

**THE FORTY-SEVENTH DAY**

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CARSON CITY (Friday), March 20, 2015

Senate called to order at 11:54 a.m.

President Hutchison presiding.

Roll called.

All present except Senators Brower, Segerblom and Smith, who were excused.

Prayer by Rabbi Evon J. Yakar.

Thank you for the honor of sharing these words of blessing. I am grateful to each of you for your service to this State of Nevada.

Among the great realities of our Nation and the states joined to form our Union is that, we recognize the constant striving to which we must always aim. There are moments, yes, of reflection. The times we must consider from where we have come. And, there are moments we must look beyond that which we can see and chart the course ahead. The intersection of those two is represented by so many fleeting moments during our days.

I recognize the awesome responsibility you have of working for the greater good of all our citizens and residents. Your power, the ability that you have to set that course must see that "beyond"; you must see it with a resolve that guides you with a sense of what is good, right and true. There is no doubt disagreement and debate exist, and yet, we have the ability to recognize their crucial role in achieving a better future. That striving to which we must always aim inevitably engenders many opinions and views. In the Jewish tradition, it is taught, "The angel of victory and the angel of learning cannot be in the same room at the same time." (unattributed teaching)

The striving this teaching demonstrates must be born out of a quest for knowledge, understanding and insight. Each morning, Jewish prayer offers us the following words: "God, You favor us with knowledge and teach us humans understanding. May You continue to bestow knowledge, understanding and insight. Blessed is the Source of Life, Mystery of Creation, gracious Giver of Knowledge." (Jewish Morning Liturgy)

May all of us, here, seek to welcome the angel of learning. May we be blessed with knowledge, understanding and insight so that we may use these gifts to effect what is good, what is right and what is true for us, and all the citizens of the great State of Nevada.

AMEN.

Pledge of Allegiance to the Flag.

By previous order of the Senate, the reading of the Journal is dispensed with, and the President and Secretary are authorized to make the necessary corrections and additions.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 19, 2015

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 265.

CAROL AIELLO-SALA  
*Assistant Chief Clerk of the Assembly*

## INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 265.

Senator Kieckhefer moved that the bill be referred to the Committee on Finance.

Motion carried.

## SECOND READING AND AMENDMENT

Senate Bill No. 133.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 146.

SUMMARY—Authorizes the reimbursement of teachers for certain out-of-pocket expenses. (BDR 34-118)

AN ACT relating to education; creating the Teachers' School Supplies Reimbursement Account; providing for an annual allocation from the Account to each school district ~~[, authorizing]~~ and charter school for distribution to teachers ~~[to submit claims to the school districts by which they are employed]~~ for reimbursement for certain out-of-pocket expenses; ~~[requiring the Department of Education to adopt by regulation the procedure for submission and approval of the claims;]~~ authorizing the donation of unclaimed property to the Account under certain circumstances; making an appropriation; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 3 of this bill creates the Teachers' School Supplies Reimbursement Account in the State General Fund, and section 4 of this bill requires the Department of Education to determine the amount of money available in the Account and apportion the money deposited in the Account among the school districts and charter schools annually based on the number of teachers employed by each school district ~~[,]~~ or charter school, as applicable, up to \$250 per teacher.

Section 4 also requires the board of trustees of each school district and the governing body of each charter school to establish a special revenue fund and deposit the money it receives from the Account in that fund. Section 4 further provides that money in the special revenue fund must be used only to reimburse teachers for out-of-pocket expenses incurred in connection with purchasing certain school supplies. Section 4 also requires the board of trustees of each school district or the governing body of a charter school, as applicable, to transfer any balance remaining in the special revenue fund that has not been committed for expenditure to the Account at the end of each fiscal year.

Section 5 of this bill ~~[authorizes a teacher to submit a claim to]~~ requires the board of trustees of ~~[the]~~ each school district ~~[by which the teacher is employed for reimbursement from the special revenue fund for out-of-pocket expenses. Section 5 requires the teacher to sign a form, under penalty of perjury, attesting that the claim for reimbursement is for~~

~~out of pocket expenses incurred in connection with purchasing necessary school supplies for the pupils whom he or she instructs. Section 5 authorizes the board of trustees to reimburse such a teacher up to \$ 100 per year. Section 5 further requires the Department to adopt by regulation procedures for: (1) the submission of claims by teachers for reimbursement from a school district's special revenue fund; and (2) the review and approval of such claims.] and the governing body of each charter school to determine the manner in which to distribute the money received to the teachers, including whether the teachers will be required to submit a request for reimbursement. Section 5 also requires teachers to submit receipts for purchases made with money received from the special revenue fund to the principal of the school, who must retain the receipts until the end of the next fiscal year.~~

Existing law requires the Administrator of Unclaimed Property in this State to take possession of property that is abandoned and unclaimed by its owner and to hold it in trust until the owner or the owner's legal heirs can be located. (NRS 120A.530, 120A.620) Existing law allows the original owner or his or her heirs to file a claim to recover property in the possession of the Administrator at any time. (NRS 120A.560, 120A.640) Section 6 of this bill authorizes a person whose claim to recover such property of less than \$500 and has been approved by the Administrator to donate the property or the net proceeds of a sale of the property to the Teacher's School Supplies Reimbursement Account.

