

Amendment No. 244

Senate Amendment to Senate Bill No. 508

(BDR 58-576)

Proposed by: Senate Committee on Transportation**Amends:** Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date
Adopted	☐	Lost	☐	_____	Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____	Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____	Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold underlining* is newly added transitory language.

DLJ/BJE



Date: 4/14/2013

S.B. No. 508—Repeals provisions relating to the employment of certain employees of railroad companies. (BDR 58-576)



SENATE BILL NO. 508—COMMITTEE ON TRANSPORTATION

(ON BEHALF OF THE LEGISLATIVE COMMISSION)

MARCH 25, 2013

Referred to Committee on Transportation

SUMMARY—Repeals provisions relating to ~~the employment of certain employees of railroad companies;~~ trains. (BDR 58-576)

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 ~~employees of railroad companies;~~ trains; revising provisions relating to the California-Nevada Super Speed Ground Transportation System; repealing provisions relating to the employment of certain employees of railroad companies; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law provides for a California-Nevada Super Speed Ground Transportation Commission, charged with pursuing the development of a Super Speed Ground Transportation System connecting southern California with southern Nevada. (NRS 705.4291, 705.4293) Sections 1-3, 5 and 6 of this bill eliminate obsolete provisions regarding the System by removing references to California's participation on the Commission and reorganizing the System under the State of Nevada.

Existing law requires the Legislative Counsel and the Research Director of the Legislative Counsel Bureau to work collaboratively to develop recommendations for the elimination of obsolete or antiquated provisions of the Nevada Revised Statutes. (NRS 220.085) ~~This~~ Section 4 of this bill repeals certain obsolete provisions of existing law which prohibit the employment of certain engineers or engine drivers to run a locomotive or train and the discharging from employment of certain flaggers and trainmen. (NRS 705.240, 705.390, 705.420)

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

Section 1. NRS 705.4291 is hereby amended to read as follows:

705.4291 The Legislature finds and declares that:

1. Passage of NRS 705.4291 to 705.4296, inclusive, is a declaration of legislative intent that the ~~States of California and Nevada jointly~~ State of Nevada consider and, if justified, pursue the development of a Super Speed Ground Transportation System connecting southern California with southern Nevada.

2. The System will:

(a) Provide economic benefits to both southern California and southern Nevada.

(b) Reduce reliance on gasoline- and diesel-fueled engines and encourage the use of alternative energy sources.

(c) Reduce congestion on Interstate Highway No. 15 between southern California and Las Vegas.

(d) Provide a working example for a transportation system that could play an essential role in the development of future commuter service in the Los Angeles Basin and the Las Vegas Valley.

(e) Provide quick and convenient transportation service for residents and visitors in southern California and southern Nevada.

Sec. 2. NRS 705.4292 is hereby amended to read as follows:

705.4292 As used in NRS 705.4291 to 705.4296, inclusive, unless the context otherwise requires:

1. "Commission" means the ~~California-Nevada~~ Nevada Super Speed Ground Transportation Commission.

2. "Southern California" means the counties of Los Angeles, Orange, Riverside and San Bernardino.

3. "Super Speed Ground Transportation System" means a system that:

(a) Is capable of sustained speeds of at least 240 miles per hour;

(b) Uses magnetic levitation technology;

(c) Carries primarily passengers; and

(d) Operates on a grade-separated, dedicated guideway.

Sec. 3. NRS 705.4293 is hereby amended to read as follows:

705.4293 1. There is hereby created the ~~California-Nevada~~ Nevada Super Speed Ground Transportation Commission as a separate legal entity. The governing body of the Commission consists of ~~+~~

~~(a) The members from California appointed pursuant to the law of California and the bylaws of the Commission.~~

~~(b) The same number of members from Nevada as are from California; eight~~ **members** appointed by the Governor. ~~of Nevada~~

2. The members ~~from Nevada~~ serve for terms of 4 years and may be reappointed at the pleasure of the Governor.

3. The Commission shall elect one of its members as Chair.

~~Section 1.~~ **Sec. 4. NRS 705.240, 705.390 and 705.420 are hereby repealed.**

Sec. 5. On the effective date of this act:

1. The rights, obligations and property of the State of Nevada in the California-Nevada Super Speed Ground Transportation Commission, if any, become the rights, obligations and property of the Nevada Super Speed Ground Transportation Commission.

2. The Nevada members of the California-Nevada Super Speed Ground Transportation Commission become the members of the Nevada Super Speed Ground Transportation Commission and shall be deemed to have been appointed to the Nevada Super Speed Ground Transportation Commission on the dates that they were appointed to the California-Nevada Super Speed Ground Transportation Commission.

Sec. 6. 1. This act becomes effective upon passage and approval.

2. Sections 1, 2 and 3 of this act expire by limitation:

(a) One year after the date on which the Governor declares by public proclamation that the Super Speed Ground Transportation System connecting southern California with southern Nevada has been completed; or

1 (b) On the date all borrowing made pursuant to NRS 705.42955 is retired,
2 → whichever is later.

TEXT OF REPEALED SECTIONS

705.240 Engineer required to be able to read timetables and ordinary handwriting; penalty.

1. It shall be unlawful for any person, as an officer of a corporation or otherwise, knowingly to employ an engineer or engine driver to run a locomotive or train on any railway if such engineer or engine driver cannot read timetables and ordinary handwriting.

2. It shall be unlawful for any person who cannot read timetables and ordinary handwriting to act as an engineer or run a locomotive or train on any railway.

3. Any person who violates any provision of this section shall be guilty of a gross misdemeanor.

705.390 Protection of flagger and trainman employed on certain dates from discharge or loss of employment. No person employed as a flagger on any railroad in this State on April 1, 1963, may be discharged or lose such employment by reason of the provisions of chapter 176, Statutes of Nevada 1963. No person holding seniority as a trainman on any railroad in this State on July 1, 1985, may be discharged or lose such employment by reason of the provisions of chapter 358, Statutes of Nevada 1985. But if a flagger or a trainman retires, terminates or voluntarily leaves such employment, the railroad company need not replace the position so vacated.

705.420 Penalty. Any railroad company or receiver of any railroad company, and any person engaged in the business of common carrier doing business in the State of Nevada, which violates any of the provisions of NRS 705.390 is liable to the Public Utilities Commission of Nevada for a penalty of \$500 for each violation.