

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

**Seventy-Seventh Session
May 17, 2013**

The Committee on Commerce and Labor was called to order by Chairman David P. Bobzien at 2:36 p.m. on Friday, May 17, 2013, in Room 4100 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 4401 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, 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 nelis.leg.state.nv.us/77th2013. 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 David P. Bobzien, Chairman
Assemblywoman Marilyn K. Kirkpatrick, Vice Chairwoman
Assemblywoman Irene Bustamante Adams
Assemblywoman Maggie Carlton
Assemblyman Skip Daly
Assemblywoman Olivia Diaz
Assemblyman John Ellison
Assemblyman Jason Frierson
Assemblyman Tom Grady
Assemblyman Ira Hansen
Assemblyman Crescent Hardy
Assemblyman James W. Healey
Assemblyman William C. Horne
Assemblyman Pete Livermore
Assemblyman James Ohrenschall

COMMITTEE MEMBERS ABSENT:

None



GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Kelly Richard, Committee Policy Analyst
Matt Mundy, Committee Counsel
Leslie Danihel, Committee Manager
Julie Kellen, Committee Secretary
Olivia Lloyd, Committee Assistant

OTHERS PRESENT:

Todd N. Westergard, Legislative Assistant for Senator Moises (Mo) Denis

Chairman Bobzien:

[Roll was called.] We are going to open up our work session, and we will begin with Senate Bill 162 (1st Reprint).

Senate Bill 162 (1st Reprint): Revises provisions governing the practice of medicine. (BDR 54-108)

Kelly Richard, Committee Policy Analyst:

The first bill before you today is Senate Bill 162 (1st Reprint). It was heard in Committee on April 19, 2013, and it was presented by Senator Hardy. It makes various changes to provisions governing the Board of Medical Examiners and the State Board of Osteopathic Medicine. [Read from work session document ([Exhibit C](#)).] It expands the grounds for disciplinary action, revises provisions relating to suspension, as well as service of process on licensees. It provides that the testimony or reports concerning the competency of certain physicians or physician assistants are not privileged. [Continued to read from work session document ([Exhibit C](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYMAN DALY MOVED TO DO PASS SENATE BILL 162 (1ST REPRINT).

ASSEMBLYWOMAN BUSTAMANTE ADAMS SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HARDY, KIRKPATRICK,
AND LIVERMORE WERE ABSENT FOR THE VOTE.)

We will move to Senate Bill 180.

Senate Bill 180: Requires a court to award certain relief to an employee injured
by certain unlawful employment practices under certain circumstances.
(BDR 53-561)

Kelly Richard, Committee Policy Analyst:

Senate Bill 180 was sponsored by Senator Segerblom. It was heard in
Committee on April 26, 2013. It provides that if a court finds that an employee
has been injured as a result of certain unlawful employment practices, it must
award to the employee, in addition to any other legal or equitable relief,
damages, lost wages and benefits, costs and attorney's fees to the extent
consistent with Title VII of the Civil Rights Act. [Mr. Richard read from the
work session document ([Exhibit D](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYWOMAN CARLTON MOVED TO DO PASS
SENATE BILL 180.

ASSEMBLYMAN OHRENSCHALL SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblyman Ellison:

I will vote yes, but I would like to reserve my right to change my vote on
the floor.

Assemblyman Hansen:

Ditto.

Chairman Bobzien:

I believe we have some clarification about the sovereign immunity cap from our
legal counsel.

Matt Mundy, Committee Counsel:

It was asked if the \$100,000 liability cap in civil actions against the state would
apply as far as damages available under this new section. The answer to that
is yes. The \$100,000 cap would apply for compensatory damages.

Nevada Revised Statutes also says the award cannot include punitive damages. That is aggregate damage award, so it would apply to the entire action against the state or a state entity.

Chairman Bobzien:

Is there any further discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN HARDY AND LIVERMORE WERE ABSENT FOR THE VOTE.)