Section ~~6~~ 7 of this bill appropriates \$2,500,000 for Fiscal Year 2015-2016 and \$2,500,000 for Fiscal Year 2016-2017 from the State General Fund to the Teachers' School Supplies Reimbursement Account.

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

Section 1. Chapter 387 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 5, inclusive, of this act.

Sec. 2. *As used in sections 2 to 5, inclusive, of this act, "teacher" means a licensed employee of a school district who devotes the majority of his or her working time to the rendering of direct educational service to pupils ~~+~~, except that the term does not include a substitute teacher.*

Sec. 3. 1. *The Teachers' School Supplies Reimbursement Account is hereby created in the State General Fund. The Department shall administer the Account.*

2. *The money in the Account must be invested as other money of the State is invested. All interest and income earned on the money in the Account must be credited to the Account.*

3. *The money in the Account must be used only for the purposes specified in section 4 of this act.*

4. *Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, and the balance in the Account must be carried forward.*

5. The Department may accept gifts, grants, bequests and donations from any source for deposit in the Account.

Sec. 4. 1. ~~On or before September 1 of each year, the Department shall apportion the~~ determine the amount of money that is available in the Teachers' School Supplies Reimbursement Account created by section 3 of this act for distribution among all of the school districts and charter schools in this State for that fiscal year . Any such distribution must be provided to each school district and charter school based on the number of teachers employed by ~~each~~ the school district ~~or~~ or charter school, as applicable. To the extent that money is available, the Department shall establish the amount of reimbursement for each teacher which must not exceed \$250 per fiscal year.

2. The board of trustees of each school district and the governing body of each charter school shall establish a special revenue fund and direct that the money it receives pursuant to subsection 1 be deposited in that fund. Money in the special revenue fund must not be commingled with money from other sources. The board of trustees or the governing body, as applicable, shall disburse ~~the~~ money in the special revenue fund to teachers in accordance with section 5 of this act.

3. The money in the special revenue fund must be used ~~by the board of trustees~~ only to reimburse teachers for out-of-pocket expenses incurred in connection with purchasing necessary school supplies for the pupils they instruct.

4. The board of trustees ~~or~~ governing body of a charter school, as applicable, shall not use money in the special revenue fund to pay any administrative costs.

~~(b) May enter into an agreement with the recognized employee organization representing licensed educational personnel within the school district for the purpose of obtaining the assistance of the employee organization in administering the reimbursement of teachers pursuant to section 5 of this act. The board of trustees shall not compensate the employee organization for any service performed pursuant to the agreement.~~

5. ~~The~~ Any money remaining in the special revenue fund ~~must not be~~ committed for expenditure after June 30 of each year. As soon as practicable on or after July 1 of each year, the board of trustees shall transfer any balance remaining in the special revenue fund that has not been committed for expenditure ~~at the end of a fiscal year~~ reverts to the Teachers' School Supplies Reimbursement Account.

Sec. 5. 1. ~~A teacher employed by the~~ The board of trustees of ~~a~~ each school district and the governing body of each charter school that receives money pursuant to subsection 1 of section 4 of this act ~~may submit to the board of trustees a claim~~ shall determine the manner in which to distribute the money to teachers in the school district or charter school, as applicable, including, without limitation, whether to require a teacher to submit a request for a claim for reimbursement for out-of-pocket expenses

*from the special revenue fund established pursuant to section 4 of this act. ~~[The claim must be submitted on a form prescribed by the Department and be accompanied by the documentation required by the Department. The teacher shall sign the form attesting, under penalty of perjury, that the claim for reimbursement is for out of pocket expenses incurred in connection with purchasing necessary school supplies for the pupils he or she instructs.]~~*

*2. To the extent that money is available in the special revenue fund, the board of trustees ~~or governing body, as applicable,~~ may reimburse a teacher ~~[who submits a claim pursuant to subsection 1 in an]~~ up to the maximum amount ~~[not to exceed \$100 per]~~ determined by the Department for each teacher pursuant to section 4 of this act for the fiscal year.*

*3. ~~[The Department shall adopt by regulation:~~*

- ~~(a) Procedures for the submission of claims pursuant to this section;~~*
- ~~(b) Procedures for the review and approval of claims submitted pursuant to this section, including, without limitation, a list of school supplies that are eligible for reimbursement; and~~*
- ~~(c) Any other provisions necessary to carry out the provisions of sections 2 to 5, inclusive, of this act.]~~ If the board of trustees of a school district or the governing body of a charter school, as applicable, requires a teacher to submit a claim for reimbursement for out-of-pocket expenses to receive money from the special revenue fund, the teacher must submit such a claim no later than 2 weeks after the last day of the school year.*

