

THE THIRTY-THIRD DAY

CARSON CITY (Friday), March 6, 2015

Senate called to order at 11:22 a.m.

President Hutchison presiding.

Roll called.

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

Prayer by the Chaplain, Pastor Nick Emery.

Good morning Lord, most holy, most beautiful, most glorious is Your Name above all names. We thank You for this day in which You have given us, and Lord, we thank You for this week and all that has been experienced accomplished. May we be faithful to use this day in excellent service for Your glory and fame.

Thank You, Father, for these men and women who serve the State of Nevada. Thank You for their time; thank You for leadership, and thank You for their hearts to serve. Give each one of them opportunities, today and throughout this weekend, to display their gratitude for You, for their families and for those that they serve.

Keep them safe in their comings and in their goings. We pray, in the Name of Jesus.

God Bless you, and God Bless 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.

REPORTS OF COMMITTEES

Mr. President:

Your Committee on Transportation, to which were referred Senate Bills Nos. 145, 156, 188, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

SCOTT HAMMOND, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 5, 2015

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bill No. 119.

CAROL AIELLO-SALA

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Hammond, Goicoechea, Gustavson and Settelmeyer:

Senate Joint Resolution No. 11—Proposing to amend the Nevada Constitution to preserve the right to hunt, trap and fish in this State.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That a new section, designated Section 23, be added to Article 1 of the Nevada Constitution to read as follows:

Sec. 23. 1. The right to hunt, trap and fish, including by the use of any traditional method, shall be preserved for the residents of this State and managed through statutes and regulations which preserve that right. Hunting, trapping and fishing of wildlife by members of the public is the preferred means of managing wildlife in this State.

2. This section does not:

- (a) Create a right to trespass on private property;*
- (b) Affect any right to divert, appropriate or use water or establish any minimum amount of water in any body of water;*
- (c) Diminish any other private right; or*
- (d) Prohibit the enactment or enforcement of any statute or regulation requiring the suspension or revocation of a person's hunting, trapping or fishing license.*

Senator Hammond moved that the resolution be referred to the Committee on Natural Resources.

Motion carried.

Senator Kieckhefer moved that Senate Bill No. 107 be taken from the Second Reading File and re-referred to the Committee on Finance.

Remarks by Senator Kieckhefer.

This bill requires block grant funding for specialized foster care in Washoe and Clark Counties. The funding is in the Governor's recommended budget but the mechanism by which we transmit that money is something we need to discuss.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 223—AN ACT relating to contractors; revising provisions relating to the liability of a prime contractor for indebtedness incurred by a subcontractor for labor costs; revising provisions governing the statute of limitations to bring an action against a prime contractor for the recovery of wages or benefits due to an employee of a subcontractor; revising provisions relating to mechanics' and materialmen's lien claimants; requiring an administrator of a Taft-Hartley trust that does not receive a benefit payment required to be made to the trust by a contractor or subcontractor to provide notice to the contractor and subcontractor that the benefit payment has not been received; providing for the imposition of an administrative penalty; and providing other matters properly relating thereto.

Senator Settlemeyer moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 224—AN ACT relating to employment; excluding the relationship between a principal and an independent contractor from certain provisions governing the payment of minimum wage to an employee; prohibiting a person from recovering unpaid wages in certain proceedings unless the person consents to his or her participation in writing; and providing other matters properly relating thereto.

Senator Settlemeyer moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No 31.

Bill read second time and ordered to third reading.

Senate Bill No. 148.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 35.

Bill read third time.

Remarks by Senator Parks.

Assembly Bill No. 35 requires the Board of Wildlife Commissioners to adopt regulations establishing a process for the issuance and verification of State hull numbers that comply with the requirements for hull numbers prescribed by the United States Coast Guard. Hull numbers are the numbers you see on most motorized vessels. This is a requirement that has come forward with a deadline of implementation by January 1, 2017. The Department of Wildlife must assign State hull numbers in compliance with those requirements.

Roll call on Assembly Bill No. 35:

YEAS—19.

NAYS—None.

EXCUSED—Segerblom, Smith—2.

Assembly Bill No. 35 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Joint Resolution No. 3.

Resolution read third time.

Remarks by Senators Kieckhefer and Settelmeyer.