Our next bill is Senate Bill 198 (1st Reprint).

Senate Bill 198 (1st Reprint): Revises provisions relating to the practice of chiropractic. (BDR 54-834)

Kelly Richard, Committee Policy Analyst:

Senate Bill 198 (1st Reprint) was sponsored by Senator Hardy. It was heard in Committee on May 8, 2013. It revises provisions relating to the practice of chiropractic. [Read from work session document ([Exhibit E](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYWOMAN CARLTON MOVED TO DO PASS
SENATE BILL 198 (1ST REPRINT).

ASSEMBLYWOMAN KIRKPATRICK SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN HARDY AND LIVERMORE WERE ABSENT FOR THE VOTE.)

Our next bill is Senate Bill 208 (1st Reprint).

Senate Bill 208 (1st Reprint): Revises the definition of "police officer" primarily for purposes of certain provisions relating to occupational diseases. (BDR 53-875)

Kelly Richard, Committee Policy Analyst:

Senate Bill 208 (1st Reprint) was sponsored by Senator Kihuen. It was heard in Committee on May 13, 2013. The bill expands the definition of "police officer." [Read from work session document ([Exhibit F](#)).]

Chairman Bobzien:

I know there was a lot of communication, fact-finding, and investigation on this one. Mrs. Carlton, do you have any comments on this one?

Assemblywoman Carlton:

If you would like me to go over a few points, I would be happy to do that. It was confusing as to exactly where this group of employees actually fell. They did not just fall through the crack but through the chasm. In *Nevada Revised Statutes* (NRS), it says the sheriff shall have a representative in every court. So they created the deputy sheriff system. They had deputy sheriffs in every court, but the sheriff really did not have control over them. The court did, so they were given over to the county. When the county got them, their title was changed. I am comfortable with the original bill allowing them to access those benefits. I am not comfortable with adding alternative sentencing. That deserves a full public policy debate. I hope they bring that back with their representative next session to have that debate. I am not comfortable in making that decision right now, so I would move an amend and do pass.

Assemblyman Horne:

I still have some concerns. If the Committee remembers, I had concerns about expanding this area where there was no expansion before. It is one thing if you took out a group of workers who were under the heart and lung provision, and it is another if they were never part of it. If we are putting them in, we would be adding to that burden. I spoke with Ms. King, and she conveyed she had information that they were never under that provision. That gives me concern. I do not know if I misunderstood her.

Assemblywoman Carlton:

I can answer a little bit on that. That is one of the questions I investigated over this past week. It was said that they had fallen through a chasm. Because of what they were actually called a long time ago, which is a deputy sheriff, they would have been entitled to that benefit. In NRS, that title allows you to receive that benefit. However, I do not think anyone ever put them in that benefit or realized they could access that benefit. I believe that if there had ever been an incident and someone would have tried to process a claim under that, with that title, they would have had an argument that this should apply to them. This is simply because of what we called them at the time.

Chairman Bobzien:

For myself, it was very confusing, and I certainly appreciated the documentation I received from Ms. King. I am also seeing copies of images of a badge that

says Las Vegas Metropolitan or sheriff on it, it seems like this is one of the situations where a group got caught in a gap. It is a judgment call.

Assemblywoman Carlton:

I understand Mr. Horne's concerns. I had the exact same concerns that day. I am always very wary of incorporating too many people into heart and lung because it will fall under its own weight. It is a very special benefit that has to be protected for those who truly need it. With what I found out, I am comfortable in moving forward.

Assemblyman Frierson:

I have concerns too. My position was based primarily on the notion that they were not originally part of it. I realize there are some conflicting positions on that issue. I will certainly continue to look into it and look into some of the things the Committee members have found out.

Chairman Bobzien:

Are there additional questions?

Assemblyman Ohrenschall:

I have similar concerns to Mr. Horne and Mr. Frierson. I appreciate Assemblywoman Carlton's hard work on this. I will vote yes, but reserve my right.

Chairman Bobzien:

We have an amend and do pass motion.

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS
SENATE BILL 208 (1ST REPRINT).

ASSEMBLYMAN DALY SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblyman Ellison:

I am trying to figure out about this bill. I will vote yes, but I would like to reserve my right because there are still some questions.

Chairman Bobzien:

The amend and do pass motion would remove the alternative sentencing individuals and go back to the original bill with the bailiffs. Is there additional discussion on the motion?

Assemblywoman Bustamante Adams:

For me, this is a cause of concern. I will not be supporting it, but I do reserve my right to change my vote.

Assemblywoman Kirkpatrick:

I will vote yes, but I want to reserve my right to change my vote. I have all of my records from 2007, so I will pull everything to see where we are. I am happy to get it out of Committee, but I think I was the Chair at the time this came about in 2007. I have all of the documentation, so I will be happy to share it with other members. I remember they were part of a group. This was supposed to be a simple fix to be switched over and become a new group within the county. I would like to have time to go back and look over that information.

Assemblyman Hansen:

I will vote no and reserve my right to change my vote based on what Mrs. Kirkpatrick brings forward.

Assemblyman Horne:

If, in fact, at the end everybody gets their concerns answered, and if this bill moves forward on the floor and we process it positively, if we find out afterwards that the bailiffs and deputy marshals were not a part of the insurance provision before and were not intended to be, we will be expanding it. If we are expanding it to include them, I would keep the amendment. I thought the chief of the alternative sentencing made compelling comments on the work they do. They should be included if we are going to expand it. I will vote yes.

Chairman Bobzien:

Ditto to Mr. Horne's comments. If there is additional information that comes out between here and there, for the sake of moving this forward, I am making a call based on the evidence I have seen. That strike zone may be different after we get through today.

THE MOTION PASSED. (ASSEMBLYMEN BUSTAMANTE ADAMS, ELLISON, FRIERSON, AND HANSEN VOTED NO. ASSEMBLYMEN HARDY AND LIVERMORE WERE ABSENT FOR THE VOTE.)

Our next bill is Senate Bill 220 (1st Reprint).

[Senate Bill 220 \(1st Reprint\)](#): Makes various changes relating to certain professional licensing boards. (BDR 54-502)

Kelly Richard, Committee Policy Analyst:

Senate Bill 220 (1st Reprint) was sponsored by Senator Hardy, and it was heard in Committee on May 8, 2013. The bill was brought on behalf of the Legislative Committee on Health Care. This bill revises provisions relating to the disclosure of certain information by certain licensing boards. [Read from work session document ([Exhibit G](#)).]

Assemblywoman Carlton:

I did sit on this interim committee, and they did a lot of hard work. This is a very good bill. Unfortunately, there is one provision in the amendment that I am wholeheartedly opposed to, which is allowing unlicensed persons to do injections without any further criteria or qualifications. You can have an unlicensed person giving an injection to a cancer patient with this language. We discussed this language last session and the two sessions before that. It seems to keep popping up. I know most of the time they are just trying to address medical assistants with vaccinations and immunizations. The openness of this language would allow anyone who is not licensed to give an injection. I would be very wary of that.

Chairman Bobzien:

Can we go ahead and do an amend and do pass with an additional amendment removing that section?

Assemblywoman Carlton:

If that section were not in the bill, I would be perfectly happy to support the bill and make the motion.

Chairman Bobzien:

Would you make that motion?

ASSEMBLYWOMAN CARLTON MOVED TO AMEND AND DO PASS
SENATE BILL 220 (1ST REPRINT).

ASSEMBLYWOMAN DIAZ SECONDED THE MOTION.

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

We will move to Senate Bill 267 (1st Reprint).

