

THE NINETY-SIXTH DAY

CARSON CITY (Friday), May 8, 2015

Assembly called to order at 11:50 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Armstrong and Woodbury, who were excused.

Prayer by the Chaplain, Pastor Peggy Locke.

We give You thanks, O Lord God almighty. The One who was and who is and who is to come! You are from everlasting to everlasting and You are God. Forever, O Lord, Your word is firmly fixed in the heavens. You are the same yesterday, today, and forever.

1 Corinthians 13: 4-8 says: Love is patient, love is kind. It does not envy, it does not boast, it is not proud. It is not rude, it is not self-seeking, it is not easily angered, it keeps no record of wrongs. Love does not delight in evil but rejoices with the truth. It always protects, always trusts, always hopes, always perseveres. Love never fails.

We pray that You, O Lord, will be more and more at home in our hearts as we trust in you. May our roots go down deep into the soil of Your marvelous love. May we have the power to understand how wide, how long, how high, and how deep Your love is. May we experience the love of Christ, though it is so great we will never fully understand it. Fill us with the fullness of life and power to love as You love.

We ask for Your grace and blessing for those who lead us and have authority over us, the faithful who serve in our great state, protection for our troops and our families. Stir in us how we can honor our moms this Mother's Day, and may we teach these things to our children and grandchildren, for Your glory, in Jesus' Name.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Paul Anderson moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Education, to which were referred Senate Bills Nos. 75, 212, 313, 390, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MELISSA WOODBURY, *Chair*

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Senate Bill No. 268, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN C. ELLISON, *Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 7, 2015

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 28, 39, 41, 42, 52, 61, 63, 99, 137, 222, 424, 456.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to recede from its action on Assembly Bill No. 78, Senate Amendments Nos. 583, 261, and requests a conference, and appointed Senators Gustavson, Goicoechea and Sattelmeyer as a Conference Committee to meet with a like committee of the Assembly.

SHERRY RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Paul Anderson moved that Senate Bill No. 476 be taken from the Chief Clerk's desk and placed at the top of the General File.

Motion carried.

Assemblyman Paul Anderson moved that Senate Bills Nos. 3, 40, 104, 229, 322, 427, 469, 480; Senate Joint Resolutions Nos. 2 and 4 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

By Assemblymen Hambrick, Paul Anderson and Kirkpatrick:

Assembly Resolution No. 8—Adding former Assemblyman Alan H. Glover to the Assembly Wall of Distinction.

WHEREAS, The Assembly of the Legislature of the State of Nevada has established a Wall of Distinction for those past members of the Assembly selected by leadership who served with great distinction and who made exemplary contributions to the State of Nevada; and

WHEREAS, Alan H. Glover was born in 1949 in Carson City, Nevada, to parents who held important positions in Nevada's Executive Branch of State Government; and

WHEREAS, After receiving his bachelor of arts degree in political science from the University of Nevada, Reno, Alan returned to Carson City where he was a private insurance agent early in his career; and

WHEREAS, Alan Glover, at 23 years of age, was elected to the Nevada Assembly in 1972 where he represented Carson City and served with distinction for the next 10 years until his election to the Nevada Senate in November 1982; and

WHEREAS, Assemblyman Glover served in the Assembly during an important period in history, which was marked by America's Bicentennial in 1976, the end to the war in Vietnam, greatly improved relations between the United States and China and Nevada's emergence as the fastest growing state in the nation; and

WHEREAS, As a member of the Assembly, Alan Glover's service was highlighted by 8 years on the Assembly Committee on Ways and Means and his chairmanship of three standing committees: the Assembly Committee on Transportation in 1973 and 1975, the Assembly Committee on Legislative Functions in 1977 and the Assembly Committee on Elections in 1981; and

WHEREAS, Assemblyman Glover was the primary sponsor of numerous bills that were passed and signed into law, including personal and committee bills, and served on interim study committees that were indicative of his knowledge and expertise in many diverse topics, including studies on data processing, transportation, public housing, Nevada's judicial system, state highway maintenance, driving under the influence laws, access to public lands, state public works, local governments and workers' compensation through private insurers; and

WHEREAS, Following his service in the Assembly, Alan served 3 years in the Senate until his appointment as Carson City Recorder in 1985 where he would continue to serve in that office,

which later became the elected office of Carson City Clerk-Recorder, until his retirement in December 2014, thus giving the people of Nevada and his community a total of 38 years of quality elective service; and

WHEREAS, Alan Glover was honored with his appointment in November 2011 by the First Judicial District Court to serve as one of three Special Masters who prepared a nonpartisan plan of redistricting for the Representatives of Nevada's Congressional Delegation and the members of the Nevada State Legislature, a plan that remains in effect today; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That, for his 10 years of dedicated service to the Assembly and 28 years of service as a highly respected elected public officer of this State, former Assemblyman Alan H. Glover is hereby added to the Nevada Assembly Wall of Distinction; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to former Assemblyman Alan H. Glover.

Assemblyman O'Neill moved the adoption of the resolution.

Remarks by Assemblymen O'Neill.

ASSEMBLYMAN O'NEILL:

I rise in support of Assembly Resolution 8. I would like to tell the group assembled here today a few things about Mr. Glover. With me is Alan Glover and his wife Harle.

I want to give you a little background first. His DNA has always been, and I think always will be, in public service. Alan is one of those who comes to mind when you talk about dedicated public servants. He comes from a family of public servants. His father, John Nelson Glover, before he passed away in 1967, led what was then the Highway Department's Division of Driver Licenses. Alan's mother Peggy rose through the ranks of Nevada state government, becoming Deputy State Treasurer in 1950. She was the first female director of a major state agency, which was then the Department of General Services, for Governor Mike O'Callaghan in the 1970s. She also served 12 years on the board for the Public Employees' Retirement System, including two years as chairman.

