

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON COMMERCE AND LABOR**

**Seventy-Sixth Session
February 9, 2011**

The Committee on Commerce and Labor was called to order by Chair Kelvin Atkinson at 11:54 a.m. on Wednesday, February 9, 2011, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/76th2011/Committees/. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman Kelvin Atkinson, Chair
Assemblyman Marcus Conklin, Vice Chair
Assemblywoman Irene Bustamante Adams
Assemblywoman Maggie Carlton
Assemblyman Richard (Skip) Daly
Assemblyman John Ellison
Assemblyman Ed A. Goedhart
Assemblyman Tom Grady
Assemblyman Cresent Hardy
Assemblyman Pat Hickey
Assemblyman William C. Horne
Assemblywoman Marilyn K. Kirkpatrick
Assemblyman Kelly Kite
Assemblyman James Ohrenschall
Assemblyman Tick Segerblom

COMMITTEE MEMBERS ABSENT:

Assemblyman John Ocegüera (excused)

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Marji Paslov Thomas, Committee Policy Analyst
Sara Partida, Committee Counsel
Andrew Diss, Committee Manager
Earlene Miller, Committee Secretary
Sally Stoner, Committee Assistant

OTHERS PRESENT:

None

Chairman Atkinson:

[The roll was taken, and a quorum was present.]

I would like to welcome everyone to the first meeting of the session for the Committee on Commerce and Labor. We will make some introductions. I am Kelvin Atkinson, representing Clark District No. 17 in North Las Vegas. This is my second session on the Commerce and Labor Committee, and I was the Vice Chair of the Committee last session. We will let the Committee members introduce themselves.

Assemblyman Grady:

I represent District No. 38, which covers Lyon County, Storey County, and parts of Carson City and Churchill County. This is my fifth session in the Assembly, and I look forward to working with you in my first session on the Commerce and Labor Committee.

Assemblywoman Carlton:

I am representing Clark District No. 14. This is my first year as an Assemblyperson. I served in the Nevada State Senate for 12 years and served on the Senate Commerce and Labor Committee every session. I look forward to being on this Committee.

Assemblywoman Kirkpatrick:

I represent Clark District No. 1.

Assemblyman Hickey:

I represent an area of Reno in Washoe District No. 25. I am a contractor, so I am especially happy to be on the Commerce and Labor Committee.

Assemblyman Goedhart:

I represent District No. 36, which includes Lincoln County, Nye County, Esmeralda County, and parts of Churchill County. I am a farmer and a rancher and also do some construction. It is a pleasure to be on the Committee.

Assemblyman Hardy:

I represent Clark District No. 20, which is the rural communities in Clark County and has a larger landmass than all the other Clark County districts together. I am a general contractor and feel privileged to be here. I look forward to everyone's tutelage on this Committee because this is my first year.

Assemblyman Ohrenshall:

I represent Clark District No. 12. I have wanted to serve on this Committee since I was first elected in 2006. I know how vital this Committee's work is to Nevada's economy. I was impressed at how the Chair conducted the Transportation Committee last session and am glad to serve with him on this Committee.

Assemblywoman Bustamante Adams:

I represent Clark District No. 42, which is the Spring Valley area in Las Vegas. My background is in the gaming industry and also as an advocate for small businesses. This is my first session in the Assembly.

Assemblyman Segerblom:

I represent Clark District No. 9, the downtown, historic area of Las Vegas. I am very pleased to be on this Committee.

Assemblyman Daly:

I represent Washoe District No. 31, which includes parts of Sparks, Reno, and Washoe County. My background is in construction and labor.

Assemblyman Ellison:

I represent District No. 33, which encompasses Elko County and part of Humboldt County. I was an Elko County Commissioner and an Elko City Councilman for many years. I served on the State Contractors' Board, and also with the Nevada Association of Counties (NACO) and the National Association of Counties. I operate and own five businesses and I am an electrical contractor. I look forward to being on this Committee.

Assemblyman Kite:

I represent District No. 39, which includes Douglas County and Incline Village and Crystal Bay in Washoe County. I was a Douglas County Commissioner. I am looking forward to serving on this Committee as a first-term Assemblyman.

Assemblyman Horne:

I am the Assemblyman for Clark District No. 34. This is my third session on the Commerce and Labor Committee. I look forward to serving on the Committee again.