*4. The board of trustees of a school district may enter into an agreement with the recognized employee organization representing licensed educational personnel within the school district for the purpose of obtaining assistance of the employee organization in administering the reimbursement of teachers pursuant to this section.*

*5. A teacher who receives money from the special revenue fund must submit receipts for any supplies purchased with the money to the principal of the school or charter school, as applicable. The principal must maintain such receipts until the end of the next fiscal year and make them available for inspection upon request of the Department.*

*Sec. 6. Chapter 120A of NRS is hereby amended by adding thereto a new section to read as follows:*

*1. A person with a claim to property paid or delivered to the Administrator that is less than \$500 may, if the claim is allowed by the Administrator pursuant to NRS 120A.640, donate the money or the net proceeds from the sale of the property, together with any dividend, interest or other increment to which the person is entitled under NRS 120A.600 and 120A.610, to the State for educational purposes.*

*2. The Administrator must, within 30 days after the allowance of a claim pursuant to NRS 120A.040, transfer the amount of the claim, together with any dividend, interest or other increment to which the person is entitled under NRS 120A.600 and 120A.610, from the Abandoned Property Trust*

Account to the Teachers' School Supplies Reimbursement Account created pursuant to section 3 of this act.

3. The Administrator may adopt regulations to carry out the provisions of this section.

~~[Sec. 6.]~~ Sec. 7. There is hereby appropriated from the State General Fund to the Teachers' School Supplies Reimbursement Account created by section 3 of this act:

For the Fiscal Year 2015-2016 ..... \$2,500,000

For the Fiscal Year 2016-2017 ..... \$2,500,000

~~[Sec. 7.]~~ Sec. 8. This act becomes effective on July 1, 2015.

Senator Harris moved the adoption of the amendment.

Remarks by Senator Harris.

As a Committee, we took a hard look at Senate Bill No. 133 and wanted to make sure we were doing things to ease the burdens that our teachers are facing. Therefore, we did an extensive amendment. One thing we did is tighten up the definition of teacher. We made sure full-time teachers and charter school teachers are the ones that are going to benefit from the reimbursement account. We increased the maximum annual reimbursement from \$100 to \$250 if the funding is there. We removed departmental regulation of the reimbursement process and gave flexibility to the school districts and other schools so they can design a local process that better fits their needs.

As you know, the issues in urban counties, like Clark and Washoe, are often different from the ones faced by rural communities. We require that the receipts be submitted to and retained by the school so if there is ever a question about how that money is being disbursed or dispensed, there is some back-up documentation. We did something I think is quite unique; we received permission from the Treasurer to allow unclaimed property of less than \$500, when it is claimed, to be donated to our statewide school supplies account. We had language added so that gifts, bequests, donations and those kinds of things could also go into that teacher account.

Hopefully, we can get some additional funding that is not dependent on State General Funds to be able to keep this account going.

We added Senators Denis, Hammond and Woodhouse as sponsors to the bill and made a couple other clarifying changes.

Motion carried.

Senator Kieckhefer moved that the bill be re-referred to the Committee on Finance, upon return from reprint.

Motion carried.

Bill ordered reprinted, engrossed and re-referred to the Committee to Finance.

Senate Bill No. 209.

Bill read second time and ordered to third reading.

Senate Bill No. 252.

Bill read second time and ordered to third reading.

Mr. President announced that if there were no objections, the Senate would recess subject to the call of the Chair.

Senate in recess at 12:07 p.m.

SENATE IN SESSION

At 12:08 p.m.  
President Hutchison presiding.  
Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Roberson moved that Senate Bill No. 252 be taken from the General File and placed on the Secretary's desk.

Motion carried.

Senator Roberson moved that Senate Bill No. 175; Assembly Bill No. 155 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Hardy, the privilege of the floor of the Senate Chamber for this day was extended to Debra Carmichael, Ellen Walls and Debra Burns.

On request of Senator Settlemeyer, the privilege of the floor of the Senate Chamber for this day was extended to Steve Sanson and Vicky Maltman.

On request of President Hutchison, the privilege of the floor of the Senate Chamber for this day to Luo Linquan, Consul General of China, San Francisco Office; Qiao Li, Dai Xin; Liu Zhen, and Chaunsey Chau-Duonk, Senior International Trade Manager, Nevada Governor's Office of Economic Development.

Senator Roberson moved that the Senate adjourn until Monday, March 23, 2015, at 11:00 a.m.

Motion carried.

Senate adjourned at 12:11 p.m.

Approved:

MARK A. HUTCHISON  
*President of the Senate*

Attest: CLAIRE J. CLIFT  
*Secretary of the Senate*