Senate called to order at 11:20 a.m.
President Pro Tempore Parks presiding.
Roll called.
All present.
Prayer by Pastor Larry Unterseher, Nevada, Utah, Northeastern California conference of the Seventh-day Adventist Church.
Let us pray.
Father God, humbly we pray for power from Heaven, that for this new week You will give these dedicated women and men wisdom, strength and skill to do their appointed tasks. We pray they will not grow weary in doing good, even when meetings are many, long and the labor seems thankless.
Help each of these willing servant leaders to protect this State we love and to help move her people forward in the continuing quest of making Nevada the greatest State in the Nation.
We pray these things in Your most holy and precious Name.
AMEN.

Pledge of Allegiance to the Flag.

The President Pro Tempore announced that under previous order, the reading of the Journal is waived for the remainder of the 77th Legislative Session and the President and Secretary are authorized to make any necessary corrections and additions.

REPORTS OF COMMITTEES

Mr. President:
Your Committee on Commerce, Labor and Energy, to which was referred Senate Bill No. 357, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and re-refer to the Committee on Finance.

KELVIN ATKINSON, Chair

Mr. President:
Your Committee on Education, to which were referred Senate Bill Nos. 59, 382, 446 and 470, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.
Also, your Committee on Education, to which were referred Senate Bill Nos. 309, 345 and 442, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.
Also, your Committee on Education, to which were referred Senate Bill Nos. 240, 291 and 455, has had the same under consideration, and begs leave to report the same back with the recommendation: Without recommendation.

JOYCE WOODHOUSE, Chair

Mr. President:
Your Committee on Finance, to which were referred Senate Bill Nos. 344 and 350, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DEBBIE SMITH, Chair
Mr. President:
Your Committee on Health and Human Services, to which were referred Senate Bill Nos. 176 and 276, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Health and Human Services, to which was referred Senate Bill No. 349, has had the same under consideration, and begs leave to report the same back without recommendation, recommended to be re-referred to the Committee on Finance.

JUSTIN C. JONES, Chair

Mr. President:
Your Committee on Legislative Operations and Elections, to which was referred Senate Bill No. 63, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Finance.

PAT SPEARMAN, Chair

Mr. President:
Your Committee on Natural Resources, to which were referred Senate Bill Nos. 229 and 505, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Natural Resources, to which were referred Senate Bill Nos. 83 and 465, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

AARON D. FORD, Chair

Mr. President:
Your Committee on Revenue and Economic Development, to which was referred Senate Bill No. 385, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and re-refer to the Committee on Finance.

Also, your Committee on Revenue and Economic Development, to which were referred Senate Bill Nos. 50, 67, 171, 377 and 445, has had the same under consideration, and begs leave to report the same back without recommendation, recommended to be re-referred to the Committee on Finance.

RUBEN J. KIHUEN, Chair

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 12, 2013

To the Honorable the Senate:
I have the honor to inform your honorable body that the Assembly on this day adopted, as amended, Assembly Concurrent Resolution No. 3.

MATTHEW BAKER
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 3

Senator Smith moved that Assembly Concurrent Resolution No. 3 be referred to the Committee on Natural Resources.

Motion Carried.

Senator Smith moved that Senate Bill Nos. 50, 63, 67, 171, 349, 357, 377, 385 and 445, just reported out of committee, be re-referred to the Committee on Finance.

Motion carried.
Senator Smith moved that Senate Bill Nos. 3, 308, 472, 474 and 475, just reported out of committee, be re-referred to the Committee on Finance.

Motion carried.

Mr. President Pro Tempore announced that if there were no objections, the Senate would recess subject to the call of the Chair.

Senate in recess at 11:44 a.m.

SENATE IN SESSION

At 11:53 a.m.

President Pro Tempore Parks presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 19.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 76.

Senator Manendo moved the adoption of the amendment.

Remarks by Senator Manendo.

Thank you, Mr. President Pro Tempore. Amendment No. 76 to Senate Bill No. 19 enables the Nevada Department of Motor Vehicles to revoke the license of a person convicted of a driving under the influence violation under an ordinance enacted by a city or county. Amendment No. 76 merely clarifies the language of the original bill. The intent is unchanged.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 66.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 86.

Senator Goicoechea moved the adoption of the amendment.

Remarks by Senator Goicoechea.

Thank you, Mr. President Pro Tempore. Amendment No. 86 to Senate Bill No. 66 reinserts language deleted in the original bill requiring that a county employee operate the county equipment named in the bill.

Finally, Amendment No. 86 allows a Board of County Commissioners in a county whose population is less than 15,000 (currently White Pine, Pershing, Lander, Lincoln, Mineral, Storey, Eureka and Esmeralda Counties) to authorize the use of county equipment on the property of any local government within the county if: (1) the Board deems by ordinance such use to be in the best interest of the county; (2) the Board and governing body of the local government enter into an inter-local agreement; and (3) an employee of the county operates the equipment.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 90.
Bill read second time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 135
Senator Settelmeyer moved the adoption of the amendment.
Remarks by Senator Settelmeyer.
Thank you, Mr. President Pro Tempore. Amendment No. 135 to Senate Bill No. 90 clarifies that a record is confidential if it meets the requirements set forth in Sections 6.1 through 6.3 of the bill as follows: (1) the record is already recognized as confidential by statute or regulation at the state or federal level; (2) the record is submitted to a local government in connection with an application to that local government; and (3) submission of the record is required in order for the application to be considered.

Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 109.
Bill read second time.
The following amendment was proposed by the Committee on Transportation:
Amendment No. 163
Senator Settelmeyer moved the adoption of the amendment.
Remarks by Senator Settelmeyer.
Thank you, Mr. President Pro Tempore. Amendment No. 163 to Senate Bill No. 109 clarifies that an existing vehicle dealer’s bond may only be used for an off-highway dealer’s license if the undertaking on the existing bond covers the activities covered under Chapter 490 of Nevada Revised Statutes.

Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 113.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary:
Amendment No. 40
Senator Kihuen moved the adoption of the amendment.
Remarks by Senator Kihuen.
Thank you, Mr. President Pro Tempore. Amendment No. 40 to Senate Bill No. 113: (1) adds information to be included in the Registry of Putative Fathers; (2) requires a putative father who wishes to receive notice of a proceeding for the adoption of, or termination of, parental rights to register with the Registry; (3) revises provisions relating to the Summary Petition for Termination of Parental Rights; (4) clarifies provisions relating to the confidentiality of the information in the registry; (5) provides that governmental entities shall not be charged a fee for tasks related to the registry; and (6) clarifies provisions relating to locating the putative father.
Amendment adopted.
Senator Smith moved that upon return from reprint, Senate Bill No. 113 be re-referred to the Committee on Finance.
Motion carried.
Bill ordered reprinted, engrossed and to the Committee on Finance.

Senate Bill No. 155.
Bill read second time.
The following amendment was proposed by the Committee on Commerce, Labor and Energy:
Amendment No. 137.
Senator Gustavson moved the adoption of the amendment.
Remarks by Senator Gustavson.
Thank you, Mr. President Pro Tempore. Amendment No. 137 to Senate Bill No. 155 expands a clinical professional counselor’s scope of practice to include the assessment and treatment of couples or families, but only with the proper coursework, supervised experience and credentials.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 157.
Bill read second time.
The following amendment was proposed by the Committee on Finance:
Amendment No. 234.
Senator Smith moved the adoption of the amendment.
Remarks by Senator Smith.
Thank you, Mr. President Pro Tempore. Amendment No. 234 removes one section of Senate Bill No. 157 that set up a new process for building schools, and it leaves one section that allows for the use of money for transportation and other purposes.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 158.
Bill read second time and ordered to third reading.

Senate Bill No. 180.
Bill read second time and ordered to third reading.

Senate Bill No. 185.
Bill read second time and ordered to third reading.

Senate Bill No. 238.
Bill read second time and ordered to third reading.

Senate Bill No. 244.
Bill read second time.
The following amendment was proposed by the Committee on Transportation:
Amendment No. 93.
Senator Brower moved the adoption of the amendment.
Remarks by Senator Brower.
Thank you, Mr. President Pro Tempore. Amendment No. 93 to Senate Bill No. 244 changes the time frame and nature of the information transmitted from the Department of Motor Vehicles to the Nevada Office of Veterans’ Services. Additionally, Amendment No. 93 adds several co-sponsors to Senate Bill No. 244.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 288.
Bill read second time and ordered to third reading.

Senate Bill No. 302.
Bill read second time and ordered to third reading.

Senate Bill No. 310.
Bill read second time and ordered to third reading.

Senate Bill No. 316.
Bill read second time.
The following amendment was proposed by the Committee on Commerce, Labor and Energy:
Amendment No. 140.
Senator Atkinson moved the adoption of the amendment.
Remarks by Senator Atkinson.
Thank you, Mr. President Pro Tempore. Amendment No. 140 to Senate Bill No. 136 changes the distance of the facility from “within 15 miles” to “within 30 miles.”
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 364.
Bill read second time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 176.
Senator Atkinson moved the adoption of the amendment.
Remarks by Senator Atkinson.
Thank you, Mr. President Pro Tempore. Amendment No. 176 to Senate Bill No. 364 changes the word “copies” to “original” or deletes the word “copies” regarding the filing of marriage certificates. It also adds language to clarify that one may not solicit marriage ceremony services on any county property “where marriage licenses are issued,” rather than on “any county property” at all.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 402.
Bill read second time and ordered to third reading.
Senate Bill No. 404.
Bill read second time.
The following amendment was proposed by the Committee on Government Affairs:
Amendment No. 173.
Senator Smith moved the adoption of the amendment.
Remarks by Senator Smith.
Thank you, Mr. President Pro Tempore. Amendment No. 173 to Senate Bill No. 404 expands the bill’s provisions to require that any business that does business with the State of Nevada must have a State business license.
Amendment adopted.
Senator Smith moved that upon return from reprint, Senate Bill No. 404 be re-referred to the Committee on Finance.
Motion carried.
Bill ordered reprinted, engrossed and to the Committee on Finance.
Senate Bill No. 432.
Bill read second time and ordered to General File and Third Reading.
Senate Bill No. 452.
Bill read second time.
Senator Smith moved that Senate Bill No. 452 be re-referred to the Committee on Finance.
Motion carried.
Senate Bill No. 464.
Bill read second time.
Senator Smith moved that Senate Bill No. 464 be re-referred to the Committee on Finance.
Motion carried.
Senate Bill No. 468.
Bill read second time.
Senator Smith moved that Senate Bill No. 468 be re-referred to the Committee on Finance.
Motion carried.
Senate Bill No. 477.
Bill read second time and ordered to third reading.
Senate Bill No. 479.
Bill read second time.
Senator Smith moved that Senate Bill No. 479 be re-referred to the Committee on Finance.
Motion carried.
Senate Bill No. 489.
Bill read second time and ordered to third reading.
Senate Bill No. 497.
Bill read second time and ordered to third reading.

Senate Bill No. 506.
Bill read second time and ordered to third reading.

Senate Bill No. 507.
Bill read second time and ordered to third reading.

Senate Bill No. 509.
Bill read second time and ordered to third reading.

Senate Joint Resolution No. 8.
Resolution read second time.
The following amendment was proposed by the Committee on Legislative Operations and Elections.
Amendment No. 503.
Senator Denis moved that the Senate recess until 2:00 p.m.
Motion carried.

Senate in recess at 12:35 p.m.

SENATE IN SESSION

At 2:07 p.m.
President Pro Tempore Parks presiding.
Quorum present.

Senator Spearman moved the adoption of the amendment.
Remarks by Senator Spearman.
Thank you, Mr. President Pro Tempore. Amendment No. 503 to Senate Joint Resolution No. 8 proposes to amend provisions of the Nevada Constitution relating to the Legislature by:
(1) removing the proposed provisions establishing a minimum monthly salary of $2,000;
(2) removing the proposed provisions relating to advice and consent to gubernatorial appointments; and (3) deleting the existing limitation of $60 in any session for postage and other office expenses.

Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 4.
Bill read third time.
Remarks by Senator Kieckhefer.
Thank you, Mr. President Pro Tempore. Senate Bill No. 4 allows various public employees or volunteers for a public agency who come in contact with human blood or bodily fluids in the course of their official duties to request that a person or decedent who may have exposed them to a contagious disease be tested. The measure also allows a judge or a justice of the peace hearing the petition to authorize certain persons acting on behalf of the employer or public agency to sign the name of the judge or justice of the peace on a duplicate order. Such an order is deemed to be an order of the court but must be returned to the judge or justice of the peace for
engagement. Failure by the judge or justice of the peace to endorse the order does not invalidate the order.

**Senate Bill No. 4** also: (1) requires any records concerning such a petition or related proceedings to be sealed and kept confidential; (2) authorizes a court to establish rules to allow a judge or justice of the peace to conduct a hearing or issue an order by electronic or telephonic means; and (3) authorizes justice courts and municipal courts to issue such orders.

**Roll call on Senate Bill No. 4:**
YEAS—21.
NAYS—None.

**Senate Bill No. 4** having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

**Senate Bill No. 5.**
Bill read third time.
Remarks by Senator Spearman.
Thank you, Mr. President Pro Tempore. **Senate Bill No. 5** removes a requirement that motor vehicles purchased by the State for use by any department, office, bureau, officer or employee be labeled with the words “State of Nevada” and “For Official Use Only,” and replaces that requirement with one that the Board of Examiners adopt regulations governing the labeling of these vehicles. It also exempts the Board of Examiners from complying with certain procedural requirements when adopting these regulations. Finally, a designee of the Board of Examiners may provide prior written consent for the purchase of a motor vehicle rather than the entire Board of Examiners having to provide this consent. This bill is effective on passage and approval for the purpose of adopting regulations and on January 1, 2014, for all other purposes.

**Roll call on Senate Bill No. 5:**
YEAS—21.
NAYS—None.

**Senate Bill No. 5** having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

**Senate Bill No. 7.**
Bill read third time.
Remarks by Senator Kihuen.
Thank you, Mr. President Pro Tempore. **Senate Bill No. 7** requires the Department of Taxation to provide technical bulletins that are intended to educate the public on various issues related to their businesses and the taxes administered by the Department. The Department of Taxation must also publish a technical bulletin regarding any written opinion received from the Attorney General. The technical bulletins are intended to be provided for informational purposes only and must be approved by the Nevada Tax Commission prior to being published on the Department’s Internet website.

**Roll call on Senate Bill No. 7:**
YEAS—21.
NAYS—None.

**Senate Bill No. 7** having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.
Senate Bill No. 12.
Bill read third time.
Remarks by Senator Hardy.
Thank you, Mr. President Pro Tempore. Senate Bill No. 12 requires individuals identified by the Nevada Transportation Authority as significant actors of a motor carrier or applicants to operate as a motor carrier to submit fingerprints to the Nevada Transportation Authority for the purposes of a background check. The individuals must authorize the Nevada Transportation Authority to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation.

Roll call on Senate Bill No. 12:
YEAS—21.
NAYS—None.

Senate Bill No. 12 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 18.
Bill read third time.
Remarks by Senator Spearman.
Thank you, Mr. President Pro Tempore. Senate Bill No. 18 revises provisions governing personal and subject matter jurisdiction under the Nevada Code of Military Justice, and modifies provisions governing non-judicial punishment for servicemen and servicewomen. It also provides that certain persons found incompetent to stand trial by court-martial or not guilty by lack of mental responsibility, be committed to the custody of the Administrator of the Division of Mental Health and Developmental Services, Department of Health and Human Services.

Senate Bill No. 18 also adds several crimes to the list of those triable by court-martial, adds prohibitions against discrimination based on gender or sexual orientation, provides that members of the Nevada National Guard who perform service during an emergency will be compensated according to their military grade and pay status and exempts persons subject to the Nevada Code of Military Justice from liability for acts or omissions performed as part of their duty under the Code. This bill is effective upon passage and approval.

Roll call on Senate Bill No. 18:
YEAS—21.
NAYS—None.

Senate Bill No. 18 having received constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 22.
Bill read third time.
Remarks by Senator Spearman.
Thank you, Mr. President Pro Tempore. Senate Bill No. 22 requires that if the Nevada Supreme Court, a district court or a justice court in Nevada makes a ruling holding that a provision of Nevada law violates the Nevada Constitution or the United States Constitution, the prevailing party in the case must provide the Attorney General with a copy of the ruling. The Attorney General is required to provide the Legislative Counsel with biennial reports containing all such rulings. Senate Bill No. 22 also requires the State Controller to collect restitution for extradition expenses on behalf of the Office of the Attorney General and any other government entity to which restitution is ordered. This bill is effective on October 1, 2013.
Roll call on Senate Bill No. 22:
YEAS—21.
NAYS—None.

Senate Bill No. 22 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 35.
Bill read third time.
Remarks by Senator Atkinson.
Thank you, Mr. President Pro Tempore. Senate Bill No. 35 requires the Administrator of the Employment Security Division, Department of Employment, Training and Rehabilitation, to charge to an employer against whom a civil action is brought a fee to defray the cost for recording, copying or certifying documents in such actions. The fee must be charged to the employer in accordance with fees charged by county recorders for such services and be paid into the Unemployment Compensation Administration Fund. Senate Bill No. 35 is effective upon passage and approval. I urge your support.

Roll call on Senate Bill No. 35:
YEAS—21.
NAYS—None.

Senate Bill No. 35 having received a two-thirds majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 40.
Bill read third time.
Remarks by Senator Atkinson.
Thank you, Mr. President Pro Tempore. Senate Bill No. 40 makes various changes to provisions relating to medical laboratories. The State Board of Health is required to adopt regulations setting forth acceptable forms of proof of identity that a laboratory director must include in an application. The State Board of Health is also required to adopt regulations concerning the qualifications for certification as an assistant in a medical laboratory. Senate Bill No. 40 increases the administrative penalties as well. Finally, it clarifies one situation in which a blood test is admissible. This bill is effective upon passage and approval for the purposes of adopting regulations and performing preparatory administrative tasks and on January 1, 2014, for all other purposes. I urge the Body’s support.

Roll call on Senate Bill No. 40:
YEAS—21.
NAYS—None.

Senate Bill No. 40 having received a two-thirds majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 51.
Bill read third time.
Remarks by Senator Hardy.
Thank you, Mr. President Pro Tempore. Senate Bill No. 51 transfers the powers and duties related to the certification and regulation of intermediary service organizations from the Aging
and Disability Services Division of the Department of Health and Human Services to the Health
Division of the Department of Health and Human Services and the State Board of Health,
respectively. Senate Bill No. 51 also authorizes such an agency to provide certain medical
services to persons with disabilities through its employees or by contractual arrangement.

Roll call on Senate Bill No. 51:
YEAS—20.
NAYS—None.
EXCUSED—Kieckhefer.

Senate Bill No. 51 having received a constitutional majority, Mr. President
Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 55.
Bill read third time.
Remarks by Senator Spearman.
Thank you, Mr. President Pro Tempore. Senate Bill No. 55 reorganizes 19 separate plans and
other items that may be included in a master plan under current statute into eight different
elements that a plan may include. The elements are: (1) conservation; (2) historic preservation;
(3) housing; (4) land use; (5) public facilities and services; (6) recreation and open space;
(7) safety; and (8) transportation.
In counties whose population is 100,000 or more but less than 700,000 (currently, Washoe
County), if the governing body of a city or county adopts only a portion of a master plan, then it
is not required to adopt the entirety of a conservation element, it must adopt the entirety of a
housing element and it is not required to adopt the entirety of a public facilities and services
element. This bill is effective upon passage and approval.

Roll call on Senate Bill No. 55:
YEAS—20.
NAYS—None.
EXCUSED—Kieckhefer.

Senate Bill No. 55 having received a constitutional majority, Mr. President
Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 61.
Bill read third time.
Remarks by Senator Segerblom.
Thank you, Mr. President Pro Tempore. Senate Bill No. 61 reduces the membership of the
Subcommittee on Communication Services for Persons Who Are Deaf or Hard of Hearing and
Persons With Speech Disabilities within the Nevada Commission on Services for Persons with
Disabilities from 11 to 9 members. Senate Bill No. 61 removes certain positions, and it
reclassifies other positions to represent a user of telecommunications relay services, a user of an
interpreter or of real-time captioning and a parent of a child who is deaf, hard of hearing or
speech-impaired.
The Subcommittee on Communication Services for Persons Who Are Deaf or Hard of
Hearing and Persons With Speech Disabilities is authorized to create and annually review a
strategic plan and to provide certain advice to the Aging and Disability Services Division of the
Department of Health and Human Services and to the Department of Education.
Roll call on Senate Bill No. 61:
YEAS—20.
NAYS—None.
EXCUSED—Kieckhefer.

Senate Bill No. 61 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 78.
Bill read third time.
Remarks by Senator Settelmeyer.
Thank you, Mr. President Pro Tempore. Senate Bill No. 78 makes numerous changes related to guardianships. The bill provides that a court may require a guardian to complete any available training concerning guardianships. In addition, it requires a bank to accept a copy of a court order appointing a guardian and letters of guardianship as proof of guardianship. Senate Bill No. 78 includes numerous provisions.
I worked several sessions ago with former Senator Bernice Mathews on the matter of guardians. There have been some problems identified in the meantime; this bill attempts to address those issues and concerns.

Roll call on Senate Bill No. 78:
YEAS—21.
NAYS—None.

Senate Bill No. 78 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 79.
Bill read third time.
Remarks by Senator Spearman.
Thank you, Mr. President Pro Tempore. Senate Bill No. 79 repeals Section 600 of Chapter 710 of Nevada Revised Statutes, which provides that, in any incorporated city having a commission form of government, all net profits derived from municipally owned and operated utilities may be expended, in the discretion of the governing body of such city, for general municipal purposes. This bill is effective on July 1, 2013.

Roll call on Senate Bill No. 79:
YEAS—21.
NAYS—None.

Senate Bill No. 79 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 92.
Bill read third time.
Senator Hardy moved that Senate Bill No. 92 be taken from the General File and placed on the Secretary’s Desk.
Motion carried.
Senate Bill No. 98.
Bill read third time.
Remarks by Senator Kieckhefer.
Thank you, Mr. President Pro Tempore. Senate Bill No. 98 makes various changes related to child welfare services. Specifically, this measure: (1) revises the criteria a court uses to determine whether a child welfare agency is required to make reasonable efforts to preserve and reunify the family of a child; (2) revises the definition of “reasonable efforts” as it relates to arranging appropriate, accessible and available services that are designed to improve the ability of a family to provide a safe and stable home for each child in the family; (3) requires the court, when determining whether reasonable efforts have been made, to consider certain matters related to the health and safety of the child, certain efforts to prevent the need to remove the child from the home and efforts to finalize the plan for the permanent placement of the child; and (4) requires the court to make certain determinations about whether a child welfare agency is required to make reasonable efforts or whether the child welfare agency has made those efforts on a case-by-case basis, based on specific evidence and to expressly state each determination in the court order. The measure is effective on October 1, 2013.

Roll call on Senate Bill No. 98:
YEAS—20.
NAYS—Segerblom—1.

Senate Bill No. 98 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 102.
Bill read third time.
Remarks by Senator Kieckhefer.
Thank you, Mr. President Pro Tempore. Senate Bill No. 102 expands the requirement that the Board of Trustees of the College Savings Plans of Nevada award a Kenny C. Guinn Memorial Millennium Scholarship annually from one senior or rising senior to two such individuals, such that the scholarships are provided to one student enrolled in an academic institution in the north and to one student enrolled in the south. The bill lists the eligible institutions in each of the two geographic categories. Should the Board of Trustees of the College Savings Plans of Nevada designate other eligible Nevada colleges and universities that award a bachelor’s degree in education, it must indicate whether the institution represents the northern portion or the southern portion of the State. The bill is effective on July 1, 2013.

Roll call on Senate Bill No. 102:
YEAS—21.
NAYS—None.

Senate Bill No. 102 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 108.
Bill read third time.
Remarks by Senator Jones.
Thank you, Mr. President Pro Tempore. Senate Bill No. 108 provides that a child who violates a county or municipal ordinance related to curfews or loitering is to be adjudicated by a juvenile court as a child in need of supervision rather than as a delinquent child. Senate Bill No. 108 decreases from eight to four days the length of time a child may remain in detention or shelter care pending the filing of a petition by a district attorney in juvenile court, excluding
Saturdays, Sundays and holidays. It allows a juvenile court, for good cause shown by the district attorney, to authorize an additional four days for the filing of the petition, excluding Saturdays, Sundays and holidays. Finally, if a juvenile court finds that a suspension or delay in the issuance of a driver’s license of a child causes severe or undue hardship to the child or the immediate family, the court may order the Department of Motor Vehicles to issue a restricted driver’s license to the child.

Roll call on Senate Bill No. 108:
YEAS—21.
NAYS—None.

Senate Bill No. 108 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 125.
Bill read third time.
Remarks by Senator Kihuen.
Thank you, Mr. President Pro Tempore. I rise in support of Senate Bill No. 125; it requires the Nevada Interscholastic Activities Association to adopt rules and regulations that provide the criteria to be used in determining whether to approve or disapprove all-star events without requiring the approval of any other organization. Senate Bill No. 125 requires the Nevada Interscholastic Activities Association must make these changes on or before October 1, 2013.

Roll call on Senate Bill No. 125:
YEAS—21.
NAYS—None.

Senate Bill No. 125 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 130.
Bill read third time.
Potential conflict of interest disclosed by Senator Manendo.
Remarks by Senators Segerblom.
Thank you, Mr. President Pro Tempore. Senate Bill No. 130 requires the written notice from a homeowners’ association concerning an alleged violation to include: (1) specific details of the alleged violation; (2) a proposed solution to remedy the alleged violation; and (3) a clear and detailed photograph of the alleged violation, under certain circumstances. In addition, the measure provides that the person charged with the alleged violation must be provided a reasonable opportunity to resolve the alleged violation or to contest the alleged violation at a hearing.

Roll call on Senate Bill No. 130:
YEAS—21.
NAYS—None.

Senate Bill No. 130 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.
Senate Bill No. 162.
Bill read third time.
Remarks by Senator Hardy.
Thank you, Mr. President Pro Tempore. Senate Bill No. 162 makes the various changes aforementioned concerning the licensure to provisions governing the Board of Medical Examiners and the State Board of Osteopathic Medicine. It expands disciplinary action or denial of licenses for certain acts committed knowingly and willfully by a licensee. It revises the provisions for summary suspension of certain medical practitioners, looks at the governing service of process of the licensees and adds physician assistant, perfusionist and practitioner of respiratory care to the list of licensees that the Board of Medical Examiners must include in its biennial report of disciplinary action taken for malpractice or negligence.

Roll call on Senate Bill No. 162:
YEAS—21.
NAYS—None.

Senate Bill No. 162 having received a two-thirds majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 167.
Bill read third time.
Remarks by Senator Cegavske.
Thank you, Mr. President Pro Tempore. Senate Bill No. 167 establishes provisions for a hospital to be designated and recognized as a ST-Elevation Myocardial Infarction, or “STEMI,” receiving center, by the Health Division of the Department of Health and Human Services. The measure provides that a licensed hospital, which is not designated as a STEMI receiving center, may not advertise that the hospital is a STEMI receiving center. However, the bill does not prohibit any hospital from providing care to a victim of a heart attack, even if the hospital does not receive such a designation. The bill is effective January 1, 2014. Thank you and I urge your support.

Roll call on Senate Bill No. 167:
YEAS—21.
NAYS—None.

Senate Bill No. 167 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 169.
Bill read third time.
Remarks by Senator Segerblom.
Thank you, Mr. President Pro Tempore. Senate Bill No. 169 limits punishment for persons convicted of a gross misdemeanor to imprisonment in the county jail for no more than 364 days. In addition, this measure reduces the length of time a person must wait to petition for the sealing of all records, relating to a conviction of any gross misdemeanor from seven years to five years from the date of release from actual custody or discharge from probation, whichever occurs later.

Roll call on Senate Bill No. 169:
YEAS—21.
NAYS—None.
Senate Bill No. 169 having received a constitutional majority, Mr. President Pro Tempore declared it passed. Bill ordered transmitted to Assembly.


Thank you, Mr. President Pro Tempore. I rise in support of Senate Bill No. 202: it creates the Nevada Advisory Committee on Intergovernmental Relations as a statutory committee and provides for the committee’s membership, duties and compensation. Among other issues, the Committee is required to foster effective communication, cooperation and partnerships between State and local governments, and improve the provision of services to Nevadans.

The Committee is required to meet at least once every three months and submit a report of its activities to the Legislature or Legislative Commission on or before July 1 every year. The report for July 1, 2016, must include the Committee’s opinion as to whether it should continue to exist. Sections of this bill relating to appointments are effective on passage and approval; all other sections are effective on July 1, 2013. This bill expires by limitation on June 30, 2017.

Roll call on Senate Bill No. 202:
YEAS—21.
NAYS—None.

Senate Bill No. 202 having received a constitutional majority, Mr. President Pro Tempore declared it passed. Bill ordered transmitted to Assembly.


SENATOR FORD:
Thank you, Mr. President Pro Tempore. Senate Bill No. 206 establishes a cottage food operation as an entity that manufactures or prepares certain food items for sale, meets certain requirements relating to the preparation, labeling and sale of those food items and registers with the health authority. Senate Bill No. 206 prohibits a local government from adopting any ordinance or other regulation that prohibits a person from preparing food in a cottage food operation within the person’s private home. Finally, Senate Bill No. 206 adds a cottage food operation to the list of entities that are excluded from the definition of a “food establishment.” The measure is effective July 1, 2013. I urge this Body’s support.

SENATOR ATKINSON:
Thank you, Mr. President Pro Tempore. I am a little bit lost so I would like to ask my colleague from Senate District No. 11 to please clarify for the Body, what exactly is a cottage food operation? I would appreciate the explanation.

SENATOR FORD:
Special thanks to my colleague from Senate District No. 4 who remembers that turnabout is fair play. A cottage food industry is one that creates non-perishable goods such as cakes, jams and things of that sort which are frequently sold at local food markets and church sales. Senate Bill No. 206 authorizes some good opportunities for entrepreneurship so I urge your support.

Roll call on Senate Bill No. 206:
YEAS—21.
NAYS—None.
Senate Bill No. 206 having received a two-thirds majority, Mr. President Pro Tempore declared it passed. Bill ordered transmitted to Assembly.


Thank you, Mr. President Pro Tempore. I rise in support of Senate Bill No. 215 which revises various provisions governing county assessors as follows: (1) the training required for an appraiser certified by the Department of Taxation is changed from 36 hours every five years to 36 hours every three years; (2) the county assessor is authorized to waive a 10 percent penalty for the failure of an owner to report a mobile or manufactured home to the assessor within 30 days, as required by current law; (3) related to the transfer of a veteran’s exemption from the Governmental Services Tax, the requirement for an affidavit to be submitted to the county assessor is changed to require the affidavit to be submitted to the Department of Motor Vehicles; and (4) the bill removes the June 30, 2013, expiration date for the 2 percent commissions used by county assessors to acquire and improve technology, and allows the assessors to receive these technology funds permanently. I urge this Body’s support.

Roll call on Senate Bill No. 215:
YEAS—21.
NAYS—None.

Senate Bill No. 215 having received a constitutional majority, Mr. President Pro Tempore declared it passed. Bill ordered transmitted to Assembly.


Thank you, Mr. President Pro Tempore. I rise in support of Senate Bill No. 216 which revises various provisions related to county treasurers. First, the county treasurer is authorized to provide tax bills in an electronic format, in lieu of mailing a paper bill, if requested by the property owner or holder of the mortgage. Second, Senate Bill No. 216 clarifies that the notification required prior to the sale of a tax lien must be published in a newspaper at least once a week for four consecutive weeks. And third, the bill provides that the county treasurer may accept payment for delinquent taxes on a property up until three days prior to a tax lien sale versus under current law, where the payment must be received before the tax lien sale is advertised in a newspaper. This act becomes effective on July 1, 2013.

Roll call on Senate Bill No. 216:
YEAS—21.
NAYS—None.

Senate Bill No. 216 having received a constitutional majority, Mr. President Pro Tempore declared it passed. Bill ordered transmitted to Assembly.

Thank you, Mr. President Pro Tempore. Senate Bill No. 227 adds a natural gas project and a propane gas project to those projects that the governing body of a municipality is authorized to acquire, improve, equip, operate and maintain. Additionally, the governing body may defray the costs of such a project, in whole or in part, through the issuance of general obligation bonds. This bill is effective upon passage and approval.

Roll call on Senate Bill No. 227:
YEAS—21.
NAYS—None.

Senate Bill No. 227 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 237.
Bill read third time.
Remarks by Senator Jones.
Thank you, Mr. President Pro Tempore. Senate Bill No. 237 revises the definition of a "protected site" in Nevada to include any site, building, structure, object or district listed in the register of historic resources of a community, the State Register of Historic Places pursuant to Section 85 of Chapter 383 of Nevada Revised Statutes or the National Register of Historic Places. In addition, a protected site includes any such resource over 50 years in age located in a State or municipal park. I urge the Body’s support.

Roll call on Senate Bill No. 237:
YEAS—21.
NAYS—None.

Senate Bill No. 237 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 250.
Bill read third time.

Mr. President Pro Tempore announced that if there were no objections, the Senate would recess subject to the call of the Chair.

Senate in recess at 3:07 p.m.
SENATE IN SESSION

At 3:17 p.m.
President Pro Tempore Parks presiding.
Quorum present.

Senator Smith moved that Senate Bill No. 250 be taken from General File and placed on the Secretary’s Desk.
Motion carried.

Senate Bill No. 262.
Bill read third time.
Remarks by Senator Cegavske.
Thank you, Mr. President Pro Tempore. Senate Bill No. 262 bans the operation upon a State highway of a vehicle with a dynamic display billboard unless the vehicle is equipped with technology that limits the screen content from changing when the vehicle is in motion. The bill limits the locations where billboard content may be changed to places such as alleys, parking lots, turnouts or areas that will not cause undue distraction to other drivers. The bill exempts dynamic display billboards operated for the purposes of traffic control, law enforcement, emergency response, public transit and public utilities. This bill is effective on October 1, 2013. I urge the Body’s support.

Roll call on Senate Bill No. 262:
YEAS—21.
NAYS—None.

Senate Bill No. 262 having received a constitutional majority, Mr. President Pro Tempore declared it passed.

Bill ordered transmitted to Assembly.

Senate Bill No. 264.
Bill read third time.
Remarks by Senator Ford.
Thank you, Mr. President Pro Tempore. Senate Bill No. 264 requires the Advisory Commission on the Administration of Justice to include the following items relating to over-criminalization on an agenda for discussion: (1) a review of all criminal sentences; (2) a review of all criminal offenses which may be duplicative or sanction the same or similar behavior; (3) an evaluation of the reclassification of certain misdemeanor offenses to determine whether jail time is necessary and whether such offenses may be more appropriately classified as civil violations; and (4) an evaluation of certain felony offenses to determine whether misdemeanor punishment may be more appropriate given the disparate impacts a felony conviction may carry. Senate Bill No. 264 provides that the Advisory Commission on the Administration of Justice shall consider the lasting harm caused by the unlawful act, the blameworthiness accompanying the offense and the impact on future public safety. This measure is effective on July 1, 2013.

Roll call on Senate Bill No. 264:
YEAS—21.
NAYS—None.

Senate Bill No. 264 having received a constitutional majority, Mr. President Pro Tempore declared it passed.

Bill ordered transmitted to Assembly.

Senate Bill No. 274.
Bill read third time.
Remarks by Senator Jones.
Thank you, Mr. President Pro Tempore. Senate Bill No. 274 adds the Division of Welfare and Supportive Services, the Aging and Disability Service Division and the Health Division of the Department of Health and Human Services to the entities authorized to execute contracts or agreements with certain governmental or private entities. Senate Bill No. 274 also authorizes the division that executed the contract or agreement to provide staff, services, and resources without payment to further the contract or agreement. The bill specifies certain responsibilities of the division that executed the contract or agreement and the private nonprofit corporation and clarifies that entering into such a contract or agreement does not waive any immunity from liability or limitation on liability that is provided by law.
Roll call on Senate Bill No. 274:
YEAS—21.
NAYS—None.

Senate Bill No. 274 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 279.
Bill read third time.
Remarks by Senator Brower.
Thank you, Mr. President Pro Tempore. Senate Bill No. 279 is a clean-up bill that clarifies that the Secretary of State may refer or report alleged violations of law relating to business entities to the Attorney General or a district attorney. The Attorney General or a district attorney has discretion concerning whether to institute and prosecute such proceedings.

Roll call on Senate Bill No. 279:
YEAS—21.
NAYS—None.

Senate Bill No. 279 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 281.
Bill read third time.
Remarks by Senator Kieckhefer.
Thank you, Mr. President Pro Tempore. Senate Bill No. 281 provides for a property tax exemption to be enumerated in statute for the Thunderbird Lodge Preservation Society, a nonprofit and charitable organization which is already a tax-exempt entity. The exemption will be in effect through June 30, 2033, and will eliminate the requirement for the Preservation Society to pay property taxes and then seek a refund related to property it owns that is separate from the main Thunderbird Lodge property. This act becomes effective on July 1, 2013.

Roll call on Senate Bill No. 281:
YEAS—21.
NAYS—None.

Senate Bill No. 281 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 284.
Bill read third time.
Remarks by Senator Hardy.
Thank you, Mr. President Pro Tempore. Senate Bill No. 284 requires a law enforcement agency in a county whose population is 100,000 or more (currently Clark and Washoe Counties) to adopt policies and procedures governing the investigation of motor vehicle accidents in which peace officers employed by the law enforcement agency are involved, especially in situations where the result is a fatal injury. The exceptions are when a law enforcement agency does not have comparable equipment and personnel to investigate the accident, is unavailable or the delay in the initiation of the investigation would alter the integrity of the accident scene. Senate Bill
No. 284 allows for cooperation between the law enforcement agency and agencies in other jurisdictions for the investigation of such accidents.

Roll call on Senate Bill No. 284:
YEAS—21.
NAYS—None.

Senate Bill No. 284 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 304.
Bill read third time.
Remarks by Senator Smith.

Thank you, Mr. President Pro Tempore. Senate Bill No. 304 revises various provisions of the Charter of the City of Sparks. It clarifies the authority of the City Manager to exercise control over the officers of the City applies only with respect to appointed officers. It also authorizes the City Council to employ special counsel to represent the City Council. The City Attorney shall have no responsibility or authority concerning the subject matter of an attorney employed as a special counsel.

Senate Bill No. 304 repeals certain sections of the Charter of the City of Sparks that are duplicated in the City’s Civil Service regulations and elsewhere. Additionally, the City’s Civil Service Commission is required to call a special meeting not later than 15 days after receiving notice from the City Manager, and is required to hold at least one regular meeting each quarter.

Roll call on Senate Bill No. 304:
YEAS—21.
NAYS—None.

Senate Bill No. 304 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 335.
Bill read third time.
Remarks by Senator Hammond.

Thank you, Mr. President Pro Tempore. Senate Bill No. 335 requires a person seeking to be employed or to enter into a contract or lease to drive a taxicab in a county under the jurisdiction of the Nevada Transportation Authority, which is all counties except Clark County, to obtain a medical examiner’s certificate indicating the prospective driver meets certain health requirements. The person must provide a copy of the medical examiner’s certificate to the taxicab motor carrier; the certificate expires two years after the date of issuance and may be renewed. Senate Bill No. 335 also defines a medical examiner as a physician or a chiropractic physician, relative to a medical examiner who can provide a certificate for any prospective taxicab driver under the jurisdiction of the Nevada Transportation Authority or the Taxicab Authority.

Roll call on Senate Bill No. 335:
YEAS—21.
NAYS—None.

Senate Bill No. 335 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.
Senate Bill No. 338.
Bill read third time.
Remarks by Senator Cegavske.

Thank you, Mr. President Pro Tempore. Senate Bill No. 338 changes various terms in Nevada Revised Statutes related to mental health. Specifically, it replaces the terms “mental retardation” and “mentally retarded” with “intellectual disability” and with “intellectually disabled,” respectively. The bill also changes other similar words and terms in a similar manner. The bill is effective on July 1, 2013. These changes are intended to mirror changes made by the federal law commonly cited as “Rosa’s Law.” I appreciate your support.

Roll call on Senate Bill No. 338:
YEAS—21.
NAYS—None.

Senate Bill No. 338 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 342.
Bill read third time.
Remarks by Senator Goicoechea.

Thank you, Mr. President Pro Tempore. Senate Bill No. 342 authorizes a city or county to establish by ordinance a simplified procedure for the vacation or abandonment of a street it owns for the purpose of conforming the legal description of real property to a recorded survey or map of the relevant area. Before proceeding with the simplified procedure, a governing body must provide written notice to utility and video service providers to ensure that any issues related to easements on the affected property can be addressed. This bill is effective upon passage and approval.

Roll call on Senate Bill No. 342:
YEAS—21.
NAYS—None.

Senate Bill No. 342 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 347.
Bill read third time.
Remarks by Senator Brower.

Thank you, Mr. President Pro Tempore. Senate Bill No. 347 requires the Advisory Commission on the Administration of Justice to include on an agenda a discussion of items relating to parole including a survey of the parole system of Nevada and other states, and a review of states that replaced discretionary parole systems with systems of determinant sentencing.

Roll call on Senate Bill No. 347:
YEAS—21.
NAYS—None.
Senate Bill No. 347 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 351.
Bill read third time.
Remarks by Senator Hutchison.
Thank you, Mr. President Pro Tempore. Senate Bill No. 351 makes it illegal for medical care providers treating patients on a lien-basis to refer those patients to other medical care providers who likewise treat the patients on a lien-basis and then to buyback those liens. Therefore, Senate Bill No. 351 prohibits a health care provider or health facility that treats a patient for a condition for which the patient has filed or intends to file a civil claim to recover damages, or any business in which such a provider or facility has a financial interest, from acquiring a debt or lien for services that arise from the same claim and are provided to the patient by another facility. A person who violates these provisions is guilty of a Category E felony and may be further punished by a fine of not more than $25,000 for each violation. This bill passed unanimously out of the Senate Committee on Commerce, Labor and Energy and I encourage your support.

Roll call on Senate Bill No. 351:
YEAS—21.
NAYS—None.

Senate Bill No. 351 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 365.
Bill read third time.
Remarks by Senator Brower.
Thank you, Mr. President Pro Tempore. Senate Bill No. 365 provides that a person commits the crime of stolen valor and is guilty of a gross misdemeanor if the person knowingly and with the intent to obtain money, property or another tangible benefit fraudulently represents himself or herself to be a recipient of certain military decorations or medals, and obtains money, property or another tangible benefit through such fraudulent representation.
I want to thank the Senate Committee on Judiciary for its unanimous support of Senate Bill No. 365. I urge your yes vote on this measure.

Roll call on Senate Bill No. 365:
YEAS—21.
NAYS—None.

Senate Bill No. 365 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 405.
Bill read third time.
Remarks by Senator Smith.
Thank you, Mr. President Pro Tempore. Senate Bill No. 405 is an effort to do some streamlining and be more efficient with our State government requirement for reports. It eliminates the requirement that State agencies, district or juvenile courts and local governments submit to the Legislature certain reports that have become obsolete or are redundant. The Director of the Legislative Counsel Bureau shall develop criteria for the elimination or revision
of other obsolete or redundant reports, including consideration of the length of time the report
has been required and the availability of the information from other sources. Each Biennium, the
Director of the Legislative Counsel Bureau shall recommend to the Legislative Commission
reports for elimination or revision.

In today’s world of technology, we have many ways of obtaining information without having
to require a written report. Senate Bill No. 405 lifts some onerous requirements from our State
agencies. I encourage this Body’s support.

Roll call on Senate Bill No. 405:
YEAS—21.
NAYS—None.

Senate Bill No. 405 having received a constitutional majority, Mr. President
Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 419.
Bill read third time.
Remarks by Senator Segerblom.
Thank you, Mr. President Pro Tempore. Senate Bill No. 419 authorizes a notary public who
has obtained a certificate of permission from a county clerk to perform marriages. In addition,
the measure authorizes a minister, other church or religious official, or a notary public to submit
to the county clerk an application to perform a specific marriage in the county. In these
instances, the bill provides the information to be included in the application and requires a
$25 application fee to accompany the application. A person may not obtain more than
five authorizations to perform a specific marriage in any calendar year.
Senate Bill No. 419 authorizes a notary public to collect a fee of not more than $75 for
performing a marriage ceremony. The bill also increases the fee charged for the performance of
marriages by a commissioner of civil marriage from $45 to $70 and by a justice of the peace
from $50 to $75. Finally, Senate Bill No. 419 requires a temporary replacement for a minster or
other church or religious official to pay an application fee of $25 to the county clerk for written
authorization to solemnize a marriage.

Roll call on Senate Bill No. 419:
YEAS—20.
NAYS—Gustavson—1.

Senate Bill No. 419 having received a two-thirds majority, Mr. President
Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 434.
Bill read third time.
Remarks by Senator Settelmeyer.
Thank you, Mr. President Pro Tempore. Senate Bill No. 434 authorizes any peace officer,
without a warrant, to seize and take possession of any vessel which: (1) is being operated with
any improper number or certificate of ownership; (2) the peace officer has probable cause to
believe has been stolen; (3) has a hull number or other identifying mark that has been falsely
attached, removed, altered or obliterated; or (4) contains parts on which a manufacturer’s
identification number has been falsely attached, removed, defaced, altered or obliterated.
Senate Bill No. 434 permits a law enforcement agency to inspect a seized vessel to determine
whether any person has presented satisfactory evidence of ownership. Finally, Senate Bill
No. 434 increases, from $500 to $2,000, the property damage threshold that requires a vessel
owner or operator to file a report with the Nevada Department of Wildlife describing a collision, accident or other casualty involving the vessel. The bill is effective on July 1, 2013.

Roll call on Senate Bill No. 434:
YEAS—21.
NAYS—None.

Senate Bill No. 434 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 437.
Bill read third time.
Remarks by Senator Spearman.
Thank you, Mr. President Pro Tempore. Senate Bill No. 437 revises provisions concerning the filing of false or fraudulent claims for Medicaid to make Nevada’s laws at least as effective at rewarding and facilitating certain actions as provisions of federal law.
Senate Bill No. 437 includes, among others, provisions: (1) limiting the award a court may make to certain persons upon a recovery concerning a false claim; (2) increasing the minimum and maximum amounts of civil penalties for which a person is liable who commits certain actions related to a false claim; and (3) requiring that if the Attorney General intends to settle a false claim action, the court must determine whether the proposed settlement is fair, adequate and reasonable.
Senate Bill No. 437 also strengthens protections for an employee, contractor, or agent who is retaliated against by an employer as the result of any lawful action brought pursuant to this act. This bill is effective on July 1, 2013.

Roll call on Senate Bill No. 437:
YEAS—21.
NAYS—None.

Senate Bill No. 437 having received a two-thirds majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 438.
Bill read third time.
Remarks by Senator Ford.
Thank you, Mr. President Pro Tempore. Senate Bill No. 438 authorizes the Colorado River Commission of Nevada to borrow up to $35 million through the issuance of bonds to prepay the cost of electrical capacity and energy generated at Hoover Dam. This money may also be used to pay, finance or refinance a portion of the capital costs associated with operating the Hoover Dam. These new bonds may be issued in the form of general or special obligation securities by the Commission no later than June 30, 2028. The bill authorizes the Commission to determine the amount and timing of the issuance of these securities and clarifies that the limitations on their issuance do not apply to those securities issued under the State Securities Law for the purpose of refunding the securities under the bill.

Roll call on Senate Bill No. 438:
YEAS—21.
NAYS—None.
Senate Bill No. 438 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 443.
Bill read third time.
Remarks by Senator Cegavske.

Thank you, Mr. President Pro Tempore. Senate Bill No. 443 clarifies the duties of the Department of Education and the Charter School Authority with regard to the application and authorization process for sponsors of charter schools. The bill adds applications submitted for schools sponsored by a college or university within the Nevada System of Higher Education to existing provisions governing the submission of applications to the Department by other sponsors. The Department of Education is required to adopt regulations concerning the application and approval process for sponsorship, as well as the procedures it would follow to continue or revoke sponsorship. The regulations also must specify the process the Department of Education must use to conduct a review every three years of the sponsors it has approved. In addition, Senate Bill No. 443 deletes statutory provisions allowing sponsors of a proposed charter school to request the Department of Education review the charter school application to determine if it is complete and compliant.

Further, Senate Bill No. 443 revises provisions governing the duties of charter school governing bodies. Training duties for charter school governing board members are transferred from the Department of Education to the sponsors of charter schools. Under the bill, certain affidavits signed by the members of the governing body must be submitted to the school sponsor rather than to the Department of Education. Finally, the date by which the annual evaluation report a sponsor must submit to the Department of Education is changed from August 15, to October 1, of each year. The bill is effective on July 1, 2013. The Senate Committee on Education asks your support.

Roll call on Senate Bill No. 443:
YEAS—21.
NAYS—None.

Senate Bill No. 443 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 457.
Bill read third time.
Remarks by Senators Spearman, Settelmeyer, Denis, Kieckhefer, Hardy, Atkinson, Ford, Kihuen, Gustavson, Hutchison, Brower, Roberson.

Senator Spearman:
Thank you, Mr. President Pro Tempore. Senate Bill No. 457 proposes revisions to the charters of Carson City, Henderson, Reno and Sparks. The bill provides that a candidate be voted upon in a primary or general election only by the voters of the ward.

In Reno, the office of the at-large council member is eliminated. The Reno City Council is required to re-establish ward boundaries to create a sixth ward. At the effective date, Senate Bill No. 457 provides that those elected from wards shall continue to represent those wards for the remainder of the term of office. The at-large council member shall be deemed to represent the sixth ward for the remainder of the term.

Provisions relating to administrative purposes in all four cities are effective upon passage and approval. For all other purposes, provisions relating to Carson City, Henderson and Sparks are effective on July 1, 2013, and provisions relating to Reno are effective on January 1, 2014.
In Carson City and Henderson, candidates are elected citywide in both the primary and general elections. In Reno and Sparks, candidates are voted on by the registered voters of the ward that they seek to represent in the primary election and are voted on by all registered voters of the city in the general election.

Mr. President Pro Tempore, I asked the Research Division to go back at least five years so I could see if there were any patterns. This research shows, in each instance, the wards that are wealthy, more educated and with fewer minorities, those are the areas that, without fail, are electing everyone else. Senate Bill No. 457 is designed to bring equity to the voting process. The way things are right now, minorities are marginalized as are those who are economically disenfranchised and people who don’t have a great deal of education. This bill is designed to bring greater civic participation back to the election process. I urge this Body’s support.