Mr. Glover's plan, a life of public service, started in 1972 upon graduation from the University of Nevada. He said he needed a job and couldn't find anything else. He has served five terms in the Assembly and 2 years at the other place, then 20 years as the elected Clerk-Recorder for Carson City. This past January he retired; he became bored in retirement and is now working as a consultant for the Nevada Secretary of State's office.

I ask all of you to join in and support Assembly Resolution 8, and recognize the years of service that Mr. Glover has given to this great state. Thank you, Mr. Speaker.

Resolution adopted unanimously.

By Assemblymen Hambrick, Paul Anderson and Kirkpatrick:

Assembly Resolution No. 9—Adding former Assemblywoman Peggy Pierce to the Assembly Wall of Distinction.

WHEREAS, The Assembly of the Legislature of the State of Nevada has established an Assembly Wall of Distinction for those past members of the Assembly selected by leadership who served with great distinction and who made exemplary contributions to the State of Nevada; and

WHEREAS, Margaret Comstock "Peggy" Pierce was born in 1954 in Milton, Massachusetts, the seventh of eight children, whose parents were active in the civil rights movement; and

WHEREAS, As a teenager, Peggy and her family lived in the Midwest, but by the early 1970s Peggy struck out on her own and moved to San Francisco, where she lived for 16 years, then moved to Las Vegas in 1988 to pursue her hopes of becoming a professional singer; and

WHEREAS, Peggy supported herself by working as a food server in a major hotel and later became an active labor representative on behalf of people who work in the culinary industry; and

WHEREAS, Peggy was first elected to the Nevada Assembly in November 2002 and served in leadership as Chief Deputy Whip in 2011 and Senior Chief Deputy Whip in 2013, with her committee work primarily focused on three standing committees: Government Affairs, Health and Human Services, and Taxation; and

WHEREAS, During her service, Assemblywoman Pierce was the primary sponsor of successful legislation concerning elder abuse, permanent total disabilities, employees of senior housing facilities, hospice care, motor vehicles, the protection of personal identifying information, statutory liens, fire protection, guardianships, recycling, safety in children's products, prevailing wage, and warnings regarding the hazards of smoking during pregnancy; and

WHEREAS, In the interim period between legislative sessions, Assemblywoman Pierce served on a number of study committees and task forces, including the Advisory Board for the Nevada Task Force for Technological Crime, the Advisory Board on Maternal and Child Health, the Legislative Committee for Local Government Taxes and Finance, the Legislative Committee on Public Lands Subcommittee to Study Wilderness Areas and Wilderness Study Areas, the Legislative Committee on Health Care and the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System, which she also chaired; and

WHEREAS, Peggy maintained particular interest and advocacy in all matters where the people were largely without a voice and was deeply committed to quality public education, clean energy, improved air quality, environmental protection, workers' rights and women's issues; and

WHEREAS, Frustrated that Nevada continued to lag behind most other states in education and quality-of-life issues, Peggy zealously advocated measures that would increase the revenue needed to improve Nevada's rankings; and

WHEREAS, Peggy was first diagnosed with cancer near the start of her legislative career, survived three recurrences of the disease and courageously battled that foe through six regular and eight special sessions, including the last days of the 2013 Session of the Nevada Legislature, when the ravages of the disease forced her to work while confined to a wheelchair, where she continued to serve and vote on remaining legislative measures; and

WHEREAS, In the many tributes concerning the life of Peggy Pierce, a number of descriptions helped frame all that she was, descriptive words such as courageous, principled, thoughtful, dedicated, smart, passionate, tenacious, committed, compassionate and respected; and

WHEREAS, The legacy of Peggy Pierce will live on in those causes she believed in and fought for and in her dedication to enhance the lives of so many; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That, for her many years of dedicated service to the Assembly, Assemblywoman Peggy Pierce is hereby added to the Assembly Wall of Distinction.

Assemblywoman Kirkpatrick moved the adoption of the resolution.

Remarks by Assemblymen Kirkpatrick, Carlton, Diaz, Munford, Stewart, Ohrenschall, Spiegel, Benitez-Thompson, and Kirner.

ASSEMBLYWOMAN KIRKPATRICK:

I rise in support of Assembly Resolution 9. This is what we mean when we talk about the institutional knowledge and the impression that each of us will leave on this building. I believe that the Wall of Distinction is the highest honor anybody can have in this building. No matter what your position is, it is about what you stand for, it is about what you fight for, and it is about who you are and who you represent. I would urge the body to support Ms. Peggy Pierce, who left so many marks on this building, as each of us hope to do, to make our institution that much better for the long term.

Ms. Peggy Pierce was a very small person but a big package of dynamite.

ASSEMBLYWOMAN CARLTON:

This photo was at the reception last evening. It was taken by former Assemblyman Harry Mortenson, and when I look at that, it really says Peggy.

I hope you enjoy it as much as we have.

ASSEMBLYWOMAN KIRKPATRICK:

At this time I would like to introduce her most precious loved ones who she talked about so often. I will start with Mr. Sasser. I remember their first date came from this building. The two of them were like two peas in a pod; always together; made each other laugh; could agree to disagree.

They were the best dancers in Carson City when we made them come out. They truly got to enjoy life and all of those special times together.

Ms. Pierce was a very quiet person about her personal life, but the three folks she always talked to me about were her sister Catherine, her niece Caroline, and her nephew Danny. Peggy would look forward to the weekends when she could go visit them. She told me about the Thanksgiving holidays. These are three very special folks in her family that made her who she was.

And lastly, I cannot forget Ms. Stokes. Last session, more so than not, people will remember that Ms. Pierce was in and out of the building very often. We tried to get her to stay home and forget about this place. Ms. Stokes did yeoman's work to keep Ms. Pierce healthy while she was in the building. They were the best of friends for the five sessions that they served together. If you could get through her to get to Peggy, it got even better.

To each and every legislator in this room today, everybody does make a mark on this building. Whether you agree or disagree—my favorite Congressman is sitting in the front; he and I broke bread over a water bill, and we did make a difference.