[Senate Bill 267 \(1st Reprint\)](#): Establishes provisions governing tanning establishments. (BDR 52-958)

Kelly Richard, Committee Policy Analyst:

Senate Bill 267 (1st Reprint) was heard in Committee on May 10, 2013. It was sponsored by Senator Woodhouse. The bill prohibits an owner or operator of a tanning establishment from allowing a person who is less than 18 years of age to use the tanning equipment. [Read from work session document ([Exhibit H](#)).]

Chairman Bobzien:

This bill has received a lot of attention and work. I have had many conversations with the bill sponsor on this. My understanding is that she really wants to move forward with the bill as it is now. With that, I will open it up to any discussion on the bill.

Assemblyman Healey:

I believe in this bill tremendously. The issue I have with it is that to me, it takes away the parent's right to make a decision on behalf of his own child. I had requested an amendment be put on to allow a parent to sign a waiver. It would then put the decision in the hands of the parent. I have had a lot of constituents reach out and have concern with the fact that we were taking away parental rights. I tend to agree with my constituents. I want it clear that I do not disagree with protecting our children and wanting to protect them from cancer, but I believe that is a parent's right to do that.

Assemblyman Horne:

I am in support of the bill. With respect to my colleague, I do not buy the parental rights argument. This is public policy. I do not have parental right to sign a letter for my son to buy a pack of cigarettes or a six-pack of beer. We draw a line on who is allowed to partake in certain activities. Because of the cancer issue, 18 is the age. This is the age unless you have a note from your mom. I do not think a parent should be able to waive that health risk, if we are determining this is a health risk.

Assemblyman Frierson:

I have the same concern. In Nevada, our age of consent is 16. I do not like that, but that is the age. For a 16-year-old who is emancipated and on their own, for me to tell that 16-year-old what he or she can or cannot do, I find that challenging in this state. My struggle is with the age being 18 when we have a group of 16- to 18-year-olds we otherwise consider adults in some instances.

Assemblyman Hansen:

I agree with Mr. Healey. I had all of my children and daughters-in-law at home on Mother's Day. We had an extensive discussion on this exact issue. One of my daughters-in-law told me that in her younger days, she was addicted

to these tanning booths. She strongly urged me to vote in favor of this bill. She thinks 16- and 17-year-olds should not be allowed to use tanning booths. The consensus of the group was that Mr. Healey's point is the correct one. They feel that parents should be able to allow 16- and 17-year-olds to do it. I would be a no as the bill currently stands, but if Mr. Healey's amendment is brought forward, I would be willing to support it. As Mr. Frierson knows, there are interesting angles in Nevada law that we will be discussing on the floor pretty quickly. The health issue is huge, but I think the parental rights issue is also huge. We have to be careful on how we handle this.

Chairman Bobzien:

I think it is important to note in terms of customs of the Legislature, since the bill came out of the Senate in this form, amending it to go back to where it was would be its own set of problems.

Assemblyman Ellison:

We heard from the experts. The experts were saying that it did not cause the cancer that they said it would. Yet, we can have children lay on a beach towel for hours and get burnt. That is what the cancer is caused from, not ten minutes in a tanning bed. I am a no on this bill.

Assemblyman Livermore:

During the presentation, there was a chart presented. The chart showed that males in this age group were more susceptible to this type of cancer than females. I believe it was due to the workplace environment. I am a no on this bill because I do believe that my vote here could harm and subject small business owners to an undue issue.

Assemblywoman Kirkpatrick:

I like consistency, and in the last four sessions, I voted against this bill. I had four teenage girls. Kids today can get fake identifications and say they are 18. They can have a relationship with their parents and go in and mark that out. What I did not hear this session that I heard in previous sessions was that some of the tanning salons already do that. They have a form in place that you have to sign. You cannot just walk in without any documentation. My kids wanted some color, so some chose to tan while the others chose not to. Some of them decided to lay out in the backyard and get the same kind of color. There are other options out there. When they go into the salons, they will probably pick what is cheapest. I consistently have not supported it, and I am not going to support it today.

Assemblyman Horne:

On the other side of the coin, we are not allowing parents to write excuses. We set a public policy of where the line is. For example, we have military men and women who are 18 years old. They cannot go into a bar and have a drink, even though they can go into combat. We allow them to serve our country, but we do not allow them to buy alcohol. We set these policies for particular reasons. I do not necessarily like that. I believe if you served our country, you should be able to go up to a bar and buy a drink. That is not what our law says. Voting this bill as is is consistent.

Assemblywoman Diaz:

For me, the science behind this is clear. A while back, we did not know smoking caused cancer, but research and time told us that we need to disclose this to people who consumed a product. Our brains do not mature until we are in our mid-20s. By that time, the damage is already done in most cases. I am going to support keeping this at age 18.

Assemblyman Ohrenschall:

I think Mr. Horne hit it on the head for me. I know there is a lot of desire for an amendment, but even though this may not be perfect, it does more good than harm. I am not in favor of government tentacles expanding, but like your example with going into a bar and getting a drink, we make our kids wait until they are 21, so I think kids can wait until they are 18 to go to a tanning salon.

Chairman Bobzien:

I am ready for a motion.

ASSEMBLYWOMAN CARLTON MOVED TO DO PASS
SENATE BILL 267 (1ST REPRINT).

ASSEMBLYMAN DALY SECONDED THE MOTION.

Is there any discussion on the motion?

Assemblyman Healey:

Because I still believe in what the intent of this bill is, and it is the decision of the Committee to see it through, I will vote yes in order to continue to have conversations to resolve some of the issues based on the feedback today.

Chairman Bobzien:

Is there any further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN BUSTAMANTE ADAMS, ELLISON, FRIERSON, HANSEN, HARDY, KIRKPATRICK, AND LIVERMORE VOTED NO.)

We will move to Senate Bill 287 (1st Reprint).

Senate Bill 287 (1st Reprint): Revises provisions governing cosmetology.
(BDR 54-830)

Kelly Richard, Committee Policy Analyst:

Senate Bill 287 (1st Reprint) was sponsored by Senator Hardy. It was heard in Committee on May 10, 2013. The bill authorizes the holder of a license or a certificate of registration issued by the State Board of Cosmetology to display a duplicate license or certificate in lieu of the original license or certificate. [Read from work session document ([Exhibit I](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYWOMAN CARLTON MOVED TO DO PASS
SENATE BILL 287 (1ST REPRINT).

ASSEMBLYWOMAN DIAZ SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

Our next bill is Senate Bill 319 (1st Reprint).

Senate Bill 319 (1st Reprint): Revises provisions governing certain professions.
(BDR 54-713)

Kelly Richard, Committee Policy Analyst:

Senate Bill 319 (1st Reprint) was sponsored by Senator Hardy. It was heard in Committee on May 8, 2013. It authorizes a physician to substitute not more than two hours of continuing education credits in pain management or addiction care for the purposes of satisfying an equivalent requirement for continuing education in ethics. [Read from work session document ([Exhibit J](#)).]

Chairman Bobzien:

I will accept an amend and do pass motion.

ASSEMBLYMAN HARDY MOVED TO AMEND AND DO PASS
SENATE BILL 319 (1ST REPRINT).

ASSEMBLYMAN GRADY SECONDED THE MOTION.

Is there discussion on the motion? If you need a little time to check that, we can give you a couple minutes. This is not the bill that has the long amendment.

Assemblywoman Carlton:

Unfortunately, I will not be able to support this. This has a change in fee structure that I do not agree with. Once we start giving certain people certain fees dependent upon their status, I think we are opening the door. It is not fair if we have to put the same amount of energy into licensure of a professional. I believe they should cover their costs. To have someone else cover their costs is inappropriate.

Chairman Bobzien:

Do we have further discussion? There is concern that we may not have the votes on this one. Mr. Hardy, could you pull back your motion? We will take a look at it later.

Assemblyman Hardy:

I will pull it back.

Chairman Bobzien:

We will move to Senate Bill 329 (1st Reprint).

**Senate Bill 329 (1st Reprint): Creates the Account for Clean Energy Loans.
(BDR 58-861)**

Kelly Richard, Committee Policy Analyst:

Senate Bill 329 (1st Reprint) was sponsored by Senator Kihuen. It was heard in Committee on May 6, 2013. It established the Account for Clean Energy Loans within the Office of Energy. [Read from work session document ([Exhibit K](#)).]

Chairman Bobzien:

I know the bill sponsor did a lot of work with Assemblywoman Kirkpatrick on this one. Assemblywoman Kirkpatrick, would you like to talk about this one?

Assemblywoman Kirkpatrick:

I did work with the bill sponsor to come up with something. We currently have a program that has been in place since 2009 that is administered by the Office of Energy for the state. I talked with the Energy Director, and they do have an energy efficiency person. It makes sense that we are going to do something where the state has a good plan on who can get in and who cannot.

I am happy to support this bill knowing the Energy Director is going to run it, and there is an opportunity to do a pilot program to see if it works for our state.

What I will tell you about commercial loans is that in the first three years of them being put out for commercial entities to do it, it has worked to our benefit and in some revolving loans so it keeps on giving. Hopefully this will allow us to see if the residential piece does work for our state.

Chairman Bobzien:

I will entertain a motion at this time.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED TO AMEND
AND DO PASS SENATE BILL 329 (1ST REPRINT).

ASSEMBLYWOMAN KIRKPATRICK SECONDED THE MOTION.

Is there discussion on the motion?

Assemblyman Grady:

Will this be funded by the state, or is it funded from outside funds?

Assemblywoman Kirkpatrick:

There is a combination. We do have approximately \$5 million in federal grants that we are trying to get that we can utilize. It would come through the Office of Energy through a grant or through a donation process.

Chairman Bobzien:

Is there any further discussion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEN DALY AND LIVERMORE
VOTED NO.)

Assemblywoman Carlton:

I am not sure if the amendment is going to remove the fiscal note or not. If it gets snatched, we will deal with it. We will have someone analyze all of this. If we need to have a hearing, we will have it once I finish everything else on my plate.

Chairman Bobzien:

Our next bill is Senate Bill 402.

Senate Bill 402: Revises certain provisions relating to real estate. (BDR 54-913)

Kelly Richard, Committee Policy Analyst:

Senate Bill 402 was heard in Committee on April 29, 2013, and it was sponsored by Senator Roberson. It reduces the late fee a real estate broker, broker-salesperson, or salesperson must pay to renew a license that has expired to \$100 within one year of expiration. [Read from work session document ([Exhibit L](#)).]

Chairman Bobzien:

What is the pleasure of the Committee?

ASSEMBLYMAN OHRENSCHALL MOVED TO DO PASS
SENATE BILL 402.

ASSEMBLYMAN LIVERMORE SECONDED THE MOTION.

THE MOTION PASSED UNANIMOUSLY.

We will move to Senate Bill 316 (1st Reprint).

Senate Bill 316 (1st Reprint): Requires provisions relating to materials recovery facilities. (BDR 54-1067)

Kelly Richard, Committee Policy Analyst:

Senate Bill 316 (1st Reprint) was heard in Committee on May 10, 2013. It was sponsored by Senator Denis. It requires a contractor to dispose of solid waste produced by the construction, alteration, repair, maintenance, or demolition of any building, structure, or other improvement work at a materials recovery facility that has been approved to operate pursuant to regulations of the State Environmental Commission, if such a facility is located within 30 miles of the work site. [Read from work session document ([Exhibit M](#)).]

Chairman Bobzien:

We have certainly heard a lot about this one. There has been a lot of work done by the bill sponsor to try to address some of the issues raised in the hearing. I want to let everyone take a moment to look at these two amendments. I appreciate the public policy purpose that the sponsor is trying to address. First and foremost, I want you to take a look at the amendment that came from the bill sponsor.

I do not know if anyone has questions on this latest amendment. We can get those answered for you if you do.

Assemblywoman Kirkpatrick:

Why does it only apply to Clark County? I have an issue with that. If it is good enough for Clark County, it is good enough for the whole state.

Chairman Bobzien:

We have a representative of Senator Denis who can present this amendment to us and give us a sense of where we are.

Todd N. Westergard, Legislative Assistant to Senator Moises (Mo) Denis:

It is my understanding that Clark County is the only county right now that has materials recovery facilities. Because of that, it would only be applicable to Clark County at the present time.

Assemblyman Grady:

With the second amendment where it deletes the bill as a whole and requires a study, is the study only going to be of Clark County, or is it going to be statewide? What is the intent of the study?

Chairman Bobzien:

I can speak to that. That is my amendment and not the bill sponsor's. My intent, consistent with the public purpose of the bill, is to get a look as to materials recovery facilities and recycling and how to move that industry forward. I do not intend to put a population cap on that, so it would be a statewide study. As a representative from Washoe County, I have heard concerns from businesses about that. I think some of those concerns would be appropriately included in that study. I think there a couple of options here. If people are not comfortable with moving forward with the amendment that came from the bill sponsor, perhaps to give him a little more time to work on this, I think it would be appropriate now to take a motion to amend with the second amendment with no recommendation and rerefer to the Assembly Committee on Ways and Means for further consideration. I will accept that motion at this time.

ASSEMBLYWOMAN BUSTAMANTE ADAMS MOVED TO AMEND WITHOUT RECOMMENDATION AND REREFER SENATE BILL 316 (1ST REPRINT) TO THE ASSEMBLY COMMITTEE ON WAYS AND MEANS.

ASSEMBLYWOMAN DIAZ SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMAN HANSEN VOTED NO.)

Do we have any members of the public who would like to make comments at this time? Seeing none, are there any matters to come before the Committee? [There were none.]

[The meeting was recessed at 3:27 p.m.]

[The meeting was called back to order at 7:06 p.m.]

Chairman Bobzien:

I will accept a motion on Senate Bill 319 (1st Reprint).

ASSEMBLYMAN FRIERSON MOVED TO AMEND AND DO PASS
SENATE BILL 319 (1ST REPRINT).

ASSEMBLYMAN DALY SECONDED THE MOTION.

THE MOTION PASSED. (ASSEMBLYMEN DIAZ, GRADY, HANSEN,
AND OHRENSCHALL DID NOT VOTE.)

The meeting is adjourned [at 7:07 p.m.].

RESPECTFULLY SUBMITTED:

Julie Kellen
Committee Secretary

APPROVED BY:

Assemblyman David P. Bobzien, Chairman

DATE: _____

EXHIBITS

Committee Name: Committee on Commerce and Labor

Date: May 17, 2013

Time of Meeting: 2:36 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
S.B. 162 (R1)	C	Kelly Richard	Work Session Document
S.B. 180	D	Kelly Richard	Work Session Document
S.B. 198 (R1)	E	Kelly Richard	Work Session Document
S.B. 208 (R1)	F	Kelly Richard	Work Session Document
S.B. 220 (R1)	G	Kelly Richard	Work Session Document
S.B. 267 (R1)	H	Kelly Richard	Work Session Document
S.B. 287 (R1)	I	Kelly Richard	Work Session Document
S.B. 319 (R1)	J	Kelly Richard	Work Session Document
S.B. 329 (R1)	K	Kelly Richard	Work Session Document
S.B. 402	L	Kelly Richard	Work Session Document
S.B. 316 (R1)	M	Kelly Richard	Work Session Document