Chairman Atkinson:

I would like to introduce the Committee staff. Sara Partida is the Committee Counsel. She has been in the Legal Division of the Legislative Counsel Bureau (LCB) since 2004 and was Counsel for the Senate Health and Education Committee for the past three sessions. She will be a great asset to the Committee. Marji Paslov Thomas is the Committee Policy Analyst. She has been with the Research Division since 1998 and served as the Policy Analyst for the Assembly Transportation Committee for the last four sessions. Andrew Diss is the Committee Manager for the Commerce and Labor Committee for the second session. He recently completed law school and will enter the United States Marine Corps as an officer at the end of the legislative session. Lona Domenici is my personal attaché. This is her second session with me. Last session she was my attaché and the Transportation Committee Manager. Lona is retired from the State of Nevada as an Administrative Services Officer III in budget and fiscal. She has also had previous experience working with Assembly Leadership and the Legislative Counsel Bureau. Pat Blackburn is a Committee Secretary for her fifth session. She is a retired legal secretary from San Francisco. She quilts in her spare time and has an amazing quilt hanging in her office. Jordan Grow is a Committee Secretary. This is her first legislative session. She is a recent graduate of the University of Nevada, Reno and taught English in a public school in Chile. Earlene Miller is a Committee Secretary for her third legislative session. She is a 37-year Nevada resident who resides in Carson City with her husband of 43 years. She is a retired children's social worker and loves spending time with her family. Sally Stoner is the Committee Assistant. This is her third session. In 2005 she retired after working for Wells Fargo for 31 years and moved to Carson City.

Next we will review our Committee policies.
[Read from prepared testimony ([Exhibit C](#))].

We will have another introduction.

Assemblyman Conklin:

I represent Clark District No. 37 in northwest Las Vegas and, with the exception of Mr. Ocegüera, am probably the longest serving member of this Committee. I am looking forward to working with and for the Chair and with all of the members of the Committee.

Chairman Atkinson:

We will take a motion on the adoption of the Committee policies.

ASSEMBLYMAN CONKLIN MOVED TO ADOPT THE ASSEMBLY
COMMITTEE ON COMMERCE AND LABOR 2011 LEGISLATIVE
COMMITTEE POLICIES.

ASSEMBLYWOMAN KIRKPATRICK SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMAN OCEGUERA WAS ABSENT FOR THE VOTE.)

The Policy Analyst will now go over the Committee Brief.

Marji Paslov Thomas:

I have prepared a Committee Brief ([Exhibit D](#)). I would like to cover a couple of highlights of this brief. On page 2 is the Committee activity during the 2009 Legislative Session. Assembly Commerce and Labor was one of the busiest committees, if not the busiest. The Committee considered 155 bills and passed 93 bills to the Governor. The Committee's jurisdiction in the past has generally covered commercial instruments and transactions; manufactured housing; trade regulations and practices; labor and industrial relations; professions, occupations, and businesses; banks, financial institutions, and similar entities; insurance, except measures affecting state and local revenue; energy; and public utilities.

On pages 3 through 4 are some policy issues which may arise this session. This is somewhat subjective because we do not know exactly what bills have been drafted. The issues are taken from the list of bill draft requests (BDRs) put out by the Legal Division. Generally, we have quite a few bills on health care professions, health insurance, energy, mortgage lending and foreclosure, workers' compensation and worker safety, and employee misclassification. There was an interim study regarding employee misclassification, which is available online or from me.

Page 5 has a list of session deadlines. Next Monday, February 14, 2011, is the deadline for your personal BDRs. Pages 6 through 8 show a list of agency contacts. If you need additional information or any other contacts, please feel free to contact me or access those online on the legislative website. Appendix A is a list of frequently used acronyms. Appendix B has Committee staff contact information.

Chairman Atkinson:

We need to remind our audience that guests are not allowed at the dais during our meetings or breaks. If a guest needs to speak with a member, he or she must talk to the member outside the meeting.

We are going to have a joint meeting with the Senate to hear a presentation. Rose McKinney-James will give a presentation on solar energy. We will allow others from the public to comment. I personally requested Ms. McKinney-James to give this presentation so people can start thinking about that topic. We had hoped to do this before the session began, but we ran out of time, so arranged to have the presentation before the session got too busy. I wanted to clarify that was my doing. We will give only three to five minutes for people to comment.

Are there any other questions or comments from the Committee? [There were none.]

The meeting is adjourned [at 12:15 p.m.].

RESPECTFULLY SUBMITTED:

—

Earlene Miller
Committee Secretary

APPROVED BY:

Assemblyman Kelvin Atkinson, Chair

DATE:_____

EXHIBITS

Committee Name: Committee on Commerce and Labor

Date: <u>February 9, 2011</u> Time of Meeting: <u>11:54 a.m.</u>			
Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
	C	Kelvin Atkinson	Committee Policies
	D	Marji Paslov Thomas	Committee Brief