Unfortunately, Ms. Pierce is not here with us today. I hope that many of the members that served with her will get the opportunity to speak. I want to lift us back up because it is sad to be in this situation. Please know that the Wall of Distinction is truly an honor in this building and it is one that each and every one of us should strive for.

ASSEMBLYWOMAN CARLTON:

You know the old saying: There is no crying in the Legislature. Well, we just blew that tradition today. Peggy was one of the people who got me into this building. We met as shop stewards, we worked on health care issues together, we walked the Frontier picket line together, and when we decided we wanted a waitress in the Nevada State Senate and I was blessed to be chosen, she was right behind me pushing me forward. She took a leave of absence from her job and went to work for the union.

Back then, primaries were in September. I remember many a phone call in July. She would call me and say My mascara is melting. It is so hot out here. What have you talked me into doing? I said, I did not talk you into doing it; you did it all your own. And then we would meet, and we would talk, and we go back out and walk again.

That was in 1998. My first session up here I was by myself, but she was only a phone call away. There was this telepathy; she would know, she would call, we would talk, and the next day would be a better day.

I miss her greatly. She helps guide my decisions today, and I cannot thank her enough for helping me get where I am. Whether the folks who serve here with me want to thank her or curse her under your breath, she is the reason I am here, and I will always remember that, Mr. Speaker.

ASSEMBLYWOMAN DIAZ:

As Mother's Day weekend is coming, it is a highly emotional moment for many of us who got to serve with Peggy in this building. As you all know, I had my ray of sunshine while serving up here my first session. Peggy was charged with mentoring me through the process of becoming a mother and a freshman legislator. She was very patient and a truly caring person, and she always said your family comes first. I will never forget that. After I had Xavi, she came by to visit. She made a home visit, she held him, she was there, and she made me feel like it did not matter that I was missing some legislative action, because family came first. Before I melt down, let me go to my poem in honor of Peggy.

There once was a Nevada legislator
Whose name was Peggy Pierce,
She was an awesome and dear mentor
And everyone recognized she was fierce.
Some never knew that Assemblywoman Pierce could sing
Now there is silence where a siren of greatness used to sound.
All of us miss her beautiful face,
Her contagious laugh and smile,
Boy do we still need her in this place,
Especially when called to go the extra mile.

P-squared, we use to call her admiringly,
 Respected by all for her strong conviction,
 A stateswoman who would not go down quietly,
 And a champion for labor and conservation.
 For 12 years she defended our civil liberties,
 Stressed the importance of funding education,
 Although they were not all victories,
 She deserves recognition and a standing ovation.
 Thank you, Peggy for being an outstanding and true public servant,
 Hard working, genuine, with a heart of gold,
 By being inducted into the Wall of Distinction, one thing is certain,
 Your legacy in this building is one to uphold.

Her spirit will forever remain in my heart and I know in the hallways of this building.

ASSEMBLYMAN MUNFORD:

It is really an honor and pleasure to say a few words about Peggy. When I came up here as a freshman, Peggy always had that softness and that caring in her heart. She even reached out to me when I was a freshman. She helped me a great deal and was my mentor. She was down there and I was up here. She was an exceptional person.

I recall when we would go as a Democratic caucus to Minden to the Basque dinner where we would have all that food. Peggy rode with me twice—you could say I chauffeured her down there. And on our return last session, we almost got a speeding ticket. We were pulled aside by the Highway Patrol, but Peggy was sitting next to me—no problem. She gave them a piece of her mind and he just said, Oh okay, everything is fine. So we were able to just pull away.

Peggy and I sat on many committees together and she advised me on what to do. She would even keep me awake. Sometimes she would punch me and say, Harvey, come on you have got to pay attention. She was really special to me, and I have a great deal of thoughts about her. She will be extremely missed, and I extend condolences to the family.

ASSEMBLYMAN STEWART:

I rise in support of Peggy Pierce. Unlike my colleague from the left, I failed to catch the patience that Peggy had. I sat next to her in Government Affairs for a couple of sessions, and we would argue every morning. She was a lot smarter than I was, and she would usually win the argument before and even during Government Affairs.

Then one day, I was ahead in the argument and all of a sudden she spilled her water all over the place. I think she did that on purpose. From then on the water was put behind us, and it is still there, kind of as a tribute to Peggy and her fiery spirit. Every time I go into that committee room now and I look at the pitcher of water, I think of Peggy. We very seldom agreed, but I always admired her and even loved her for the great person that she was. There was never any question where Peggy Pierce stood. She was a great Assemblywoman and a great Nevadan, and I will always remember her and always admire her.

ASSEMBLYMAN OHRENSCHALL:

I was privileged to serve with Peggy, and I want to share a few memories. I will start out with one that is a little funny and then go to a few more serious ones. I think that most of us who knew Peggy know that I call her the liberal lion of the State Assembly. She was fierce. She cared about poor people. She cared about people who really did not have a fair chance at things. I did not know that when I was a freshman. She was always very nice to me; very sweet to me. Peggy was small in stature unlike the lion inside her.

After the first session, we were back home at an ACLU event in Las Vegas. I was feeling a little sorry for myself because I had drawn an opponent for the race—an opponent I was pretty scared about. The ACLU reception was winding down, and Peggy and I were sitting at the bar—I think it was one of the country clubs in Las Vegas—and Peggy was trying to give me a pep talk to encourage me. What she said surprised me a little bit. I may have to sanitize some of it. She said, James, you are going to win, but no more of this Mr. Nice Guy bleep. You need to dig up all the bleeping dirt on this person you can, and you need to run the dirtiest, nastiest bleep busting

campaign against this bleep, bleep, bleep, bleep candidate. Well, I told Peggy that is not my style. I never mention my candidate's name, much less run a negative campaign or try to knock them down. Peggy told me it better start being my style and I better get ready to run this kind of campaign. Well down the road several months, the candidate did not turn out to be as tough as I thought. I did dig up all the bleep bleep dirt, but I did not use any of it.