SENATOR KIECKHEFER:

Assembly Joint Resolution No. 3 urges the United States Congress to facilitate a payment to contractors who completed work on hazardous fuels reduction treatment in the Lake Tahoe Basin in connection with contracts with the Nevada Fire Safe Council. After the Angora Fire in the Lake Tahoe Basin in the summer of 2007, the Nevada Fire Safe Council was awarded over \$21 million in federal reimbursement grants to be used to pay for the reduction of hazardous fuels to prevent future fires. After an audit in 2011 by the Inspector General and the discovery of irregularities, the Fire Safe Council filed for bankruptcy and further payments were suspended.

According to testimony we have received, approximately, \$3 million is still owed to contractors who completed work in the Lake Tahoe Basin under contract with the Nevada Safe Fire Council. Many of those companies and individuals reside in my district. This is work they performed in good faith on behalf of the government that is now being held up, with years having gone by without their receiving payment. I encourage my colleagues to support this resolution.

SENATOR SETTELMAYER:

I rise in support of Assembly Joint Resolution No. 3. This is a terrible situation to me—one we tried to resolve during the interim by dealing with the TRPA. It is problematic that for almost four years, one of my local constituents has been owed almost \$19,225. Even the local fire departments are owed money. The North Lake Tahoe Fire Department is owed \$635,118, and the Tahoe-Douglas Fire Department is owed \$386,440. It is difficult for a fire department to balance its budget with this type money owed to it. We have reached out, in a bipartisan way, to all of the federal delegations to say: "Please, pay your bills." It is sad this has not been done. I urge passage of this resolution.

Roll call on Assembly Joint Resolution No. 3:

YEAS—19.

NAYS—None.

EXCUSED—Segerblom, Smith—2.

Assembly Joint Resolution No. 3 having received a constitutional majority, Mr. President declared it passed.

Resolution ordered transmitted to the Assembly.

Senator Ford moved that the Senate recess subject to the call of the Chair. Motion carried.

Senate in recess at 11:33 a.m.

SENATE IN SESSION

At 11:39 a.m.

President Hutchison presiding.

Quorum present.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Bills Nos. 64, 82, 119.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Brower, the privilege of the floor of the Senate Chamber for this day was extended to Swope Middle School: Vivian Aleman, Adaline Armon, Jaedyn Ashbrook, Ryan Barkowski, Izzy Bennett, Lindsey Biggs, Dominic Burke, Kevin Butler, Kaelyn Campbell, Ivette Carapia, Millie Cruz Carbajal, Sofie Carmona, Jovany Carranza, Jeonard Cawile, Manuel Chavez, Lucas Clowers, Turner Collins, Michael Crow, Jonah Davis, Alyssa Doyle, Gabriel Duff, Eduardo Escobar, Kyle Fermoile, Rodolfo Fletes, Tess Fouassier, Nathan Francis, Nacayla Franey, Zachary Geddry, Aden Gentner, Dillon Greenan, Emma M. Gregg, Brett Grimm, Rebecca Hamilton, Brett Hamlin, Brett Hardie, Nascia Harris, Sawyer Harris, Gavin J. Hicks, Dylan Hutchings, Cooper Jackson, Brandi Jarvis, Rachelle Kerr, Alex Khorshidi, Kayli Koffler, Addison Klupfell, Kaden Kridler, Sydney Lamb, Kenia Linares, Franklin Little, Gianna Lotito, Madison Lovett, Yolani Mapp, Angel Mata, Paris McCabe, Elizabeth McKibben, Quinn Means, Zachary Metzker, Ava Miller, Justice Mills, Jason Montgomery, Breeze Nay, Kiley Nichols, Hunter Olson, Luis Ortiz, Ricardo Palacio, Brianna Perez, Levi Potter, Chase Ramos, Eduardo Ramos, Gerardo Chavez Rodriguez, Katie Sawyer, Erica Schwab, Jullian Scolari, Alexis Serratos, Charles Siemann, Kaleigh Sippola, Annika Sorensen, Destiny Stewart, Jesse Bruno Torrero, Payton Unger, Jose Jordan Valdes, Madison Wanco, Aydan White, Elizabeth Whitlock, Addison Woelfle and Drue Worthen.

Senator Roberson moved that the Senate adjourn until Monday, March 9, 2015, at 11:00 a.m.

Motion carried.

Senate adjourned at 11:42 a.m.

Approved:

MARK A. HUTCHISON
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate