
4 2. *A person who violates the provisions of subsection 1 shall*
5 *be punished:*
6 (a) *For the first violation, by an administrative fine of \$250.*
7 (b) *For the second violation within 120 days after the first*
8 *violation, by an administrative fine of \$500.*
9 (c) *For the third or subsequent violation within 120 days after*
10 *the first violation, by an administrative fine of \$1,000.*
11 3. *Each day on which a violation occurs constitutes a*
12 *separate violation.*
13 4. *All fines imposed pursuant to this section must be paid to*
14 *the Division to be held in trust for the State. In accordance with*
15 *the regulations adopted pursuant to subsection 5, the Division*
16 *shall transmit the money held in trust pursuant to this subsection*
17 *to the State Treasurer for deposit in and credit to the State General*
18 *Fund.*
19 5. *The State Treasurer shall adopt regulations establishing*
20 *acceptable methods for accounting for and transmitting to the*
21 *State Treasurer money required to be paid by the Division*
22 *pursuant to this section.*
23 **Sec. 6.** 1. This section and sections 1 to 4, inclusive, of this
24 act become effective on the July 1 following the enactment of this
25 act.
26 2. Section 4 of this act expires by limitation 2 years after the
27 effective date in subsection 1.
28 3. Section 5 of this act becomes effective 2 years after the
29 effective date in subsection 1.



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AGENDA SUMMARY PAGE
ULEGISLATE (SESSION ONE) MEETING OF: JUNE 4, 2014

SUBJECT:

SB6 - Discussion for possible action regarding Senate Bill No. 6 - Committee on Education - Prescribes standard attire for pupils in public schools. (BDR34-8)

Fiscal Impact

Effect on Local Government: No.

Effect on the State: No.

PURPOSE/BACKGROUND:

An Act relating to education; prescribing a statewide standard attire for pupils enrolled in public schools; and providing other matters properly relating thereto.

RECOMMENDATION:

None

BACKUP DOCUMENTATION:

Senate Bill 6

SENATE BILL NO. 6—COMMITTEE ON EDUCATION

OCTOBER 1, 2013

Referred to Committee on Education

SUMMARY—Prescribes standard attire for pupils in public schools. (BDR 34-8)

FISCAL NOTE: Effect on Local Government: No.
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 education; prescribing a statewide standard attire for pupils enrolled in public schools; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

1 Existing law authorizes the board of trustees of a school district to establish a
2 policy that requires pupils to wear school uniforms. (NRS 392.415) This bill
3 removes that authorization for a local school district policy and prescribes
4 requirements for a statewide standard attire for pupils while attending public
5 school, including requirements for: (1) pants, slacks, blue jeans and shorts; (2)
6 sweaters, shirts and blouses; and (3) skirts, skorts, jumpers and dresses.

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

1 **Section 1.** Chapter 392 of NRS is hereby amended by adding
2 thereto a new section to read as follows:
3 *All pupils enrolled in public schools must comply with the*
4 *following requirements for standard attire while attending public*
5 *school:*
6 *1. Pants, slacks, blue jeans and shorts may be worn in solid*
7 *colors without patterns if they are sized to fit. Such articles of*
8 *clothing may not be worn with rips or tears that are visible*
9 *mid-thigh or higher. Small decorations on a pocket are acceptable*
10 *if the material is otherwise plain.*
11 *2. Sweaters may be worn in solid colors without patterns.*



1 3. *Shirts and blouses may be worn in solid colors with collars*
2 *and without patterns. A shirt or blouse may be long-sleeved or*
3 *short-sleeved.*

4 4. *Skirts, skorts, jumpers and dresses may be worn in*
5 *approved colors. The length of any such article of clothing must*
6 *be at least to the tip of the longest finger when the pupil's arms are*
7 *vertically downward while the pupil is standing or the equivalent,*
8 *if using an alternative form of measurement.*

9 5. *Ties may be worn in any color, both solid and with*
10 *patterns.*

11 6. *Leggings or tights may be worn in approved solid colors.*

12 7. *Athletic shorts are prohibited attire except during periods*
13 *in which a pupil is participating in physical education or a*
14 *sporting or athletic event sanctioned by the public school or the*
15 *Nevada Interscholastic Activities Association.*

16 **Sec. 2.** NRS 392.415 is hereby amended to read as follows:

17 392.415 ~~1. The board of trustees of a school district may, in~~
18 ~~consultation with the schools within the district, parents and legal~~
19 ~~guardians of pupils who are enrolled in the district, and associations~~
20 ~~and organizations representing licensed educational personnel~~
21 ~~within the district, establish a policy that requires pupils to wear~~
22 ~~school uniforms:~~

23 ~~2. The policy must:~~

24 ~~(a) Describe the uniforms;~~

25 ~~(b) Designate which pupils must wear the uniforms; and~~

26 ~~(c) Designate the hours or events during which the uniforms~~
27 ~~must be worn.~~

28 ~~3. If the board of trustees of a school district establishes a~~
29 ~~policy that requires pupils to wear school uniforms, the board shall~~
30 ~~facilitate the acquisition of school uniforms for pupils whose parents~~
31 ~~or legal guardians request financial assistance to purchase the~~
32 ~~uniforms.~~

33 ~~4. The board of trustees of a school district may establish a~~
34 ~~dress code enforceable during school hours for the teachers and~~
35 ~~other personnel employed by the board of trustees.~~

36 **Sec. 3.** This act becomes effective on the July 1 immediately
37 following the passage and approval of this act.