Peggy really encouraged me and showed me the lion in her and the fighter in her. She was someone who, whenever I felt there was a bill here that was going to hurt people through the tax system or the criminal justice system, I could go to her office and I could talk to her. If there was bill I thought was bad because of search and seizures or civil liberties, I would go talk to her. When there was a bill that had to do with United Nations helicopters, the Trilateral Commission, and Council on Foreign Relations, I could go to her office and talk to her, and she would not think I was nuts. We could talk it out and talk about our concerns. Usually, when I had concerns, she had concerns.

She is someone I miss a lot. She was a beautiful person on the inside and out. I consider her a great trade unionist, civil libertarian, environmentalist, and champion for the downtrodden. I very much support this decision to put her on the Wall of Distinction.

ASSEMBLYWOMAN SPIEGEL:

I, too, rise in support of Peggy Pierce and this honor that was bestowed upon her today posthumously.

Peggy was known as the liberal conscience of the Democratic party and the Democratic caucus. She always used to chide me for being too conservative. I always knew I could go and talk to Peggy, learn more about the issues, and get a little bit more perspective from some folks who were not necessarily the people in my district, but were the people elsewhere in Nevada, and people who really needed us to be there fighting for them. Peggy was a fighter. Peggy would stand so firmly on her principles that she would let out a stream of expletives, as everyone pretty much knows by now, and say, You have to do the right thing, and it just does not matter. Nothing else matters but doing the right thing.

She was very knowledgeable. She was up on every subject that came across her desk. She was a voracious reader. Peggy would bring me stacks of reading material on things like foreign trade policy, banking, and taxation. She was always willing to take the time to explain her position. Her efforts have definitely made me a better legislator and have really made a big impact on this body.

There is a picture of Peggy in our caucus room and there are a lot of times I walk in and look at the picture and I think, Well, what would Peggy say, and what would Peggy do. Even if I do not necessarily agree with what I think Peggy would say or what Peggy would do, it definitely helps shape my opinion and the way I work as a legislator. I am profoundly thankful for Peggy and the impact she has had and will continue to have on this body.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

Ms. Peggy Pierce and I had the exact same committee line ups for two years in a row— Government Affairs and then Taxation, and Health and Human Services. We shared a common passion for people, we shared common interests. I remember talking to Peggy at the end of my freshman year and she said something to me. She said, You know, Teresa, I have been here for a long time, and I am not always going to be around. What you need to know when you have been in this building long enough is that if you are not making real change, then you are just loitering in the People's Building. She said that a couple of different times, and the longer I serve, the more it resonates with me—the purpose for which we are brought here and the spirit in which we come to this Legislative Building.

I often recall sitting in Government Affairs and Ms. Pierce sitting next to my colleague from Assembly District 22. I characterized and thought of them in my mind very much like Statler and Waldorf. Many of you will know they are the two Muppets who sit in the balcony, and they have a quip and a comment for something, and then they laugh. I always imagined that my colleague from Assembly District 22 and Ms. Pierce were sitting there commenting about us freshmen; how we did not know anything; how not up to speed we were; and how we were screwing up floor procedures. I know we served as a great source of humor for them.

What I remember most about Peggy is that she was absolutely principled. She was one of the funniest people I have ever met and had a love and a zeal for life. The very first time I met her was at my wedding reception. She and Mr. Sasser came—it must have been one of their first dates because we are coming up on our ten-year anniversary. I remember sitting back looking at the dance floor, and here was this tiny little gal just ripping it up, and I thought John has his hands full. Her zeal for life is what I miss most in my heart. As we know, your caucus becomes your family, and sure, sometimes your family fights, and sure, sometimes you get mad at your family, but at least for me, I love my family and I love that caucus. I love my family, and I loved Peggy like a family member.

To have her missing has been very hard. At the end of last session there was a certain spot in the caucus room where she always sat. It was Peggy's spot; no one else sat there. To have that spot be vacant was very symbolic of the vacancy that so many of us in the caucus felt in our hearts. I am so thankful that her spirit carries on, and I could not be more grateful for the fact that she has been selected for the Wall of Distinction.

ASSEMBLYWOMAN KIRKPATRICK:

When people have had the chance to serve with someone who could be on that wall, it brings up a lot of great memories and institutional knowledge. Peggy and I were complete opposites when we came. She was the anointed one, I was not; she was very liberal, I was more conservative; and we agreed to disagree the first 60 days of session. She did not like me, and I did not like her. There was no in between. She saw me as an intruder with what I believed was common sense and what she believed was big business. One thing I have learned about working in this building is there are many friendships you might not see coming, but they become friendships that last a lifetime.

As I served with Peggy, the one thing we agreed on was that economic development starts with education. That is really what brought us together from two sides that were very far apart. We talked about how important education and economic development were. That is something that lives in me every day, something we have been talking about for a long time, and I am very grateful to have had that friendship.

Many of you may not realize that Ms. Pierce was the one who did not like the electric voting machines, and she agreed with many of our conservative friends in the building today. I was the only Democratic friend that she had who would go testify on her bill and say Yes, I think paper ballots are good still. Everyone thought I was crazy because I was backing Ms. Pierce. You never know where you will end up, but what you do know is that there is that one person who reminds you why you are here. There is that one person who leaves something behind.

Last session was a tough session all the way around. Mr. Speaker, you can understand what I am saying. It is really hard to come to a spot that you were not planning on being in, and there is a whole new way of doing things—new staff, and all these responsibilities. Peggy came to me early on in session and said Hey listen, I do not want you to tell anyone but I have been to the doctor and it looks like maybe my cancer is back. I truly believe family comes first above all of this. Without your family, none of this matters, You cannot fight for anyone else if you do not have that family with you. I begged her to please leave this building, resign, go and enjoy those times with Mr. Sasser and her family. She said she would be okay. Do not worry about me. We will get through this. I said Okay, if you are up for it, whatever you need, we will accommodate you. We will work with you.

Many of you will remember that last session was tough. We had security issues going on in the building, and there were some days that were tough for me. One day my other favorite Congressman, Hardy, was in my office. She came in, and they were like oil and vinegar and had never even been in the same room together. I was having a meltdown moment myself, and the two of them actually came together to make me feel better about my situation. Congressman Hardy sent her a letter during her roughest part of the cancer and he told me Man, she sent it back. I said it is okay because she acknowledged it and I think that it is great that you two came together. We do bring friendships together that we may not realize. That day she said to me Girlfriend, whatever you need, I am here for you. I felt super guilty, thinking My problems are nothing compared to her's right now.

She told me she wanted to vote on taxes, and I had to tell her I did not think we were going to get there this session. So she asked if she could vote on marijuana. I said gee, that is a little tough because remember, we were a little bit sideways. Somebody was looking down on us that day because we voted on it, and the motion failed because we had an electronic error. She was not feeling well and she was sitting in the back, and it was going to be, as we know today, her last vote. I was shaking my head and wondering how that failed, because we were counting the numbers and trying to understand. Most of you will remember that we brought it back and let her vote on it again, and she said I finally got to vote for something I truly care about. I feel like when everybody participated in the process, it let her leave this Legislative Building with something.

We want to ensure that the memories of those kind of people are preserved in this institution for a very long time. Those are historical pieces and these are good tears that are shed for folks who truly make a difference. They may have no titles, they may not stand out on the committee, but they are unsung heroes, and I am thankful that we can put an unsung hero like Peggy Pierce on our Wall of Distinction.

ASSEMBLYMAN KIRNER:

I, unlike my colleague from District 27, never got to serve with Ms. Pierce on any of her committees. I sat on the far end of the floor, for two sessions and she sat in this neighborhood. Unlike my colleague from District 27, who thought she was a tiny person, I thought she was amazingly tall. Now that I sit in this vicinity here, I think I understand why.

Resolution adopted unanimously.

SECOND READING AND AMENDMENT

Assembly Bill No. 465.

Bill read second time and ordered to third reading.

Senate Bill No. 147.

Bill read second time and ordered to third reading.

Senate Bill No. 172.

Bill read second time and ordered to third reading.

Senate Bill No. 310.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 476.

Bill read third time.

The following amendment was proposed by Assemblywoman Titus:

Amendment No. 672.

AN ACT relating to local districts; making legislative declarations; requiring the imposition of a fee on parcels in a conservation district upon the approval of registered voters ~~; for electors;~~ authorizing the increase, decrease or elimination of the fee upon such approval; requiring that money collected from the fee be expended only for the purposes of the conservation district; authorizing the supervisors of a conservation district to serve ex officio as directors of a weed control district upon agreement with a board of county commissioners; providing a penalty; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, a conservation district may be organized as a political subdivision of the State, with various powers and duties regarding the conservation of natural resources within the district. (Chapter 548 of NRS)

In **section 2** of this bill, the Legislature declares that conservation districts may be recognized as having special expertise regarding local conditions, conservation of renewable natural resources and the coordination of local programs which makes the districts suited to serve as cooperating agencies for the purposes of the federal National Environmental Policy Act (42 U.S.C. §§ 4321 et seq.) and to provide local government coordination for the purposes of the Federal Land Policy and Management Act of 1976. (43 U.S.C. §§ 1701 et seq.)

Section 4 of this bill requires a board of county commissioners to impose an annual fee, not to exceed \$25, on each parcel in a conservation district, if the imposition of the fee is approved at an election. Under **section 5** of this bill, a board of county commissioners must submit to the voters the question of whether to impose the fee upon receipt of a petition signed by either a majority of the supervisors of the conservation district or at least 10 percent of the registered voters of the conservation district. **Section 5.5** of this bill provides that the required election may be conducted ~~at a mass meeting of electors held in a public meeting place within the conservation district.~~ **by mail.** Under **section 6** of this bill, the fee may not be increased, decreased or eliminated except according to the same procedures for imposing the fee. Under **section 4**, money collected from the imposition of the fee may be used only for the purposes of a conservation district prescribed in chapter 548 of NRS.

Sections 8 and 9 of this bill add the Forest Service of the United States Department of Agriculture and the Bureau of Land Management and the Fish and Wildlife Service of the United States Department of the Interior to the definitions of "United States" and "agencies of the United States" for the purposes of provisions regarding cooperation between conservation districts and those agencies of the United States.

In **section 10** of this bill, the Legislature recognizes the importance of locally led efforts for the conservation of natural resources and pledges to strive to provide appropriations to conservation districts at levels comparable to the appropriations provided to similar districts in other western states.

Existing law authorizes the creation of weed control districts, which are governed by a board of directors appointed by the applicable board of county commissioners. (NRS 555.203, 555.207) **Section 15** of this bill authorizes a board of county commissioners and the supervisors of a conservation district to enter into an agreement under which the supervisors of the conservation district serve, ex officio, as the directors of a weed control district that lies entirely within the conservation district. The supervisors must ensure that the money of the weed control district is expended only for the purposes of the statutory provisions relating to weed control districts.

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

Section 1. Chapter 548 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

Sec. 2. *It is hereby declared, as a matter of legislative determination, that conservation districts may be recognized as having special expertise regarding local conditions, conservation of renewable natural resources and the coordination of local programs which makes conservation districts uniquely suitable to serve as cooperating agencies for the purpose of the National Environmental Policy Act of 1969, 42 U.S.C. §§ 4321 et seq., and any other federal laws regarding land management, and to provide local government coordination for the purposes of the Federal Land Policy and Management Act of 1976, 43 U.S.C. §§ 1701 et seq., and any other federal laws regarding land management.*

Sec. 3. *As used in sections 3 to 7, inclusive, of this act, “parcel” has the meaning ascribed to it in NRS 361A.065.*

Sec. 4. 1. *Subject to the provisions of sections 5 and 5.5 of this act, and only after receiving the approval of a majority of the registered voters of the conservation district voting on the question at a primary, general or special election held pursuant to section 5 of this act or ~~the approval of a majority of the electors of the conservation district voting on the question at an election conducted at a mass meeting of electors~~ at an election conducted by mail pursuant to section 5.5 of this act:*

(a) If a conservation district includes land lying in only one county, the board of county commissioners of the county shall impose, on behalf of the conservation district, an annual fee of not more than \$25 on each parcel in the conservation district; and

(b) If a conservation district includes land lying in more than one county, the boards of county commissioners of the respective counties shall impose, on behalf of the conservation district, an annual fee of not more than \$25 on each parcel in the conservation district.

2. *A fee imposed pursuant to subsection 1 must be collected as are other fees and taxes imposed by the board of county commissioners are collected. A board of county commissioners that imposes the fee shall establish a separate fund in the county treasury for the receipt and expenditure of and accountings for the fee.*

3. *Money collected pursuant to this section may be used only for the purposes of this chapter.*

Sec. 5. 1. *A board of county commissioners shall submit to the voters a question of whether to impose a fee described in section 4 of this act upon receipt of a petition requesting the election and prescribing the amount of the proposed fee. The petition must be signed by a majority of the supervisors of the conservation district or not less than 10 percent of the registered voters of the conservation district. The board of county commissioners shall direct*

the county clerk of the county or the county clerk's designee to conduct an election on the question.

2. *If a conservation district includes land lying in more than one county, the petition described in subsection 1 must be submitted to the board of county commissioners of each such county and each respective board of county commissioners shall submit the question to the registered voters of the conservation district who live in the county. Each respective board of county commissioners shall direct the county clerk of the county or the county clerk's designee to conduct an election on the question. The county clerks of the respective counties shall confer and delegate to the county clerk, or the county clerk's designee, of the county having the greatest number of qualified electors of the conservation district the duty of carrying out the provisions of this section and shall reimburse that county on a pro rata basis for their respective counties' shares of the expenses of conducting the election.*

3. *Notice of an election or elections on the question of whether to impose a fee described in section 4 of this act must be:*

(a) *Published at least once each week for 4 weeks before the date of the election in a newspaper of general circulation in the county or counties in which the election or elections are to be held; and*

(b) *Posted continuously on the Internet website of the county or counties beginning not less than 30 days before the date of the election.*

4. *At the election, the ballot must contain the words "Shall a fee of not more than \$_____ per parcel be approved for the conservation district?" or words equivalent thereto.*

5. *If a majority of the registered voters of the conservation district voting on the question approve the imposition of the fee, the fee must be imposed beginning on July 1 of the year next following the election or elections.*

Sec. 5.5. 1. *In lieu of conducting the election required by section 4 of this act at a primary, general or special election pursuant to section 5 of this act, the board or boards of county commissioners, as applicable, may direct that the election be conducted ~~at a mass meeting of electors held in a centrally located public meeting place within the conservation district,~~ by mail in accordance with this section. Except as otherwise provided in this section, the provisions of section 5 of this act govern ~~the conduct of~~ an election ~~at a mass meeting,~~ conducted pursuant to this section.*

2. *If the election is conducted ~~at a mass meeting,~~ by mail:*

(a) *The ~~chair of the district supervisors shall preside at the meeting and the secretary of the district shall keep a record of transactions at the meeting,~~ board or boards of county commissioners, as applicable, shall establish the date by which marked mailing ballots must be mailed by voters to the county clerk or the county clerk's designee pursuant to paragraph (c). That date is the date of the election for the purposes of subsection 3 of section 5 of this act.*

(b) ~~[Voting must be by secret ballot.]~~ On or after the first date of publication or posting, whichever occurs first, of the notice required by subsection 3 of section 5 of this act, but not later than 5 business days after that date, the county clerk or the county clerk's designee shall cause to be mailed to each registered voter in the conservation district:

- (1) An official mailing ballot;
- (2) A return envelope; and
- (3) Instructions regarding the manner of marking and returning the ballot. The instructions must set forth the date established pursuant to paragraph (a) by which the ballot must be mailed by the voter to the county clerk or the county clerk's designee.

(c) Upon receipt of a mailing ballot, the registered voter must, in accordance with the instructions, mark and fold the ballot, deposit and seal the ballot in the return envelope, affix his or her signature on the back of the envelope and mail the envelope to the county clerk or the county clerk's designee. The ballot shall be deemed timely mailed if the envelope is postmarked not later than 3 business days after the date established pursuant to paragraph (a) by which the ballot must be mailed.

(d) At the close of polling, the ~~sealed ballot boxes must be delivered unopened to the~~ county clerk or the county clerk's designee ~~who~~ shall appoint three electors who are not supervisors of the conservation district to act, without pay, as judges and tellers to open the ~~boxes~~ envelopes and count the votes.

3. If a majority of the electors of the conservation district voting on the question at ~~[a mass meeting]~~ an election conducted pursuant to this section approve the imposition of the fee, the fee must be imposed beginning on July 1 of the year next following the election.

Sec. 6. A fee imposed pursuant to sections 4, 5 and 5.5 of this act, as applicable, may not be increased, decreased or eliminated except according to the same procedures prescribed in sections 4, 5 and 5.5 of this act, as applicable, for imposing the fee.

Sec. 7. A board of county commissioners may appropriate money from the county general fund to a conservation district for the purpose of providing programs for renewable natural resources regardless of whether a fee is imposed pursuant to sections 4, 5 and 5.5 of this act, as applicable.

Sec. 8. NRS 548.020 is hereby amended to read as follows:

548.020 "Agencies of the United States" includes the United States of America, the ~~[Soil]~~ Natural Resources Conservation Service and the Forest Service of the United States Department of Agriculture, the Bureau of Land Management and the Fish and Wildlife Service of the United States Department of the Interior, and any other agency or instrumentality, corporate or otherwise, of the United States of America.

Sec. 9. NRS 548.090 is hereby amended to read as follows:

548.090 "United States" includes the United States of America, the ~~[Soil]~~ Natural Resources Conservation Service and the Forest Service of the United

States Department of Agriculture, *the Bureau of Land Management and the Fish and Wildlife Service of the United States Department of the Interior*, and any other agency or instrumentality, corporate or otherwise, of the United States of America.

Sec. 10. NRS 548.105 is hereby amended to read as follows:

548.105 **1.** It is hereby declared, as a matter of legislative determination, that persons in local communities are best able to provide basic leadership and direction for the planning and accomplishment of the conservation and development of renewable natural resources through organization and operation of conservation districts.

2. *Recognizing the importance of locally led efforts for the conservation of renewable natural resources, the Legislature will strive to provide appropriations to conservation districts at a level comparable to the appropriations provided to similar districts in other western states.*

Sec. 11. NRS 548.195 is hereby amended to read as follows:

548.195 **1.** After such hearing, if the Commission determines, upon the facts presented at such hearing and upon such other relevant facts and information as may be available, that there is need, in the interest of the public health, safety and welfare, for a conservation district to function in the territory considered at the hearing, the Commission shall make and record such determination, and shall determine the township or townships to be included in the district.

2. In making such determination, the Commission shall give due weight and consideration to:

- (a) The topography of the area considered and of the State.
- (b) The composition of soils therein.
- (c) The distribution of erosion.
- (d) The prevailing land use practices.
- (e) The desirability and necessity of including within the boundaries the particular lands under consideration and the benefits such lands may receive from being included within such boundaries.
- (f) The relation of the proposed area to existing watersheds and agricultural regions, and to other conservation districts already organized or proposed for organization under the provisions of this chapter.

(g) Such other physical, geographical and economic factors as are relevant, having due regard to the legislative determinations set forth in NRS 548.095 to 548.110, inclusive ~~{ }~~, **and section 2 of this act.**

3. After consideration of the petition and of any other evidence of interest in the organization of a district, and of the relevant factors regarding the need for a district to function in the territory being considered, the Commission may make the determination of such need without holding a hearing.

Sec. 12. NRS 548.215 is hereby amended to read as follows:

548.215 **1.** The Commission shall publish the result of the referendum and shall thereafter consider and determine whether the operation of the district is administratively practicable and feasible.

2. If the Commission determines that the operation of such district is not administratively practicable and feasible, the Commission shall record such determination and deny the petition.

3. If the Commission determines that the operation of the district is administratively practicable and feasible, the Commission shall record such determination and shall proceed with the organization of the district in the manner provided in this chapter. The Commission shall not determine that the operation of the proposed district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the creation of the district are cast in favor of the creation of such district.

4. In making such determination, the Commission shall give due regard and weight to:

(a) The attitudes of the occupiers of lands lying within the defined boundaries.

(b) The number of eligible registered voters who voted in the referendum.

(c) The proportion of the votes cast in such referendum in favor of the creation of the district to the total number of votes cast.

(d) The approximate wealth and income of the land occupiers of the proposed district.

(e) The probable expense of carrying on erosion-control operations within such district.

(f) Such other economic and social factors as may be relevant to such determination, having due regard to the legislative determinations set forth in NRS 548.095 to 548.110, inclusive ~~{-}~~, **and section 2 of this act.**

Sec. 13. NRS 548.430 is hereby amended to read as follows:

548.430 The regulations to be adopted by the Commission under the provisions of NRS 548.410 to 548.435, inclusive, may include:

1. Provisions requiring the carrying out of necessary engineering operations, including the construction of terraces, terrace outlets, check dikes, dams, ponds, ditches and other necessary structures.

2. Provisions requiring observance of particular methods of cultivation, including contour cultivating, contour furrowing, lister furrowing, sowing, planting, strip cropping, seeding, and planting of lands to water-conserving and erosion-preventing plants, trees and grasses, forestation, and reforestation.

3. Specifications of cropping programs and tillage practices to be observed.

4. Provisions requiring the retirement from cultivation of highly erosive areas or of areas on which erosion may not be adequately controlled if cultivation is carried on.

5. Provisions for such other means, measures, operations, and programs as may assist conservation of renewable natural resources and prevent or control soil erosion and sedimentation in the conservation district, having due regard to the legislative findings set forth in NRS 548.095 to 548.110, inclusive ~~{-}~~, **and section 2 of this act.**

Sec. 14. NRS 548.535 is hereby amended to read as follows:

548.535 1. The Commission shall consider the information and facts presented in the petition and brought out in any public hearings that may be held and the result of the referendum if one is held, and shall thereafter determine whether the continued operation of the district is administratively practicable and feasible.

2. If the Commission determines that the continued operation of such district is administratively practicable and feasible, the Commission shall record such determination and deny the petition. The Commission shall not determine that the continued operation of the district is administratively practicable and feasible unless the number of petitioners comprises less than a majority of the registered voters in the district or unless at least a majority of the votes cast in the referendum were cast in favor of the continuance of such district.

3. If the Commission determines that the continued operation of the district is not administratively practicable and feasible, the Commission shall record such determination and shall certify such determination to the supervisors of the district.

4. In making such determination the Commission shall give due regard and weight to:

(a) The attitudes of the occupiers of lands lying within the district.

(b) The number of eligible registered voters who voted in the referendum.

(c) The proportion of petitioners to the total number of land occupiers in the district, and the proportion of the votes cast in favor of the discontinuance of the district to the total number of votes cast.

(d) The approximate wealth and income of the land occupiers of the district.

(e) The probable expense of carrying on erosion-control operations within such district.