SENATOR SETTELMeyer:
Thank you, Mr. President Pro Tempore. I saw this bill differently; I thought this was an issue of sovereignty. To me, it is a situation where, if the federal government through the United States Congress were to tell us that we need to change our State Constitution and arbitrarily do it, it would be inappropriate. I see this legislation as doing the same thing to the charters of the municipalities listed in the bill. We are changing their charters at our will without going through the proper process which is a vote of the people.

In the Reno-Sparks area, a question about this topic was recently on the ballot. It failed at a rate of 76 percent to 24 percent. We also had Carson City come to testify; they will be placing an item about their charter on an upcoming ballot. I think the people should be allowed to vote on these matters.

When I talk to people, I also hear concerns about voting for those who are in different wards or other districts. In the same respect, I talk to individuals who also express concern that they want to be able to vote on any taxes being raised. If there is a proposal to raise the property taxes of a whole county, everyone in that county wants to vote on it.

We are only proposing to change three charters in this proposed legislation, however, we have similar situations with school boards and county commissioner races in multiple counties. That is why I oppose this bill.

SENATOR DENIS:
Thank you, Mr. President Pro Tempore. I stand in support of Senate Bill No. 457. As we get more and more people involved in this process, it can be difficult to overcome things that have been done the same way over and over. If we are going to have someone representing an area, they should be elected by the people they represent rather than those who they don’t represent, those who might live in a different area.

This is an issue of fairness. If we are going to divide our cities into wards, the people in those wards should determine who represents them. Again, I stand in support of Senate Bill No. 457.

SENATOR KIECKHEFER:
Thank you, Mr. President Pro Tempore. I rise in opposition to Senate Bill No. 457. I represent two of the four governments who would be affected by this proposed legislation: the City of Reno and Carson City. I take issue with the idea that we are amending the charters of these governments without their consent or approval. Both Carson City and the City of Reno oppose this legislation; they both have charter review committees and both of those committees meet. The City of Reno’s charter committee met during the last Interim and forwarded a piece of legislation without taking up this issue.

After legislation came out of this Body in 2011, the City of Reno did put a ballot question forward to the people of Reno asking this very question. The voters rejected it at 76 percent. There has been some question about whether the ballot question was well stated, if voters knew what they were voting for. I would like to read it because I feel it is clear, “A yes vote would preserve the existing provision of the City Charter allowing each voter to vote for all Council members in the General Election.” To me, that’s clear; it asks if you want to vote for everyone. The opposite said, “A no vote would recommend amendment to the existing provisions of the City Charter to allow each voter to vote for the Council members only in their respective wards in the General Election.” That is clear, too.
It has been suggested that if this ballot question were confusing, which I don’t believe it was, the conventional wisdom says voters will vote no if they don’t understand a ballot question. In this case 76 percent of the voters said yes, they wanted to maintain the current system. A statement from the voters like that from the city in which I reside and with the majority of the voters who I represent, I cannot in good conscience vote for this legislation.

Carson City would also be impacted by Senate Bill No. 457. They want to put these charter issues on the ballot in the upcoming election. The people of Carson City should have the opportunity to weigh in on it.

I respect the arguments made by my colleague from Senate District No. 1. Efforts to engage greater diversity within the electoral process and ensure there is more adequate representation within elected bodies is important and should be discussed. However, I don’t think this is the way to best accomplish that. It disregards and refutes very recent election results by the people of this State.

SENATOR HARDY:
Thank you, Mr. President Pro Tempore. My roots are in local government and I have found that local government likes to do what they call “home rule.” Home rule in this case would allow the cities to vote for themselves which is the closest you can get to the people.

I have seen competition with the ward system. De facto representation is decreased; if the one representative has turned his or her back on a segment or a minority population, the other representatives tend to defer their decision to the single representative’s decision. I will be voting no on this legislation.

SENATOR SPEARMAN:
Thank you, Mr. President Pro Tempore. I appreciate the comments of my esteemed colleagues. However, there is a recent example I would like to share. A friend of mine, age 77, and his wife, age 83, are both recent survivors of cancer. The city sewer backed up into his house and half of his home was covered in sewage. He had to pay to have it cleaned up. He called the City Council several times and could not get a response. He finally called me and asked if I could help. I called this particular city and the person I spoke with promised me they would call my friend back. I spoke with him two days later to find out what had happened; he advised me that no one had called him back. I asked him to try again; he let me know he had talked with everyone there. I asked him who his representative was on the City Council; he responded, “I don’t know. Everybody I guess.”

It wasn’t until last Thursday when I spoke with representatives of this particular city in person that my friend was able to get the situation resolved. He bore the cost because he could not get anyone at the city to be held accountable for the situation.

I understand home rule and I also understand the voice of the people. The other thing I understand is the only reason women have the right to vote is there were some men who understood that when you exclude some, it is not democracy. The only reason the voting laws of the 1960s, as well as the Jim Crow laws, were struck down—it was not because of the people who were affected—the laws were struck down by the people who could vote. They understood marginalizing people.

I understand there are some who believe the wording on the Reno ballot was clear and concise. With all due respect to my colleague representing Reno and Carson City, the actual ballot question was very confusing. I have spoken with City Council members and I have also spoken with citizens; many said they just voted without understanding what they were voting about. Some said they did not vote because they did not understand.

Once again, this bill is about fairness and it is about equity. It is a question of including everyone in the process and not having one or two parts of the city or county to determine who will represent them. I equate this to all of us Senators being allowed to run in our own districts in the primary and general elections; we are not required to run statewide. When you have minorities and those who are economically disenfranchised and they have to mount a campaign to raise money, it is usually such a daunting task, they won’t even try.

The data shows that the current systems, as they are, disenfranchise 75 percent of the population because only one or two wards are actually electing people. I urge your support.
SENATOR ATKINSON:
Thank you, Mr. President Pro Tempore. I rise in support of Senate Bill No. 457. I would like to talk a little bit about history. I ran a similar bill in 2007 when I was in the Assembly representing North Las Vegas. To my colleague in Senate District No. 16, the way the ballot question read there was no way I would have been able to figure it out. The ballot question we used in North Las Vegas was very simple, “If voting was held today, would you prefer to vote for members in the ward you live in?” In North Las Vegas, 72 percent of the people voted for it. The way the question was worded in City of Reno suggests there was a problem with the wording or the way it was represented. I don’t think we have major differences among the voters in this State that 76 percent in one part said no and 72 percent in another part said yes.

There were hundreds and thousands of dollars spent in support of the question posed to North Las Vegas as well as hundreds and thousands of dollars spent against the question. I believe the sponsor of Senate Bill No. 457 is trying to avoid that situation. She is trying to avoid a process where different counties and cities are spending that kind of money to either defeat or advocate for a certain position.

I do not want to reiterate what has been said by others but there are major issues with respect to minority representation and folks who live among those folks. I see this legislation as trying to make sure that we have representation that is reflective of the individuals living there.

The Chair of the Senate Committee on Legislative Operations and Elections looked at information around where votes were coming from. There were two different instances where council members lost the number of votes in the ward they were representing but won because they picked up votes in more financially-stable wards. I feel this is a practice that needs to stop. It needed to stop in North Las Vegas and it is a practice that needs to stop statewide.

SENATOR FORD:
Thank you, Mr. President Pro Tempore. I rise to join my colleagues from Senate District Nos. 1, 2 and 4 in supporting Senate Bill No. 457. With all due respect to my colleagues from Senate District Nos. 12, 16 and 17, I believe this is an issue of fairness and equality. When you are looking at opportunities to allow people representation in government, it should be to elect those who will actually represent them as opposed to representing other interests.

If the statistics that my colleague from Senate District No. 1 has revealed are true—the more affluent, majority-based populations are electing everyone throughout a particular municipality—it needs to be addressed. While I agree that sovereignty is an issue, I also believe we have an opportunity as a State to demonstrate that we believe in equality for everyone. It should be a State policy.

I will be voting in support of Senate Bill No. 457 and I suggest you do so as well.

SENATOR KIHUEN:
Thank you, Mr. President Pro Tempore. I rise in support of Senate Bill No. 457. My colleagues from Senate Districts No. 1, 2 and 11 very eloquently articulated the reasons why I rise in support. I think it is very simple; if you live in Summerlin, you do not understand the issues of East Las Vegas and vice versa. Why would you want the residents of Summerlin voting for candidates who do not understand the issues of East Las Vegas. If I live in East Las Vegas and I am running for citywide office and I do not understand the issues of Summerlin, why would I want to represent them?

Aside from the issues of fairness and equality with which I wholeheartedly agree, I also think you need to understand the issues of your constituents that you are looking to represent. Ward voting does just that; you elect representatives who live in your neighborhood who understand your issues and will give the constituents a louder voice. Again, I urge the Body’s support.

SENATOR GUSTAVSON:
Thank you, Mr. President Pro Tempore. I rise in opposition to Senate Bill No. 457. I agree with my colleagues from Senate District Nos. 12, 16, 17 and 18. I represent part of Reno; for the same reasons that the citizens of Reno recently voted overwhelmingly in support of not doing what is proposed in this bill, I will be voting in opposition. If you wish to do this in Clark County that may be another matter, but for Carson City and Reno, I urge you to oppose this bill.
SENATOR HUTCHISON:
Thank you, Mr. President Pro Tempore. I rise in support of Senate Bill No. 457. A few years ago this Body could not draw the lines for the Nevada Senate and Assembly Districts, and as a result redistricting litigation commenced in court. I represented one of the political parties in that litigation; I will let you guess which one. I did a lot of studying, research and analysis related to what we are talking about here today: how do we ensure equitable and fair representation in this country.

In my opinion, the Voting Rights Act of 1965 provides the spirit of what we ought to be doing here; providing representation for people who have common characteristics, common demographics and common interests within a geographic area. I have a hard time supporting the idea that we ought to allow a broad geographic area determine who should represent smaller, sub-geographic area. I agree with my colleague from Senate District No. 10. I live in Summerlin and I don’t understand all of your constituent issues. I think anyone who suggests the contrary is wrong.

For me, it’s a matter of equal protection, and a matter of fairness. I believe it may be constitutionally-suspect to allow this kind of representation to continue. I also believe that government closest to the people governs best. You ought to be able to pick up the phone and call someone who lives close to you to deal with issues that are important to you. For that reason, I will vote in support of Senate Bill No. 457.

SENATOR BROWER:
Thank you, Mr. President Pro Tempore. I am sensitive to all of the issues and arguments raised by my colleagues; I am not certain Senate Bill No. 457 will solve any of them. If I was a resident of Carson City and I had a chance in the next election to vote on this issue, I might vote to change the way voting is done in Carson City. Ultimately, I think it is up to those cities, preferably at the ballot box, to make those decisions for themselves.

If someone could show me an opinion that convinced me the current plan in these various cities was unconstitutional, was in violation of the Voting Rights Act of 1965, I would be the first to say, “it is our duty to change it.” The bottom line is, I think this is really a matter of local control and I think these cities should decide for themselves. It may be they should decide to make a change but absent the constitutional infirmity with these electoral schemes, I am not convinced we should micromanage from the Nevada Legislature. I will vote in opposition.

SENATOR SPEARMAN:
Thank you, Mr. President Pro Tempore. My colleague from Senate District No. 10 read you the explanation, but this is the question that was actually on the ballot: “Shall the five City Council members representing wards continue to be voted upon by all registered voters of the City in the General Election?” When I talked to some folks, they said they thought it meant, “Can we all still have the right to vote?” They did not understand that it meant at-large voting.

I believe the Nevada Constitution gives this Body not just the right but also the responsibility to look at the situation of all Nevadans. We do have a responsibility to correct it whenever we see injustice. I believe that right now, because of the way the situation is set up—and the data supports it, this is not an emotional issue—the places where people are more affluent, where the Majority Party resides, where they have more education, these are the people who are electing the citywide representatives.

Last year was the first time a Latino was elected in Reno. The facts speak for themselves. Once again, I ask for your support.

SENATOR ROBERSON:
Thank you, Mr. President Pro Tempore. I was not planning to speak but I didn’t want to feel left out given that just about everyone has spoken on Senate Bill No. 457. It is nice to see after so many bills being entertained on the Floor today that we have some debate. It is good, healthy and it keeps us awake. I have listened to both sides of this argument and on this one, I believe the proponents have the better argument. I will be voting in support of Senate Bill No. 457.
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Roll call on Senate Bill No. 457:
YEAS—14.
NAYS—Brower, Cegavske, Goicoechea, Gustavson, Hardy, Kieckhefer, Settelmeyer—7.

Senate Bill No. 457 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 458.
Bill read third time.
Remarks by Senator Spearman.
Thank you, Mr. President Pro Tempore. Senate Bill No. 458 enacts the Uniform Faithful Presidential Electors Act. Electors, who represent Nevada in the Electoral College, must pledge to cast their votes for the President and Vice President of the United States according to the results of the popular vote in this State at the General Election. Nevada’s Secretary of State is authorized to enforce the pledge of an elector. In the event that an elector returns a ballot that does not conform to the pledge, the Secretary shall refuse to accept the ballot, declare the position of elector vacant and appoint an alternate who will also be bound by the pledge. This bill is effective on October 1, 2013.

Article II, Section 1 of the United States Constitution provides that each state shall appoint its electors in the manner as the state legislature may direct. The Uniform Faithful Presidential Electors Act has been proposed by the Uniform Law Commission.

Roll call on Senate Bill No. 458:
YEAS—21.
NAYS—None.

Senate Bill No. 458 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Bill ordered transmitted to Assembly.

Senate Joint Resolution No. 11.
Bill read third time.
Remarks by Senators Spearman, Hutchison, Settelmeyer, Brower, Ford, Segerblom and Roberson.

Senator Spearman:
Thank you, Mr. President Pro Tempore. Senate Joint Resolution No. 11 urges the United States Congress to propose and advance an amendment to the United States Constitution to restore the authority of federal and state governments to regulate and restrict political expenditures and to reestablish that the rights protected by the United States Constitution are granted only to natural persons and not to artificial entities created by a state. This resolution is effective upon passage.
SENATOR HUTCHISON:
Thank you, Mr. President Pro Tempore. I appreciate very much my colleague from Senate District No. 1 presenting this resolution. For me, this resolution is inconsistent with the people’s First Amendment rights of free speech on political matters, freedom of association for those same political matters and the right to petition government as they deem necessary. Although there are challenges that we all acknowledge with large expenditures by corporations, labor unions and other organizations that spend a lot of money on elections, with core Constitutional rights, the balance for competing interests favors the First Amendment. Therefore, on this resolution, I will not be joining my colleague in Senate District No. 1 in a vote of support but I do appreciate the opportunity to speak on this important subject.

SENATOR SETTELMEYER:
Thank you, Mr. President Pro Tempore. In looking at the majority opinion in *Citizens United v. Federal Election Commission*, it says, “The First Amendment prohibits Congress from fining, jailing citizens or associations of citizens from simply engaging in political speech.” That is why I oppose this bill. It seeks to go back to that majority opinion in the *Citizens United v. Federal Election Commission* which states, “The First Amendment does not allow prohibitions of speech based on the mere identity of the speakers.” By putting this bill forward we are trying to put something back into law that would do just that—penalize people based solely on their identity. I oppose it.

SENATOR BROWER:
Thank you, Mr. President Pro Tempore. I too appreciate the views on this issue from my colleague from Senate District No. 1. I don’t support this resolution. I will further read from United States Supreme Court Justice Roberts concurring opinion in *Citizens United v. Federal Election Commission*, “The First Amendment protects more than just the individual on a soapbox and the lonely pamphleteer.” I think the majority opinion was right and I think the Chief Justice was right in his concurring opinion.

To hold other than the court did in *Citizens United v. Federal Election Commission* would be to infringe upon the First Amendment rights of our citizens. The key to legislation in this area is transparency not limiting the right that folks have to voice their political opinions in whatever way they choose.

We have had a few bills considered by this Body so far this Session that try to get at the transparency issue. Senate Bill No. 194 did not get a hearing in this Body despite the fact that essentially the same bill was passed with a vote of 21-0 by the Nevada Senate in 2009. Assembly Bill No. 178, which did get a hearing on the other side, but despite no opposition, I repeat no opposition at the hearing, could not get a vote in Committee. Senate Bill No. 63 introduced by the Nevada Secretary of State was not processed by last Friday’s committee passage deadline. The Secretary of State and I had a discussion about Senate Bill No. 63 in my office a few weeks ago and discussed the pros and cons; we concluded with a bipartisan laugh that it wasn’t going to go very far in this Body.

I suggest, respectfully, that we take a hard look at doing some real work on transparency. I think that’s what our constituents want. That, for me, is what campaign finance reform is all about. Resolutions that call for a Constitutional Convention are frankly, a waste of our time in my opinion.

SENATOR FORD:
Thank you, Mr. President Pro Tempore. I acknowledge that I have a bit of difficulty with Senate Joint Resolution No. 11. I have waffled in my own mind back and forth as to how I would like to proceed with it. Ultimately, to be intellectually honest, I need to oppose the resolution.

It seems to me that based on the Constitutional understandings that I have from law school, the First Amendment does, in fact, protect this form of speech. If what we are trying to get at are the transparency issues that my colleague from Senate District No. 15 has referenced, I think there are some opportunities to do that. Notwithstanding that bills did not make it to the deadline—there may have been other issues with those—I am not trying to debate that. I am saying, however, a resolution that seeks to remove First Amendment protections from
corporations that are legal fictions is the wrong approach. I will be voting no on this particular legislation.

Senator Segerblom:
Thank you, Mr. President Pro Tempore. To me, it is very simple: if you have a democracy in a country which says, “all men are created equal,” how can you have a situation where one person spends $100 million and the rest of us spend $1,000 or $2,000? The person that spent $100 million happens to be a resident of our State. He opposes having taxes on himself; he can distort the process to the point where he does not have to pay his fair share. He spent $100 million and he’s worth something like $20 billion. That’s not democracy.

Also, how can you claim a corporation is a person? How can it be said that a corporation has an unlimited right to speak? Corporations go on forever, while people like you and me will die at some point. Therefore, whatever we do dies with us. A corporation lives forever, it’s a creature of us. To say a corporation is a person is ridiculous.

I think it’s critical we get money out of this process. That people can spend millions, and hundreds of millions of dollars, to fight us when we are trying to work for the ordinary people of this country is wrong. I strongly support this measure.

Senator Roberson:
Thank you, Mr. President Pro Tempore. I was not planning to speak on this item. However, I was frankly moved by the speech of my colleague from Senate District No. 15. He is right on. Unfortunately this Body, like the other House, does not have the best reputation with the media when it comes to transparency and campaign finances. Nationally, we are near the bottom of transparency rankings. There have been a lot of campaign finance bills and ideas proposed this Session in each House. Most did not get very far.

I am not going to blame or point fingers at anyone in particular. At some point we need to look at ourselves and ask why we are not open to more transparency. We are proposing resolutions to tell the United States Congress to turn against what the United States Supreme Court has done with regard to free speech; at some point someone is going to accuse us of blatant hypocrisy. We can and should do better everybody. I am going to vote against this resolution.

Senator Spearman:
Thank you, Mr. President Pro Tempore. I appreciate the remarks of all of my colleagues, especially those who are more learned than I am in the law. However, the United States Supreme Court decision on Plessy v. Ferguson rendered a human being three-fifths of a person. That was overturned because people realized later on that doing something like that—minimizing the worth of a person—was not just about constitutionality; indeed, it was about personhood.

Senate Joint Resolution No. 11 seeks to urge the United States Congress to not consider corporations as people for the sake of free speech; people have free speech. This resolution doesn’t do anything to controvert that. It simply says if you take the kind of money spoken of these last few minutes out of an election, ordinary people have a right to vote and their voices will be heard. If we continue on the path we are on, I believe it will not be long, like in Plessy v. Ferguson, that the United States Supreme Court ruling will be overturned. People are not three-fifths of a person, they are a whole person.

Senator Brower:
Thank you, Mr. President Pro Tempore. I have grown to admire my colleague from Senate District No. 3 as we spend each morning together on the Senate Committee on Judiciary. However, let me give you a couple of examples of why he is wrong on this issue: the first example has to do with a certain resident of Las Vegas who, during the last presidential primary campaign, spent hundreds of millions of dollars on the presidential candidate of his choice. We recall that presidential candidate did not do very well because ordinary people just did not like him. The second example is my colleague from Senate District No. 1 who I have also grown to admire and who I enjoy working with. I haven’t looked at the numbers but I will guarantee she was outspent in her race. And she won because ordinary people in her Senate District prefer to have her here.
This is not just about the money. But even if it was, we have that little thing called the First Amendment that gets in the way. We should all be grateful that it does.

To the Minority Leader, you say that at some point someone might accuse us of hypocrisy? Mr. President Pro Tempore, that is what I did. That is what I am doing. We cannot take up real campaign finance reform, but we can propose a resolution? It makes no sense to me, and more importantly, I don’t think it makes any sense to any of our constituents.

SENATOR SEGERBLOM:
Thank you, Mr. President Pro Tempore. I was thinking about the First Amendment, however, the First Amendment in this case is a five-to-four United States Supreme Court decision; one Supreme Court justice voting the other way and the First Amendment says what we are talking about is right—that there is no free speech for corporations or for one person who spends hundreds of millions of dollars. If one United States Supreme Court justice flipping can make that decision, it tells me we need to get involved and urge the United States Congress to do this.

SENATOR FORD:
Thank you for recognizing me again, Mr. President Pro Tempore. I would like to make a couple of points. In the Plessy v. Ferguson example we have heard, it took 60 years before the United States Supreme Court ultimately said we were wrong. And on this issue, they may ultimately say they are wrong.

What we have here are decades of precedent that define First Amendment protections for corporations. We have relied upon those precedents. The precedent was a five-to-four vote the last time it was considered; it may very well be that next time the decision is reversed. But it does not appear to me that it is worth our while to attempt to convince the United States Congress to move forth a constitutional amendment to change this by virtue of the fact that we disagree with the way some corporations or individuals have acted toward campaign finance.

We need to be addressing that and other issues in statutes; we have legislation working its way through the system right now that is attempting to do that. I encourage the Body to vote against this particular resolution so we can continue to stand tall with the First Amendment and hold ourselves accountable.

Roll call on Senate Joint Resolution No. 11:
YEAS—10.
NAYS—Brower, Cegavske, Ford, Goicoechea, Gustavson, Hammond, Hardy, Hutchison, Kieckhefer, Roberson, Settelmeyer—11.

Senate Joint Resolution No. 11 having not having received a constitutional majority, Mr. President Pro Tempore declared it lost.

Senate Joint Resolution No. 14.
Bill read third time.
Remarks by Senator Ford and Smith.

SENATOR FORD:
Thank you, Mr. President Pro Tempore. Senate Joint Resolution No. 14 expresses the Nevada Legislature’s support for the Lyon County Economic Development and Conservation Act (House of Representatives Resolution No. 696) which was introduced in the 113th United States Congress on February 14, 2013, by Nevada Congressman Steven Horsford. Senate Joint Resolution No. 14 urges the passage of the Lyon County Economic Development and Conservation Act and requires the transmission of this resolution to the Vice President of the United States, the Speaker of the United States House of Representatives and each member of Nevada’s Congressional Delegation. I urge this Body’s support.
Thank you, Mr. President Pro Tempore. I will be supporting Senate Joint Resolution No. 14, but I would like to put on the record that I do have concerns about this particular provision and what the State of Nevada’s ultimate responsibility could be. If the measure is successful and this property is annexed into the City of Yerington’s current sphere of influence; if things do not go well sometimes the State ends up taking responsibility for cities in financial distress. I will continue to work on what our options are in that regard.

Roll call on Senate Joint Resolution No. 14:
YEAS—21.
NAYS—None.

Senate Joint Resolution No. 14 having received a constitutional majority, Mr. President Pro Tempore declared it passed.
Resolution ordered transmitted to Assembly.

REMARKS FROM THE FLOOR
Mr. President pro Tempore requested that the following remarks be entered in the Journal.

SENATOR SETTELMEYER:
Thank you, Mr. President Pro Tempore. I have the pleasure today of having several guests from Douglas County who are with the Partnership of Community Resources, Douglas County Substance Abuse and Wellness Coalition. I have done proclamations for them in the past, for programs and events such as “Kick Butts Day.” These programs and events make sure our youth are staying away from things they should stay away from.

Today I recognize students taking on prevention. Today’s theme is “What a Difference a Law Makes.” Youth are here to witness Floor sessions at the Legislature, educate the public about drinking and driving and laws passed to reduce underage drinking. They have a computerized Jeopardy game and display in the lobby of the Assembly and other things to help youth.

SENATOR SMITH:
Thank you, Mr. President Pro Tempore. As you have noticed, we have several suffragettes in the Legislative building today and they are dressed in period costume. I would like to give the Body a bit of background on the why they are here today. The Nevada Equal Suffrage Society held its first annual statewide meeting in February of 1913. They approved a resolution that was filed with the Nevada Secretary of State and then started forming local societies that would help them with their campaign.

The 1913 Nevada Legislature’s positive action sparked an energetic and vigorous campaign for the passage of an amendment to the Nevada Constitution to allow women the right to vote. They gave speeches, participated in parades, had pro-suffrage newspaper columns and mass mailings throughout the State.

I know it seems hard to believe but there was organized opposition to women’s suffrage including anti-suffrage newspaper editorials, energized opportunities that were against the movement; there were many who thought the change might not be easily passed by the all-male voting population.

Fortunately, after a hard-fought campaign and with the approval of the majority of the Nevada voters, the right of women to vote finally became a reality in Nevada; it was done in Nevada six years before the ratification of the 19th Amendment to the United States Constitution that allowed women the right to vote. It makes me very proud that Nevada was ahead of its time with women’s suffrage.

I am happy today to recognize the many women who are out there educating and talking about women’s suffrage to make sure that younger women know what it meant to fight for this right, to value it. In looking around this Chamber today we know the women’s suffrage movement had a big impact.
GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Cegavske, the privilege of the Floor of the Senate Chamber for this day was extended to Patty Cafferata.

On request of Senator Denis, the privilege of the Floor of the Senate Chamber for this day was extended to Kathleen Noneman and Gloria Jauregy.

On request of Senator Hutchison, the privilege of the Floor of the Senate Chamber for this day was extended to Karen England, Shari Peterson, Leslie Thomas and Heidi Wixom.

On request of Senator Kieckhefer, the privilege of the Floor of the Senate Chamber for this day was extended to Holly Van Valkenburgh. Also, to Hidden Valley Elementary School students and teachers; students: Kriseyah Alvarez, Kyradela Applebach, Jackie Bacerra, Siana Barajas, Carson Beers, Sarah Bingham, Josh Boyce, Austen Brantner, Ryan Brizuela, Leilani Buentiempo, Kloe Bullock, Eadrian Carreon, Erika Castellanos Najera, Crystal Caycho, Jewelle Cruz, Derrick Dale Ledesma, Sherry Davis, Jessica Esquivel, Juan Franco, Angelo Garbarini, Angel Garcia, Amanda Goforth, Santiago Guzman, Caitlyn Hartman, Kiley Hernandez, Nathan Herr, Andrew Herrick, Samantha Hessler, Devin Huckabey, Aleixis Jara, Keighly Jones, Joseph Keeley, Jacob Kendrick, Derrek Klein, Abby Krause, Jillian Lane, Lizbeth Liquidano, Savannah Lopez, Joshua MacDonald, Alexander Malagar, Julius Malagar, Adrian Mariscal, Michael Matherly, Katelyn McKemy, Natalie Mock, Alexia Morales Silis, Rachel Morton, Sarah Morton, Raina Northrup, Daniel O’Brien, Kiana O’Daye, Jalyn Ponce, Jeanalynn Ramas, Kylee Rather, Zachary Rios, Jason Rojas Jr., Andrew Shelton, Jewel Smith, Alvin Solis, Michael Ta, Noah Tover, Norma Vega Rivera, George Volk, Stephen Wampler, Anthony Wayson, Ian Williams, Megan Wilson, Edgar Zarate, and Hector Zepeda; and teachers: Denise Allen, Sarah Roggensack and Greg West.

On request of Senator Kihuen, the privilege of the Floor of the Senate Chamber for this day was extended to Isabel Espinoza.

On request of Senator Roberson, the privilege of the Floor of the Senate Chamber for this day was extended to Dr. John Farley.

On request of Senator Segerblom, the privilege of the Floor of the Senate Chamber for this day was extended to Barbara Finley.

On request of Senator Settelmeyer, the privilege of the Floor of the Senate Chamber for this day was extended to Partnership of Community Resources students and chaperones; students: Blasé Acolino, Chris Baird, Jarrod Becker, Alana Blakemore, Josh Cassity, Daniel Christensen, Mikayla Cloney, Dajja Currey, Karina Diaz, Sarah Encee, Sasha Ewbank, Marissa Flanders, Spencer Flanders, Jennifer Flores, Juli Garcia, Clayton Graver,
Amanda Howell, Justin Hubbard, Delphena Hyatt, Sarah Kilpatrick, Denise Lopez, Isabella Lundberg, Sabrina Martinez, Grant McLean, Connor Mone, Audrey Muller, Isabel Munoz, Reece Resnik, Ele Reyes, Sarah Sandell, Rachel Santi, Robin Smuda, Jennie Stokes, Taylor Stokes and Breanna Taylor; chaperones: Marlo Flanders, Tracy Gross, Eva Lundberg, Lea Morgan, Kris Robison and Neyzer Torres.

On request of Senator Smith, the privilege of the Floor of the Senate Chamber for this day was extended to Donna Clontz.

On request of Senator Spearman, the privilege of the Floor of the Senate Chamber for this day was extended to Mary Anne Convis.

Senator Denis moved that the Senate adjourn until Tuesday, April 16, 2013, at 11:00 a.m. and it do so with our thoughts and condolences to the families and the victims at the Boston Marathon; also, with very happy sentiment to one of our colleagues down the hall, Assemblywoman Benitez-Thompson, who had a baby girl this morning.

Motion carried.

Senate adjourned at 4:45 p.m.

Approved: 

DAVID R. PARKS
President Pro Tempore of the Senate

Attest:  DAVID A. BYERMAN
Secretary of the Senate