

RPEN LEGISLATIVE ALERT I

February 1, 2019

The 80th Session of the Nevada State Legislature will convene Monday, February 4. This will be our first Legislative Alert of what will be done on a weekly basis until the end of the session, expected on the first Monday in June, unless there is a reason that the session would have to roll over into a Special Session. You are receiving this email because you have given us approval to send RPEN related materials.

At the end of January there were nearly one thousand BDR's (Bill Draft Requests) on the Legislative website, found at <https://www.leg.state.nv.us/>

There are 58 of those BDR's that are currently being tracked by RPEN and our Legislative Advocate Marlene Lockard who serves as our Lead Lobbyist at the Legislature. Included among them is a do-over of Senate Bill 384, introduced at the request of RPEN, during the 2017 session by Sparks Senator Julia Ratti. SB384 was designed to determine what is and is not private, and confidential information in light of a lawsuit filed against the Nevada Public Employees' Retirement System (PERS) that sought access to more than just names of retired public employees. The Nevada Policy Research Institute took their suit to the State Supreme Court seeking access to the following information: 1) record of retiree name 2) payroll amount 3) date of retirement 4) years of service 5) last employer 6) retirement type 7) original retirement amount and 8) COLA (Cost of Living Adjustments). The Supreme Court issued their final decision, following an appeal of their original decision favoring NPRI, from PERS, on December 24. In legal terms, a "remittitur" was issued that essentially is the process by which jurisdiction is transferred back to the court of origin. It's expected the case will be back in the District Court sometime in March. Meanwhile, the introduction of a bill similar to SB 384, to have the Legislature define what is and is not public, or private information, will begin churning its way through committees. The current makeup of the Legislature could lead to a more favorable outcome of such a bill. In 2017 RPEN (along with lobbyists from AFSCME (American Federation of State, County and Municipal Employees) and NFA (Nevada Faculty Alliance) worked closely with Senator Ratti to change the bill to reflect then Governor Sandoval's consideration after both houses approved it, only to be disappointed after the session ended when Sandoval vetoed the bill. So we will be watching this bill (now known as BDR 19-598) and will keep it among our weekly updates as new information comes out.

Keeping with our legislative agenda prepared by our Legislative/Insurance Committee and approved by our Board of Directors, we'll also be watching for bills relating to Collective Bargaining for State Employees as well as restoration of healthcare benefits in retirement for state employees hired after July 1, 2012. Additionally we are also always concerned with protecting PERS, keeping it a "defined benefit" plan rather than instituting a "defined contribution/hybrid plan" as suggested by NPRI in several previous legislative sessions. PERS has experienced an average of 9.3% return, net of fees, since recordkeeping began in 1983, and thus, is not "broken" and doesn't need to be "fixed".

We will also follow other retiree-related issues involving elder abuse, guardianship, and many healthcare related issues, including the high cost of prescription drugs.