(f) Such other economic and social factors as may be relevant to such determination, having due regard to the legislative findings as set forth in NRS 548.095 to 548.110, inclusive [], **and section 2 of this act.**

Sec. 15. Chapter 555 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *If the area included in a weed control district is entirely within the boundaries of one county and entirely within the boundaries of one conservation district organized pursuant to chapter 548 of NRS, the board of county commissioners of the county and the supervisors of the conservation district may enter into an agreement for the supervisors of the conservation district to serve, ex officio, as the board of directors of the weed control district. If, as a result of a change in boundaries, the area included in a weed control district is no longer entirely within the boundaries of one county and entirely within the boundaries of one conservation district organized pursuant to chapter 548 of NRS, the supervisors of the conservation district may no longer serve, ex officio, as the board of directors of the weed control district, and the supervisors of the weed control district must be appointed pursuant to NRS 555.205.*

2. *An agreement entered into pursuant to subsection 1 may be terminated by mutual agreement of the board of county commissioners and the supervisors of the conservation district. If an agreement is terminated pursuant to this section, the board of directors of the weed control district must be appointed pursuant to NRS 555.205.*

3. *The supervisors of a conservation district serving ex officio as the board of directors of a weed control district pursuant to this section shall ensure that any money collected by the weed control district pursuant to an assessment levied pursuant to NRS 555.215, and any other money appropriated or granted to the weed control district from any source, is expended only for the purposes of this section and NRS 555.202 to 555.220, inclusive.*

Sec. 16. NRS 555.205 is hereby amended to read as follows:

555.205 *Except as otherwise provided in section 15 of this act:*

1. The board of county commissioners of any county in which a weed control district has been created shall appoint a board of directors of the district composed of three or five persons who:

(a) Are landowners in the district, whether or not they signed the petition for its creation. For the purpose of this paragraph, if any corporation or partnership owns land in the district, a partner or a director, officer or beneficial owner of 10 percent or more of the stock of the corporation shall be deemed a landowner.

(b) Fairly represent the agricultural economy of the district.

2. If the district includes lands situated in more than one county, the board of county commissioners shall appoint at least one member of the board of directors from each county in which one-third or more of the lands are situated.

3. The initial appointments to the board of directors shall be for terms of 1, 2 and 3 years respectively. Each subsequent appointment shall be for a term of 3 years. Any vacancy shall be filled by appointment for the unexpired term.

4. In addition to other causes provided by law, a vacancy is created on the board if any director:

(a) Ceases to be a landowner in the district.

(b) Is absent, unless excused, from three meetings of the board.

5. If, as a result of a change in the boundaries of the district, a county becomes entitled to a new member of the board of directors pursuant to subsection 2, the board of county commissioners shall make the new appointment upon the first expiration of the term of a current member thereafter.

Sec. 17. NRS 555.220 is hereby amended to read as follows:

555.220 Any person violating any of the provisions of NRS 555.202 to 555.210, inclusive, *and section 15 of this act*, or failing, refusing or neglecting to perform or observe any conditions or regulations prescribed by the State Quarantine Officer, in accordance with the provisions of NRS 555.202 to 555.210, inclusive, *and section 15 of this act* is guilty of a misdemeanor.

Sec. 18. This act becomes effective on July 1, 2015.

Assemblywoman Titus moved the adoption of the amendment.

Remarks by Assemblywoman Titus.

ASSEMBLYWOMAN TITUS:

Amendment 672 eliminates the option for voting on new parcel fees at a mass meeting of electors of the conservation district and adds the option of conducting the election by mail in ballots.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 27, 30, 73, 74, 75, 87, 103, 131, 154, 157, 179, 188, 250; Senate Bills Nos. 2, 37, 55, 63, 66, 85, 121, 142, 244, 297, 418, 448, 449, 473; Senate Concurrent Resolution No. 8.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Elliot Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Megan May.

On request of Assemblyman Araujo, the privilege of the floor of the Assembly Chamber for this day was extended to Ana Abrego, Christina Abrego, Noah Abrego, and Leandra Abrego.

On request of Assemblyman Carrillo, the privilege of the floor of the Assembly Chamber for this day was extended to Hani Dagher and Evelyn Dagher.

On request of Assemblyman Hambrick, the privilege of the floor of the Assembly Chamber for this day was extended to United States Representative for Nevada, Mark Amodei.

On request of Assemblyman Hickey, the privilege of the floor of the Assembly Chamber for this day was extended to Hope Roach, Garrett Smith, Bradley Thompson, Rafael Hernandez, Cheyenne Thomas, Shae Williams, Cordell Hunt, Tori Ramirez, Corey Poafpybitty, Thomas Teeman, Jorge Ruiz Guerrero, Richelle Snodgrass, Miranda Townsend, Toni Duncan, Hannah Fletcher, Gimy Hicks, Ta'Jae Jones, Tristian Torres, Sarah Dittman, and Tamara Pierce.

On request of Assemblywoman Kirkpatrick, the privilege of the floor of the Assembly Chamber for this day was extended to Jon Sasser, Catherine Moyer, Caroline Moyer, Danny Moyer, and Janet Stokes.

On request of Assemblywoman Neal, the privilege of the floor of the Assembly Chamber for this day was extended to Tick Segerblom.

On request of Assemblyman Nelson, the privilege of the floor of the Assembly Chamber for this day was extended to Paul Workman.

On request of Assemblyman O'Neill, the privilege of the floor of the Assembly Chamber for this day was extended to Alan Glover, Harle Glover, Bruce Glover, Amanda Miller, David Miller, Jamie Larkin, David Larkin, Mackenzie Brunsvold, Camille Larkin, and Benjamin Larkin.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Julianne Delap and Jack Delap.

Assemblyman Paul Anderson moved that the Assembly adjourn until Monday, May 11, 2015, at 11:30 a.m.

Motion carried.

Assembly adjourned at 1:02 p.m.

Approved:

JOHN HAMBRICK
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly