Senate called to order at 11:35 a.m.  
President Krolicki presiding.  
Roll called.  
All present except for Senator Segerblom, who was excused.  
Prayer by Pastor Larry Unterseher, Nevada, Utah, Northeastern California conference of the Seventh-day Adventist Church.  
Let us pray.  
Father God, in the quietness of this Chamber we stand humbly in Your presence, remembering our friend John Marvel, pleading for comfort for the victims and families in West, Texas and asking Your blessing on the activities of this day. Each of these men and women of valor—Senators and support staff alike—stand eager and willing to face the challenges set before them. Give them the ability to see through Your eyes as they continue to cast the vision for us now and for future generations to come.  
Lord, if there is personal pain that these men and women are enduring, I pray You give them the comfort they need and relieve them of these distractions so they may tackle this day’s agenda with clarity of mind.  
We pray in Your most holy and precious Name.  
AMEN.  
Pledge of Allegiance to the Flag.  
The President 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 were referred Senate Bill Nos. 127, 329, 359, 422 and 454, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.  
KELVIN ATKINSON, Chair  

Mr. President:  
Your Committee on Education, to which was referred Senate Bill No. 164, 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 was referred Senate Bill No. 504, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Finance.  
JOYCE WOODHOUSE, Chair  

Mr. President:  
Your Committee on Judiciary, to which were referred Senate Bill Nos. 31, 103, 104, 107 and 111, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.  
TICK SEGERBLOM, Chair
Mr. President:
Your Committee on Legislative Operations and Elections, to which was referred Senate Bill Nos. 283 and 325, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

PAT SPEARMAN, Chair

Mr. President:
Your Committee on Revenue and Economic Development, to which were referred Senate Bill Nos. 84 and 152, 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 Revenue and Economic Development, to which was referred Senate Bill No. 400, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Finance.

RUBEN J. KIHUEN, Chair

Mr. President:
Your Committee on Transportation, to which were referred Senate Bill Nos. 179 and 387, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARK A. MANENDO, Chair

MESSAGES FROM THE ASSEMBLY
ASSEMBLY CHAMBER, Carson City, April 17, 2013

To the Honorable the Senate:
I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 487.
Also, I have the honor to inform your honorable body that the Assembly on this day passed Assembly Joint Resolution No. 7.
Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bill Nos. 73, 95, 120, 131, 179, 185, 231, 266, 286, 324, 331, 356, 437.

MATTHEW BAKER
Assistant Chief Clerk of the Assembly

WAIVERS AND EXEMPTIONS
NOTICE OF EXEMPTION
April 18, 2013
The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: Assembly Bill No. 396.

CINDY JONES
Fiscal Analysis Division

MOTIONS, RESOLUTIONS AND NOTICES
Assembly Joint Resolution No. 7.
Senator Smith moved that the resolution be referred to the Committee on Natural Resources.
Motion carried.

Senator Smith moved that Senate Bill Nos. 68, 74, 94, 140, 183, 192, 229, 314, 373, 420 and 450 be taken from the General File and placed on the General File for the next legislative day.
Motion carried.
INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 73.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 95.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 120.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 131.
Senator Smith moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 179.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 185.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 231.
Senator Smith moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 266.
Senator Smith moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 286.
Senator Smith moved that the bill be referred to the Committee on Health and Human Services.
Motion carried.
Assembly Bill No. 324.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 331.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 356.
Senator Smith moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 437.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 487.
Senator Smith moved that the bill be referred to the Committee on Natural Resources.
Motion carried.

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

Senate in recess at 11:59 a.m.

SENATE IN SESSION

At 12:20 p.m.
President Krolicki presiding.
Quorum present.

MESSAGES FROM THE ASSEMBLY

Assembly Chamber, Carson City, April 18, 2013

To the Honorable the Senate:
I have the honor to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 5.

MATTHEW Baker
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 5—Memorializing former Assemblyman John W. Marvel.

WHEREAS, The State of Nevada lost a true statesman and steadfast public servant on March 16, 2013, and the members of the Nevada Legislature note with sorrow the passing of one of their most highly regarded former colleagues; and

WHEREAS, John Wyland Marvel was born in Battle Mountain, Nevada, on September 11, 1926, and, after graduating as valedictorian of his class at Battle Mountain High School, served in the United States Army’s 19th Infantry Regiment during World War II and was honored for
his service with the Asiatic-Pacific Campaign Medal, the Army of Occupation Medal and the World War II Victory Medal; and

WHEREAS, After earning a bachelor of arts degree at the University of Nevada, Reno, in 1951, Mr. Marvel built a career as business manager of and working cowboy with one of the largest ranching operations in Nevada history, W.T. Jenkins Co., which was founded by his grandfather, and later he acquired and operated the Dunphy Ranch in Eureka County for over two decades; and

WHEREAS, This native Nevadan remained a loyal advocate for agricultural industries and the interests of this State’s rural counties after he ran for the Nevada Assembly and was first elected in 1978, serving for 30 years, including 15 regular and 11 special sessions; and

WHEREAS, Assemblyman Marvel served as an invaluable member and leader of many legislative committees and contributed to forming countless public policies affecting the people of the State of Nevada, though he was proudest of his legislative efforts to support education, to secure funding for the University of Nevada School of Medicine and to reform the prison system, tax structure and water laws of this State; and

WHEREAS, Mr. Marvel earned distinction during his service in the Nevada Legislature through his contributions to national and regional legislative organizations, including the American Legislative Exchange Council and the Western Legislative Conference, and in 2009 was added to the Assembly Wall of Distinction; and

WHEREAS, A recognized expert in many fields, this distinguished Nevadan served as Chairman of the Nevada Tax Commission and the Lander County Planning Commission and as a member of the Advisory Council to the National Public Land Law Review Commission and, after his legislative service, served on the Nevada Commission on Ethics; and

WHEREAS, Mr. Marvel will be fondly remembered by those who have had the good fortune to work with him as a thoughtful, caring, down-to-earth, responsible man with a great sense of humor, who always thought of others’ needs first; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 77th Session of the Nevada Legislature hereby extend their deepest condolences to former Assemblyman Marvel’s wife Willie, his children Sharon, John and Michelle, and his brother Thomas; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to John’s wife of more than 60 years, Willie Shidler Marvel.

Senator Smith moved the adoption of the resolution.

Remarks by Senators Smith, Denis and Brower.

SENATOR SMITH:
Thank you, Mr. President. I am so honored to rise today in support of Assembly Concurrent Resolution No. 5, memorializing my dear friend John Marvel. John served for 30 years in this building and he served with wisdom, integrity, hard work and good humor.

In 1985, he finally had the opportunity to Chair a standing committee of the Assembly and he was rewarded for his knowledge and past service with the chairmanship of the Assembly Committee on Ways and Means. I have been told that after he was given the chairmanship, in his cowboy way, he decided the Committee would meet at 7:00 a.m. each morning. There was a lot of whining from everyone except the cowboys and the ranchers. John continued to have the Committee meet at 7:00 a.m. We all know what a great job he did with that.

He was always remembered and noticed for his gentle good humor. John was patient and soft spoken, seldom angry, never rushed and never flustered. Those who didn’t know him well sometimes underestimated him. But they soon learned to their cost that his quiet, unassuming demeanor concealed an acute talent for political calculation. They rarely made the mistake a second time.

He knew how to play his cards close to the chest and it was these formidable political talents that made him a force to be reckoned with in the Assembly. John was passionately devoted to the interests of rural Nevada. Those of you who served with him on the Public Lands Committee will remember that when the Committee met in Ely, Elko, Battle Mountain or Winnemucca, he was always very proud to show the “city slickers” from Las Vegas a little bit of the “real” Nevada.
On a personal note, I would like to acknowledge John’s wife Willie. She was his most devoted constituent. Those of us who served with him would often see Willie sitting next to him on the Floor, being supportive. He did inspire that kind of loyalty from those who worked with him as well.

Assembly Concurrent Resolution No. 5 points out that John successfully sponsored legislation on a wide variety of subjects throughout his 30 years of service. Among those, he was proudest of his legislative efforts to support education, secure funding for the University of Nevada School of Medicine and to reform Nevada’s prison system, tax structure and water laws. We will all be eternally grateful for his efforts in those areas.

As was mentioned on the day of his passing, he had a very courageous vote during the 2003 Special Session of the Nevada Legislature that really supported the education system in this State. I was always appreciative that he was willing to make that courageous move.

On a very personal note, I grew up around John Marvel and this terrific family who is with us here today. I couldn’t be more pleased to be able to honor him today. His wife Willie was the Mother Advisor when I was a Rainbow Girl; our families and friends spent a lot of time together during my upbringing.

When I was first elected to the Nevada Legislature, John welcomed me as a colleague. I was so proud of that because I was new and he had so much experience. It did not matter that we were from different political parties, and it did not matter that we were of different generations. John was the consummate gentleman. He was a teacher and a mentor. I appreciate the time I had to serve with him greatly and I am certain my colleagues who had the privilege of serving with him feel the same. I hope those of you here who did not have the opportunity to serve alongside him will still learn from his legacy.

SENATOR DENIS:
I rise in support of Assembly Concurrent Resolution No. 5. It was eight years ago that I became a State Legislator and started my time in the other House. John Marvel was one of the first people I met. He is deserving of all the many things he accomplished in life. I appreciated the many things I learned from him.

John could be hard to understand. I thought others understood him when he spoke even though I sometimes did not; I later realized some people just did not want to ask a second time so they would just nod their heads even though they didn’t know what he was saying. When you would use the men’s restroom near the Assembly Chamber, you could smell the clove cigarettes he would smoke while hiding in there.

I really appreciate John’s family being here with us in the legislative building today. Again, I support this resolution.

SENATOR BROWER:
Thank you very much, Mr. President. It is a great privilege to be able to stand in support of Assembly Concurrent Resolution No. 5.

As I have mentioned on this Floor previously, I met John Marvel in 1998 when I was first elected to the Nevada Assembly. We became members of the same Caucus; he was the oldest member of the Assembly Republican Caucus at that time, and I was the youngest. Despite that fact, we became fast friends.

He was the kind of mentor that every young Legislator needs when they arrive here. I will never forget how warm and welcoming he was to me. At one point he invited me to join the Rural Caucus; I was honored, of course, not really knowing what it was—but it sounded good. I told him I was not sure I represented a rural district. He responded by telling me that, because I represented Washoe Valley at the time, since there were a few head of cattle in my district that was good enough. I decided I would do it and asked him what I should do next. He told me there was a Rural Caucus meeting every Monday at 7:00 a.m. that I would need to be at. I am getting to the point that my colleague from Senate District No. 13 mentioned.

I dutifully got up early on Monday mornings and drove from Reno down through Washoe Valley, cursing each and every cow I saw along the way. I really got to know John from my time in the Rural Caucus. I also got to know Dean Rhoads, Marcia de Braga, Lynn Hettrick and Joe Dini. We love and respect our rural colleagues today but back then there were a whole lot of them and they were a powerful group. The Rural Caucus was a great group to be a part of.
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The Majority Leader reminded me that whenever I sought out John’s advice on something, which was often, I couldn’t always find him in his office. If I could smell smoke coming out of the men’s restroom from my office located right next door, I would often wait outside of the restroom door for him. If I was impatient—and I often was back then—I would just go into the men’s restroom and sometimes sit in the stall next to him and tell him I was there and had a question. We would have our meetings right there and then. He was one of a kind.

I will never forget a dinner I enjoyed with John. A few of us were in Washington, D.C., for a conference of some sort. I went out to dinner with John, at his insistence. Bill Raggio and Dean Rhoads were there too. I learned more about the Legislature and the legislative process during that two-hour dinner than I ever learned sitting here in this building. John was a great mentor.

Finally, as I said a few weeks ago upon learning of John’s passing, with the loss of John Marvel we lose another member of the Greatest Generation. John and hundreds of thousands of men like him won World War II and they are the reason we are able to sit here and engage in our friendly, and not so friendly, debates; we are able to peacefully resolve the civil conflicts we have over policy issues. John’s presence will forever be felt in this building. I am lucky to have known him and to have served with him.

SENATOR GOICOECHEA:

Thank you, Mr. President. I rise, not so much to speak to Assembly Concurrent Resolution No. 5, but to speak about John Marvel, the man. John Marvel was a cowboy’s cowboy. His nephews and his son are famous in their own realm, and his brother Tom is a real horseman. But I remember John Marvel saying, “pitch him his head and let him buck.” He was not afraid of anything that wore hair.

He was also a rancher in Eureka County; I knew him and his family well. My wife Gladys had a wonderful bond with John Marvel; they would travel 200 miles to hug each other. My wife, who will be here tomorrow, will drive 250 miles to be at his memorial tomorrow. She thinks very much of him and his family.

I remember the contentious vote of the 2003 Special Session of the Nevada Legislature; it never ruffled his head. “Pitch him his head, let him buck.”

SENATOR ČEGAVSKE:

Thank you, Mr. President. It makes my heart full to see John Marvel’s family here. John is always with us in our hearts. I remember the times John’s family sat on the Floor with him; I appreciate all of the conversations we had when they did. I had the privilege of spending three terms in the Assembly with John Marvel and Lynn Hettrick, who was the Assistant Minority Leader at the time. Lynn served 14 years with John. I have so many wonderful memories and I cherish every single one. I learned a lot from not only John, but from Senator Jacobsen. Together, they were terrific mentors, terrific people.

I would like to thank my colleague from Senate District No. 19 for aptly describing the “cowboy’s cowboy.” I had the honor of being inducted into the Cowboy Hall of Fame; a real treasure.

I have to share with you: his granddaughter shared a story when she interned here, about John’s smoking. We all have different, funny stories about being around clove cigarettes; this building is the first place I ever smelled them. He was in his office and his granddaughter noticed something smelled wrong. She asked him if he knew; he played innocent like he wasn’t smoking. She went into his office and saw his desk drawer had smoke coming out of it. He set the envelopes on fire in his drawer by putting his cigarette out in there.

I learned more about the prison industry from John Marvel and Senator Jacobsen. I also learned what it is to be a good public servant. My hats off to each and every one of the family members. What a wonderful mentor he has been and a wonderful person. God bless you and please give Willie a hug and a kiss for me.
MR. PRESIDENT:
I have had the pleasure of traveling the State for decades and when you are in rural Nevada, you are with Willie and John Marvel. They were inseparable. He would speak in gravelly bursts and be hard to understand sometimes, but he always got your attention. His personal kindnesses to me, and from Willie, are something I will always be very grateful for. He truly lived a marvelous life. Thank you all for being with us today.

Resolution adopted unanimously.
Resolution ordered transmitted to the Assembly.

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

Senate in recess at 12:41 p.m.

SENATE IN SESSION

At 12:46 p.m.
President Krolicki presiding.
Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 36.
Bill read second time.
The following amendment was proposed by the Committee on Commerce, Labor and Energy:
Amendment No. 45.
Senator Denis moved the adoption of the amendment.
Remarks by Senator Denis.
Thank you, Mr. President. Amendment No. 45 to Senate Bill No. 36 makes various changes concerning unemployment compensation.

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

Senate Bill No. 41.
Bill read second time.
The following amendment was proposed by the Committee on Commerce, Labor and Energy:
Amendment No. 44.
Senator Atkinson moved the adoption of the amendment.
Remarks by Senator Atkinson.
Thank you, Mr. President. Amendment No. 44 to Senate Bill No. 41 authorizes a small scale provider of last resort to request a waiver of the five-year limitation period at least 120 days prior to when it makes a letter of filing. It also authorizes a person proposing transaction to request that the Regulatory Operations Staff of the Public Utilities Commission of Nevada and the Consumer’s Advocate of the Bureau of Consumer Protection each provide a waiver to the request.

Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.
Senate Bill No. 261.

Bill read second time.
The following amendment was proposed by the Committee on Commerce, Labor and Energy:

Amendment No. 213.

Senator Jones moved the adoption of the amendment.
Remarks by Senator Jones.

Amendment No. 213 makes six changes to Senate Bill No. 261. It removes the definition of door-to-door non-commercial solicitation. It also reduces the application fee to $200 and reduces the ban on receiving a permit after revocation to two years. Further, the amendment clarifies that door-to-door solicitation may be engaged in during the hours of 9 a.m. and 7 p.m. and that a “No Solicitation” sign must be prominently displayed to the public, either at the door or entrance to a gated community. Finally, Amendment No. 213 to Senate Bill No. 261 deletes provisions pertaining to a “no solicitation list.”

Amendment adopted.

Senator Jones moved that Senate Bill No. 261 be re-referred to the Committee on Finance upon return from reprint.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Finance.

Senate Bill No. 269.

Bill read second time.
The following amendment was proposed by the Committee on Education:

Amendment No. 287.

Senator Ford moved the adoption of the amendment.
Remarks by Senator Ford.

Thank you, Mr. President. Amendment No. 287 makes several changes to Senate Bill No. 269. First, it removes the academic requirements from the bill that students maintain passing grades in order to apply for and maintain a driver’s license. Second, it deletes provisions of the bill that would have provided the option of a judicial review of an adverse decision in district court. Third, the amendment revises various provisions throughout the bill concerning the school principal to read “the principal or the principal’s designee or designees.” Fourth, it removes language specifying that the principal be a party to the appeals process set forth in the bill, and instead provides that the school district board of trustees shall indicate the person or persons who will be part of the appeals hearing requested by a parent. Finally, Amendment No. 287 to Senate Bill No. 269 changes the effective date of the bill to January 1, 2015, to accommodate new technology that will allow several school districts to accurately account for truancy.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 317.

Bill read second time.
The following amendment was proposed by the Committee on Transportation:

Amendment No. 240.

Senator Manendo moved the adoption of the amendment.
Remarks by Senator Manendo.
Thank you, Mr. President. Amendment No. 240 to Senate Bill No. 317 removes the word “such” to indicate that any waiver of any provision related to “Franchises for Sales of Motor Vehicles” as in Sections 36311 through 36425 of Chapter 482 of Nevada Revised Statutes, inclusive, is void and unenforceable.

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

Senate Bill No. 318.
Bill read second time.
The following amendment was proposed by the Committee on Health and Human Services:
Amendment No. 359.
Senator Kieckhefer moved the adoption of the amendment.
Remarks by Senator Kieckhefer.
Amendment No. 359 to Senate Bill No. 318 requires the Nevada Commissioner of Insurance, rather than the Legislative Committee on Health Care, to conduct a study of claims, coverage and payments under dental and health insurance policies. The Commissioner is also required to present the study results to the Legislative Committee on Health Care.

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

Senate Bill No. 322.
Bill read second time.
The following amendment was proposed by the Committee on Transportation:
Amendment No. 409.
Senator Manendo moved the adoption of the amendment.
Remarks by Senator Manendo.
Amendment No. 409 to Senate Bill No. 322 sets for that eight members of the Board of Directors of the Department of Transportation must be appointed from Clark County. The amendment further defines the residency requirements for those eight members: (1) two members must reside in the unincorporated area of Clark County; (2) two members must reside in the largest incorporated city of the county (Las Vegas); and (3) one member must reside in each of the next four largest incorporated cities (Henderson, North Las Vegas, Mesquite and Boulder City).

Amendment adopted.
Senator Smith moved that Senate Bill No. 322 be re-referred to the Committee on Finance upon return from reprint.
Motion carried.
Bill ordered reprinted, engrossed and to the Committee on Finance.

Senate Bill No. 343.
Bill read second time.
The following amendment was proposed by the Committee on Transportation:
Amendment No. 243.
Senator Goicoechea moved the adoption of the amendment.
Remarks by Senator Goicoechea.
Thank you, Mr. President. Amendment No. 243 to Senate Bill No. 343 proposes a new registration sticker or decal distinguishable from the sticker or decal of a regular off-highway vehicle. Under the new designation, the owner of a large all-terrain vehicle must provide proof of insurance that meets the requirements of insurance on an automobile. Additionally, the owner of a large all-terrain vehicle can either register as a standard off-highway vehicle, as currently required, or they can choose the new designation, which allows them to go on certain roads designated by a city or county.

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

Senate Bill No. 381.
Bill read second time.
The following amendment was proposed by the Committee on Health and Human Services:
Amendment No. 357.
Senator Kieckhefer moved the adoption of the amendment.
Remarks by Senator Kieckhefer.
Thank you, Mr. President. Amendment No. 357 to Senate Bill No. 381 limits the proposed statutory changes to only those that are required by federal law. It requires a written plan for personal responsibility to prohibit Temporary Cash Assistance for Needy Families recipients from using benefits at: (1) non-restricted gaming operations or any establishment where gaming is the principal purpose of the business; (2) a liquor store; (3) a retail establishment in which performers disrobe or perform unclothed for entertainment; and (4) in any other place or manner prohibited by the Middle Class Tax Relief and Job Creation Act of 2012 and any subsequent regulations. The amendment also prohibits such businesses from knowingly accepting public assistance benefits from its patrons.

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

Senate Bill No. 428.
Bill read second time.
The following amendment was proposed by the Committee on Transportation:
Amendment No. 411.
Senator Manendo moved the adoption of the amendment.
Remarks by Senator Manendo.
Thank you, Mr. President. Amendment No. 411 to Senate Bill No. 428 clarifies that for a stolen and subsequently recovered vehicle, towed at the request of law enforcement, a tow operator may not impose an administrative fee or processing fee for the first four business days after the date the vehicle was placed in storage.

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

Senate Bill No. 429.
Bill read second time.
The following amendment was proposed by the Committee on Transportation:
Amendment No. 412.
Senator Manendo moved the adoption of the amendment.
Remarks by Senator Manendo.
Amendment No. 412 to Senate Bill No. 429 allows taxicab certificate holders to apply advertisement wraps on all vehicles. The original language limited the amount of taxicabs with advertisement wraps to not more than half of the vehicles used as taxicabs of each certificate holder.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 449.
Bill read second time.
The following amendment was proposed by the Committee on Health and Human Services:
Amendment No. 355.
Senator Kieckhefer moved the adoption of the amendment.
Remarks by Senator Kieckhefer.
Amendment No. 355 to Senate Bill No. 449 retains at two years, the existing statutory timeframe for committing a third offense of dumping waste. It also increases to four years, the timeframe for committing a third offense for the unlawful disposal of cesspool or septic tank effluent, or solid waste.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 456.
Bill read second time.
The following amendment was proposed by the Committee on Transportation:
Amendment No. 245.
Senator Manendo moved the adoption of the amendment.
Remarks by Senator Manendo.
Thank you, Mr. President. Amendment No. 245 to Senate Bill No. 456 states a tow car operator who tows a vehicle to a vehicle storage lot is entitled to payment at the time the vehicle is delivered. It also provides that a licensed “salvage pool” is included in the definition of a “storage lot” for purposes of this bill. The amendment adds clarifying language regarding the towing of cars that are inoperable as a result of an accident. Finally, it removes a fee to be paid by an insurance company to the law enforcement agency whose officer requested a vehicle tow.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 493.
Bill read second time.
The following amendment was proposed by the Committee on Commerce, Labor and Energy:
Amendment No. 321.
Senator Atkinson moved the adoption of the amendment.
Remarks by Senator Atkinson.
Thank you, Mr. President. Amendment No. 321 to Senate Bill No. 493 retains the definition of “private investor.” It also provides that the holders of 51 percent or more of the balance of a loan or ownership interest in a property may act on behalf of all of the holders of record.

Finally, the amendment revises provisions concerning actions authorized to be taken by the holder of 51 percent or more of the balance of a loan or ownership interest in a property and to provide for the disposition of the minority beneficial interests in the event of foreclosure or receipt in deed in lieu of foreclosure in full satisfaction of the loan in which multiple holders have an interest.

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

Senator Denis moved that the Senate recess until 3:00 p.m.
Motion carried.

Senate in recess at 1:11 p.m.

SENATE IN SESSION
At 3:17 p.m.
President Krolicki presiding.
Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 2
Bill read third time.
Remarks by Senator Spearman.

Thank you, Mr. President. Senate Bill No. 2 declares that it is the intent of the Legislature that a Board of County Commissioners, a City Council or an incorporated city, with limited exceptions, may exercise the powers necessary for the effective operation of the government, even if the power to perform these acts is neither expressed nor implied, so long as the power is not expressly prohibited or limited by constitutional or statutory provisions or granted to another entity.

Except as expressly granted by statute, a Board of County Commissioners, a City Council or an incorporated city shall not: (1) condition or limit its civil liability unless such condition or limitation is part of a legally executed contract or agreement between the respective local government and another political subdivision or a private person or business; (2) prescribe the law governing civil actions between private persons; (3) impose duties on another political subdivision unless the performance of the duties is part of a legally executed agreement between the respective local government and another political subdivision; (4) impose a tax; (5) impose a service charge or user fee greater than the actual cost of providing the services; (6) regulate conduct that is regulated by a State agency; or (7) order or conduct an election. This bill is effective on July 1, 2013.

Roll call on Senate Bill No. 2:
YEAS—18.
NAYS—Cegavske, Settelmeyer—2.
EXCUSED—Segerblom.

Senate Bill No. 2 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 27.
Bill read third time.
Remarks by Senator Jones.

Thank you, Mr. President. Senate Bill No. 27 clarifies the authority of the Attorney General to defend present or former State judicial officers who are sued for certain acts or omissions relating to their public duties or employment. State judicial officers are defined as any justice of the Supreme Court, senior justice, judge of a district court or senior judge. In addition, the measure clarifies the authority of the chief legal officer or other authorized legal representative of a political subdivision to provide legal counsel under certain circumstances to any present or former local judicial officers. Local judicial officers are defined as any justice of the peace, municipal judge or senior municipal judge of that political subdivision.

Senate Bill No. 27 also requires the Attorney General or the chief legal officer or other authorized legal representative of a political subdivision to provide counsel for certain persons who are not employees or officers of the State or political subdivision, but are named as defendants in a civil action solely because of an alleged act or omission relating to the public duties or employment of certain officers or employees of the State or political subdivision. I urge your support.

Roll call on Senate Bill No. 27:

YEAS—20.

NAYS—None.

EXCUSED—Segerblom.

Senate Bill No. 27 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

Remarks by Senator Hammond.

Senate Bill No. 45 relates to the sealing of certain records of criminal history. It revises information that must be included in a petition to seal all records relating to a conviction. In addition, the bill revises the definition of an “agency of criminal justice” to include a subunit of any governmental agency and clarifies that the sealing of all records of a conviction includes those in the custody of such an agency of criminal justice.

Roll call on Senate Bill No. 45:

YEAS—20.

NAYS—None.

EXCUSED—Segerblom.

Senate Bill No. 45 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

Remarks by Senator Atkinson.

Thank you, Mr. President. Senate Bill No. 47 makes various changes to provisions governing the regulation of the mortgage industry. A nonprofit agency or organization that otherwise would be subject to the provisions of statutes governing mortgage brokers and mortgage agents is exempt from such provisions if, in addition to existing requirements, it maintains tax exempt status under Section 501(c)(3) of the Internal Revenue Code of 1986.

Senate Bill No. 47 clarifies the employment, association and sponsorship requirements that a mortgage agent must satisfy in order to provide services as a mortgage agent. In addition, the co-brokering of a commercial loan through the cooperation of two or more mortgage brokers is
not prohibited if such a transaction is not inconsistent with any other provision governing mortgage brokers and mortgage agents.

Further, Senate Bill No. 47 requires an attorney to be licensed to practice in Nevada and not be engaged in a practice comprised primarily of providing a covered service to his or her clients in order to be exempt from licensure as a foreclosure consultant or foreclosure purchaser. Finally, the bill defines the term “employee” in the same manner that the term is defined under federal law in the context of mortgage lending. Thank you. I urge this bill’s passage.

Roll call on Senate Bill No. 47:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 47 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

Senate Bill No. 60.
Bill read third time.
Remarks by Senator Brower.

Senate Bill No. 60 is a common-sense clean-up bill from the Secretary of State. It relates to issues concerning registered agents and other matters. It received unanimous support from the Senate Committee on Judiciary with one abstention. I urge your support today.

Senator Jones declared a conflict of interest. He disclosed that his law firm represents the Nevada Registered Agents Association, the only opponent to the bill.

Roll call on Senate Bill No. 60:
YEAS—19.
NAYS—None.
NOT VOTING—Jones.
EXCUSED—Segerblom.

Senate Bill No. 60 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

Senate Bill No. 65.
Bill read third time.
Remarks by Senator Settelmeyer.

Senate Bill No. 65 expands the authority of the Division of Environmental Protection of the State Department of Conservation and Natural Resources to issue orders, other than emergency orders, to correct violations by public water system operators, if the Division of Environmental Protection has reason to believe that a person is engaged in, or is about to engage in, a practice which violates certain provisions relating to public water systems. Thank you. I urge your support.

Roll call on Senate Bill No. 65:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.
Senate Bill No. 65 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 101.
Bill read third time.
Remarks by Senator Settelmeyer.

Thank you, Mr. President. Senate Bill No. 101 authorizes a department of alternative sentencing to include a “supervised releasee” who is a person charged with or convicted of a misdemeanor, gross misdemeanor or felony and who has been released from custody before trial or sentencing, subject to the conditions imposed by the court. This is a practice being routinely done by many counties, however, they need it codified. I urge your support.

Roll call on Senate Bill No. 101:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 101 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 106.
Bill read third time.
Remarks by Senator Hutchison.

Thank you, Mr. President. Senate Bill No. 106 provides standards to determine whether the parent or guardian of a child is required to pay for the child’s legal representation in juvenile court, if the court has appointed an attorney to represent the child. It requires the juvenile court to make a finding that a parent or guardian of the child is indigent under certain circumstances.

Senate Bill No. 106 authorizes the court to enter a civil judgment against a criminal defendant for the amount of any delinquent fines, administrative assessments, fees and restitution imposed. The juvenile court may enter a similar civil judgment against a parent or child. In both instances, the civil judgment may be treated the same as a judgment for money in a civil action, and a person who fails to satisfy the judgment may be found in contempt. The court may include satisfaction of a civil judgment entered by the juvenile court in a sentence imposed by the court against a defendant transferred from the juvenile court.

Senate Bill No. 106 authorizes a juvenile court to establish a restitution contribution fund to provide restitution to victims of unlawful acts committed by children. The measure also authorizes the court to waive all or part of any community service imposed against a child for good cause shown and prohibits reporting a judgment to a credit agency until the child has reached the age of 21. Finally, the measure revises the purposes for which money collected from fees imposed by a court may be used.

Senate Bill No. 106 passed unanimously out of the Senate Committee on Judiciary. I urge your support.

Roll call on Senate Bill No. 106:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.
Senate Bill No. 106 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

Senate Bill No. 122.
Bill read third time.
Remarks by Senator Atkinson.

Thank you, Mr. President. Senate Bill No. 122 increases the number of commissioners of a regional housing authority from nine to twelve, and it provides that four of the commissioners must represent tenants and be appointed, respectively, by the governing bodies of the three largest cities in the county. The fourth representative is to be appointed by Clark County. The bill also staggers the terms of the newly appointed tenant representatives so that their terms will not expire at the same time. The provisions of the bill are effective on July 1, 2013.

Roll call on Senate Bill No. 122:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 122 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 131.
Bill read third time.
Remarks by Senator Hutchison.

Senate Bill No. 131 authorizes the personal representative of a decedent to take control of, conduct, continue or terminate any account on any website providing social networking or web log, microblog, short message, electronic mail service or other similar electronic or digital assets of the decedent. It clarifies that a personal representative is not authorized through this measure to take control of, conduct, continue or terminate any financial account of the decedent including without limitation, a bank account or investment account. Senate Bill No. 131 passed unanimously out of the Senate Committee on Judiciary. I urge your support.

Roll call on Senate Bill No. 131:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 131 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 134.
Bill read third time.
Remarks by Senator Goicoechea.

Thank you, Mr. President. Senate Bill No. 134 authorizes a person to apply for a temporary permit to appropriate groundwater for watering livestock when the point of diversion is within a county, or a contiguous county, that is under a drought declaration. Any associated well must be plugged and sealed upon expiration of the temporary permit. A temporary permit issued for these purposes must not exceed one year in duration.

Senate Bill No. 134 also requires the Nevada Department of Wildlife, if it constructs or causes to be constructed a fence, to ensure that the fence is constructed and maintained in such a
manner as to prevent livestock from being trapped in the fence. Finally, Senate Bill No. 134 requires each guzzler for use by wildlife to include a posted notice providing contact information that may be used to notify the person or agency that placed the guzzler if it is in disrepair. The bill is effective on October 1, 2013. For any guzzler in use on or after October 1, 2013, the person or agency that placed the guzzler must comply with the notice requirements by October 1, 2014. This bill passed unanimously out of the Senate Committee on Natural Resources.

Roll call on Senate Bill No. 134:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 134 having received a two-thirds majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 143.
Bill read third time.
Remarks by Senator Woodhouse.
Thank you, Mr. President. Senate Bill No. 143 directs the Department of Motor Vehicles to add at least one question to the written driver’s license examination concerning the Nevada law prohibiting the use of cell phones or other handheld devices while driving. This bill is effective on January 1, 2014. I would appreciate your support.

Roll call on Senate Bill No. 143:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 143 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 177.
Bill read third time.
Remarks by Senator Settelmeyer.
Thank you, Mr. President. I appreciate everyone in this Body working with me on this bill. In doing the research, Nevada and ten other states do not have laws on this subject. Senate Bill No. 177 prohibits a child who is under the age of 18 from purchasing or being in possession of tobacco products, using tobacco products or falsely representing his or her age to acquire tobacco products. A child who commits one of these offenses and is found guilty will be subject to fines of $25 for the first offense, $50 for the second offense and $75 for the third or any subsequent offenses. These are only status offenses; these offenses would not be on the child’s permanent record.

Senate Bill No. 177 provides that the juvenile court may order a child who commits an offense related to tobacco to attend and complete a tobacco awareness and cessation program. The court may order the child or the parent or guardian of the child, or both, to pay the reasonable costs for the child to attend the program. The measure provides that for a third or subsequent offense, the juvenile court may order the suspension of the child’s driver’s license for at least 30 days, but not longer than 90 days. The court may also order a restriction on a driver’s license for a child who willfully fails to pay any fine or assessment related to a tobacco offense. The measure provides that a court may provide work and health care exemptions from the driver’s license restrictions. Thank you. I urge your support.
Roll call on Senate Bill No. 177:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 177 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 198.
Bill read third time.
Remarks by Senator Hardy.
Senate Bill No. 198 revises provisions relating to the practice of chiropractic. The measure provides that a chiropractic assistant may perform certain ancillary service under indirect supervision if: (1) the services are performed on an established patient; (2) the supervising chiropractic physician is reasonably accessible by telephone, facsimile or other electronic means; and (3) the services are performed in the primary practice of the supervising chiropractic physician or a hospital. A chiropractor who employs one or more assistants who perform such services must maintain certain liability insurance. Senate Bill No. 198 also requires the Chiropractic Physicians’ Board of Nevada to adopt regulations concerning these circumstances.

Roll call on Senate Bill No. 198:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 198 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 235.
Bill read third time.
Remarks by Senator Parks.
Thank you, Mr. President. Senate Bill No. 235 authorizes a local law enforcement agency to establish or utilize an electronic reporting system to receive information relating to scrap metal purchases within its jurisdiction. The measure requires that the system be electronically secure and accessible only to: (1) a scrap metal processor for the purpose of submitting certain information; (2) an officer of a local law enforcement agency; and (3) an authorized employee of any third party that the local law enforcement agency contracts with for the purpose of receiving and storing the information submitted by a scrap metal processor.
A person is immune from any civil liability for any action taken with respect to carrying out the provisions of Senate Bill No. 235 if the actions are taken in good faith and without malicious intent. This bill is effective on October 1, 2013.

Roll call on Senate Bill No. 235:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 235 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.
Senate Bill No. 236
Bill read third time.
Remarks by Senator Spearman.
Thank you, Mr. President. Senate Bill No. 236 requires each State agency, as soon as reasonably practicable, but not later than June 30, 2015, to make available on a website maintained by the agency, an electronic version of each of the agency’s administrative forms in a format allowing the forms to be completed, downloaded and saved electronically and submitted securely to the agency via the Internet.
Senate Bill No. 236 authorizes a State agency to utilize any program, software or technology in the manner it deems appropriate and to cooperate with another State agency to comply. An agency may also comply with the bill’s provisions in phases over time in order to meet the deadline, and the agency may apply to the Interim Finance Committee for a waiver from the bill’s requirements. The waiver must be granted if it is determined that extenuating circumstances exist or that the cost of complying would place too heavy a burden on the agency’s operations.
Upon receiving a written request from any other State agency, an agency is authorized to provide a copy of any record maintained by the State agency other than a record that is declared by law to be confidential or which the agency determines must be kept confidential. This bill is effective upon passage and approval.
This bill gets us a little bit closer to compliance with the Americans with Disabilities Act by allowing people with certain disabilities to access forms. I urge your support for this bill.

Roll call on Senate Bill No. 236:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 236 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 258
Bill read third time.
Remarks by Senator Brower.
Thank you, Mr. President. This is “Erin’s Law.” If you were on the Committee hearing this bill, I want to thank you for your support. If you are a co-sponsor, I especially want to thank you for your support. And if you are the Chair of the Senate Committee on Health and Human Services, I want to tell you I appreciate your support on this bill.
This bill is named for a woman named Erin Merryn who joined us at the Committee hearing to testify on behalf of Senate Bill No. 258. She is traveling across the country advocating for the passage of this law in each state. Nevada’s version of “Erin’s Law” will create the multi-disciplinary Task Force on the Prevention of Sexual Abuse of Children which will study the very real problem of childhood sexual abuse in our State.
This is a big deal. I would appreciate your support.

Roll call on Senate Bill No. 258:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 258 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.
SENATOR FORD:
Thank you, Mr. President. This is the “Kelsey Smith Act.” Senate Bill No. 268 is named for a young lady who, unfortunately, was found raped and murdered in Kansas.
Special thanks to the Chair of the Senate Committee on Commerce, Labor and Energy for shepherding this through the Committee; it came out with unanimous support.
Senate Bill No. 268 has the support of law enforcement, it was vetted by the American Civil Liberties Union and it also has the support of mobile phone companies. Senator Greg Smith, our colleague in Kansas—who got to meet my colleague from Senate District No. 20, who is also from Kansas—came to testify in support of the bill. It was his daughter, Kelsey, who was murdered.
This bill allows a wireless telecommunications provider to release Global Positioning System’s locational data to law enforcement personnel in cases of emergency, as defined in the statute. It shields a wireless telecommunications company from being liable when they do that. This bill will enable law enforcement to address emergency situations faster and easier.
In Kelsey Smith’s situation, it took three days for the Global Positioning System’s locational data in her mobile phone to be released to law enforcement; within 45 minutes of the release of the information, they found the phone next to her dead body. I urge your support.

SENATOR BROWER:
I want to thank my colleague from Senate District No. 11 for bringing this bill forward. I can tell you from my experience how valuable this technology is; I am certain it is being used right now by law enforcement officials investigating the Boston Marathon bombing. It is an incredibly important law.

Roll call on Senate Bill No. 268:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 268 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 272.
Bill read third time.
Remarks by Senator Kieckhefer.
Thank you, Mr. President. Senate Bill No. 272 provides for two separate revisions of the boundary line between Storey County and Washoe County upon the agreement between the Board of County Commissioners of Storey County and the Board of County Commissioners of Washoe County.
There are two separate, noncontiguous parcels; if the counties can agree on one or both of those parcels moving between the two counties, this allows them to adopt resolutions to make the land swap. It also gives them the option of moving just one of the parcels, whatever they choose.
The provisions of the bill expire by limitation on June 30, 2015, should either or both of the counties fail to adopt resolutions approving the boundary line revisions.

Roll call on Senate Bill No. 272:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.
Senate Bill No. 272 having received constitutional majority, Mr. President declared it passed. Bill ordered transmitted to Assembly.

Senate Bill No. 273
Bill read third time.
Remarks by Senator Settelmeyer.
Thank you, Mr. President. Senate Bill No. 273 provides that in a county that does not have a metropolitan police department or whose population is less than 100,000 (currently counties other than Clark and Washoe Counties), a deputy sheriff who has completed a 12-month probationary period may be terminated from employment for cause for failing to become certified by the Peace Officers’ Standards and Training Commission within the statutorily required time, for losing that certification or for failing to maintain a valid driver’s license. I urge your support.

Roll call on Senate Bill No. 273:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 273 having received a constitutional majority, Mr. President declared it passed. Bill ordered transmitted to Assembly.

Senate Bill No. 287
Bill read third time.
Remarks by Senator Hardy.
Senate Bill No. 287 authorizes the holder of a license or a certificate of registration issued by the State Board of Cosmetology to display a duplicate of the license or certificate in lieu of the original license or certificate. Failure to display a duplicate under certain circumstances is grounds for disciplinary action by the State Board of Cosmetology. The bill authorizes a licensee to obtain a duplicate license from the State Board of Cosmetology if required by the licensee for reasons other than when the original is destroyed, misplaced or mutilated, or the name or address of the licensee changes.

Roll call on Senate Bill No. 287:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 287 having received a constitutional majority, Mr. President declared it passed. Bill ordered transmitted to Assembly.

Senate Bill No. 305
Bill read third time.
Remarks by Senator Settelmeyer.
Senate Bill No. 305 comes about from my former Youth Legislator who is now in another district due to redistricting. He had come up with a great idea that was not selected by the Nevada Youth Legislature as their legislation proposal. Because I thought it was a good idea, I brought it forward and it is before you now. Thank you and I urge your support.

Roll call on Senate Bill No. 305:
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YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 305 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 313.
Bill read third time.
Remarks by Senators Denis and Hardy.

Senator Denis:
Thank you, Mr. President. Senate Bill No. 313 clarifies the definition of “autonomous vehicle technology” by excluding certain driver assistance features unless the combined effect of all such features enables the vehicle to be driven without the active control or monitoring of a human operator. Additional provisions include: (1) while testing an autonomous vehicle, a capable human operator must be in the driver’s seat; (2) an autonomous vehicle must be equipped with a means to disengage the autonomous technology and an indicator must be present to signal when the autonomous technology is engaged or disengaged; (3) a manufacturer of a motor vehicle that has been converted by a third party into an autonomous vehicle cannot be held legally liable for damages caused by the conversion; and (4) prior to the start of testing a vehicle equipped with autonomous technology, the entity performing the test must submit a $5 million instrument of insurance, surety bond or proof of self-insurance to the Department of Motor Vehicles. This bill is effective on July 1, 2013.

Senator Hardy:
Thank you, Mr. President. If someone is in the autonomous vehicle and is less than sober, who receives the ticket?

Senator Denis:
Thank you, Mr. President. The bill indicates “a capable human operator must be in the driver’s seat.”

Roll call on Senate Bill No. 313:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 313 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 315.
Bill read third time.
Remarks by Senator Denis.
Thank you, Mr. President. Senate Bill No. 315 revises the membership of district boards of health by adding a member who represents a recycling business that is not in the business of disposing of municipal waste and clarifying that a certain member may not be affiliated with a gaming establishment. It also requires that certain members may not serve more than two terms. This bill is effective on July 1, 2013.
Roll call on Senate Bill No. 315:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 315 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 356.
Bill read third time.
Remarks by Senator Hammond.
Thank you, Mr. President. Senate Bill No. 356 revises provisions relating to statutory covenants that may be adopted by reference in a deed of trust. Specifically, the measure adds a provision that the parties to a deed of trust in connection with a trustee’s sale may pay reasonable counsel fees and costs actually incurred. The measure also provides that an assumption fee for a change in parties to a deed of trust may be set forth as a fixed sum or a percentage of the amount secured by the deed of trust and remaining unpaid at the time of assumption, or a combination of the two.

Senate Bill No. 356 further requires the signature of the banking or other financial institution when an agreement to sell real property secured by the mortgage or deed of trust to a third party is for an amount less than the indebtedness secured. Finally, the measure amends provisions relating to impound trust accounts.

Roll call on Senate Bill No. 356:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 356 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 436.
Bill read third time.
Remarks by Senator Spearman.
Senate Bill No. 436 creates the Nevada State Parks and Cultural Resources Endowment Fund to be administered by a committee consisting of the Administrator of the Division of State Parks, the Administrator of the Office of Historic Preservation and three members appointed by the Governor. The State Treasurer is to deposit in the Fund any money received from any person who wishes to contribute to the Fund. The Nevada State Parks and Cultural Resources Endowment Fund must only be used for the purposes of the enhancement of State parks and the preservation of the cultural resources of this State. Any interest earned on money in the Fund must be credited to the Fund. The principal of the Fund must not be spent, and only the interest earned on the principal may be used to carry out the provisions of the bill. This bill is effective upon passage and approval.

Roll call on Senate Bill No. 436:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.
Senate Bill No. 436 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 440.
Bill read third time.
Remarks by Senator Parks.
Thank you, Mr. President. Senate Bill No. 440 revises the Henderson City Charter to delete antiquated provisions and require, among other things, that the City’s ward boundaries must be changed whenever the population of one ward exceeds that of any other by more than five percent. It also requires the City Council to fill vacancies in the offices of Mayor, City Council or Municipal Judge by appointment within 60 days, or by special election not later than 90 days after the vacancy occurs. The bill further provides that a candidate who is elected to office after a primary or general election must take office at the second regular City Council meeting in June, immediately following the general election.
The City Council may remove the City Manager for cause according to agreed-upon terms of employment, and it may remove the City Attorney, City Clerk or City Manager if the officer is found guilty of nonfeasance, misfeasance or malfeasance in office. All executive officers must reside within the City, and the City Attorney must advise all City offices, departments and divisions in matters with respect to the City. Finally, the measure removes the three percent cap on real property taxes the City may levy, and it amends to whom the City’s civil service classifications apply. This bill is effective on October 1, 2013.

Roll call on Senate Bill No. 440:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 440 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 470.
Bill read third time.
Remarks by Senators Kihuen and Hardy.

Senator Kihuen:
Thank you, Mr. President. Senate Bill No. 470 increases certain fees collected by the Commission on Postsecondary Education. Fees include those for an initial license, changes in ownership, renewals of agent permits and unlicensed out-of-state institutions to employ agents or offer experiential courses. A new fee for approval of an alcohol awareness program is set at $500. The bill is effective on July 1, 2013.

Senator Hardy disclosed a potential conflict of interest. He stated that he was an employee of Touro University Nevada.

Roll call on Senate Bill No. 470:
YEAS—18.
NAYS—Gustavson—1.
NOT VOTING—Hardy.
EXCUSED—Segerblom.
Senate Bill No. 470 having received a two-thirds majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 476.
Bill read third time.
Remarks by Senator Brower.
Thank you, Mr. President. Senate Bill No. 476 provides that payment for a special counsel employed by the Attorney General may come from available federal grants or a permanent fund in the State Treasury other than the State General Fund.

Roll call on Senate Bill No. 476:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 476 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 508.
Bill read third time.
Remarks by Senator Manendo.
Thank you, Mr. President. Senate Bill No. 508 eliminates provisions concerning the California-Nevada Super Speed Ground Transportation System and other obsolete statutes. It reorganizes the Super Speed Ground Transportation System under the State of Nevada and removes California as a participant from the current statute. The bill also repeals three statutes related to railroads as recommended by the Legislative Commission. I urge your support.

Senator Parks disclosed that he is a member of the California-Nevada Super Speed Ground Transportation Commission.

Roll call on Senate Bill No. 508:
YEAS—20.
NAYS—None.
EXCUSED—Segerblom.

Senate Bill No. 508 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Joint Resolution No. 1.
Bill read third time.
Remarks by Senators Manendo, Kieckhefer, Brower, Ford and Roberson.

Senator Manendo:
Thank you, Mr. President. Senate Joint Resolution No. 1 expresses support for wild horses and burros by declaring that these animals are an integral part of the ecosystem and rangelands of the United States and the State of Nevada. The resolution notes that wild horses and burros are natural resources and cultural assets with the potential to promote tourism and job creation, particularly with the building of “eco-sanctuaries.” The resolution notes that these animals depend on the understanding, cooperation and fairness of all interested persons. In addition, the resolution expresses the Legislature’s support for the preservation and protection of wild horses...
and burros and the development of wild horse and burro-related ecotourism. Finally, Senate Joint Resolution No. 1 encourages a spirit of cooperation between wild horse and burro advocates, private land owners and the State Department of Agriculture.

I would like to thank my colleague from Senate District No. 11 who gave me a Nevada quarter. On the back there are free range horses running wild and having a great time.

SENATOR KIECKHEFER:
Thank you, Mr. President. There are significant parts of Senate Joint Resolution No. 1 that I agree with. I agree with the intent of creating eco-sanctuaries and the effects they could have on tourism; the idea of encouraging private entities to cooperate with the State. I take some issue with the statements of fact that are in Senate Joint Resolution No. 1. I disagree with a few items so I will be voting against it.

SENATOR BROWER:
Thank you, Mr. President. I am curious if the sponsor, or someone representing the Senate Committee on Natural Resources, can tell us if there was any testimony in opposition to Senate Joint Resolution No. 1 at the hearing? Perhaps my colleague from Senate District No. 16 is the only individual concerned with parts of the bill?

SENATOR FORD:
Yes, there was indeed a hearing on Senate Joint Resolution No. 1; it was one of the first hearings of the Session. What is in front of you today is a grand compromise; it came out of the Senate Committee on Natural Resources with unanimous support because we included everyone’s input. I appreciate the remarks of my colleague from Senate District No. 16, but please understand the Committee worked with diligence to make certain that what came out of Committee in this resolution would be generally acceptable to all.

SENATOR KIECKHEFER:
Thank you, Mr. President. I would like to respond to my colleague from Senate District No. 15. I did not have a chance to testify in the hearing on Senate Joint Resolution No. 1 in the Senate Committee on Natural Resources. I will say, however, I commend the Chair of the Senate Committee on Natural Resources because he does take the opinions of all into account and ensures unanimity.

SENATOR ROBERSON:
I support horses and I support Senate Joint Resolution No. 1.

SENATOR BROWER:
I assume the hardworking, Solomon-like Chair of the Senate Committee on Natural Resources fully endorses this bill and encourages our support?

SENATOR FORD:
Yes, I wholeheartedly endorse Senate Joint Resolution No. 1, as amended, as a grand compromise that encompasses the input of everyone who came to testify. I am very pleased with the work we have put out of the Committee here and I urge your support.

Roll call on Senate Joint Resolution No. 1:
YEAS—18.
NAYS—Kieckhefer, Smith—2.
EXCUSED—Segerblom.

Senate Joint Resolution No. 1 having received a constitutional majority, Mr. President declared it passed.

Resolution ordered transmitted to Assembly.
Mr. President:

Your Committee on Revenue and Economic Development, to which was referred Senate Bill No. 165, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Finance.

RUBEN J. KIHUEN, Chair

WAIVERS AND EXEMPTIONS

NOTICE OF EXEMPTION

April 18, 2013

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: Senate Bill No. 510.

MARK KRMPOTIC
Fiscal Analysis Division

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Finance:

Senate Bill No. 510—AN ACT relating to education; temporarily delaying the statutory deadline for notifying certain school district employees of reemployment status for the 2013-2014 year; and providing other matters properly relating thereto.

Senator Smith moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Finance.

Motion carried.

REMARKS FROM THE FLOOR

SENATOR DENIS:
Thank you, Mr. President. I just did the math and it was 22 years ago that my oldest child started kindergarten at age five. I went down to the school and they were having a meeting for parents. I am the kind of person who, instead of sitting back and complaining, steps up to do something when hearing something needs to be fixed. I raised my hand that day and said that I wanted to help. That was my introduction to the Parent Teacher Association.

Before long I was raising my hand to become the President of the Parent Teacher Association at that school. I remember coming on a trip to the Nevada Legislature—I don’t recall sitting on the Senate side of the building; we sat in on the Assembly. We talked to the Legislators about what we thought was important.

My colleague from Senate District No. 13, who sits next to me, was one of the parents here with me when the Parent Teacher Association would come to the Legislature. Some of our guests were also there. We came and learned about the legislative process.

The other day I spoke about libraries and how important they were to me; the Parent Teacher Association was my introduction to the Legislature. The things we do here in the Legislature are so important for our kids. It is important that groups like the Parent Teacher Association come here and talk to us Legislators. I always look forward to the opportunity to have the Parent Teacher Association here. I am so thankful for the things I learned being a part of it: how to run a meeting and more. I would not be here today if it wasn’t for the things I learned during my time with Parent Teacher Association.

MR. PRESIDENT:
Thank you, Parent Teacher Association representatives. We welcome you to the Senate floor. We appreciate all you do for our schools. Thank you for being here.

SENATOR SMITH:
I would like to echo the remarks made by the Majority Leader about the Parent Teacher Association. I would not be here if it wasn’t for the Parent Teacher Association. Part of that is because of the leadership programs, but also my interests peaked because of the organization. I learned very quickly when my oldest child started school that I was concerned about the
schools across town in addition to the one that my child was attending. The Parent Teacher Association provided me the opportunity to get involved and taught me much about education and policy in addition to leadership. I am very happy to have guests in the Chamber today who are with the Parent Teacher Association.

I would also like to thank the Body for all of the kind remarks today concerning the John Marvel memorial resolution and for all of the kindness extended to the Marvel family. They asked if I would please relay to you that Willie Marvel is in her last days, perhaps hours. They asked that we please keep her and the family in our thoughts and prayers over the next few days.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Brower, the privilege of the Floor of the Senate Chamber for this day was extended to Delanie Slagle and Jacqueline Slagle.

On request of Senator Cegavske, the privilege of the Floor of the Senate Chamber for this day was extended to Shari Andreasen, Lynn Hettrick and Adam Johnson.

On request of Senator Denis, the privilege of the Floor of the Senate Chamber for this day was extended to Steve Abba, Amber Andreasen, Sharon Andreasen, Toni Elam, Gary Ghiggeri, Christine Huggins, Leah Korona, Lisa Krasner, Anne Lacala, Valerie Lauinger, Miah Lee, Dan Miles, Dustin Marvel, Johnnie Marvel, Dylan McGovern, Beth Mundo, Deanna Paulman, Amanda Phelps, Daren Phelps, Mark Stevens, Brenda Talley Kimberly Tate, Amanda Tull and Adriane Zaniewski.


On request of Senator Settelmeyer, the privilege of the Floor of the Senate Chamber for this day was extended to the Rite of Passage Charter School students: Audrianna Contreras, Brianna Dominguez, Aleigha Freitas, Roxy Garcia, Alexis Holman, Annays Jureidine, Martha Morales, Destinee Moreno, Angela Perez, Janesa Ramirez, Robyn Rubio, Crystalann Smith and Jessica Wilson.
On request of Senator Smith, the privilege of the Floor of the Senate Chamber for this day was extended to Ellie Layton, Chris Slagle, Dave Slagle and Michelle Slagle.

Senator Denis moved that the Senate adjourn until Friday, April 19, 2013, at 11:00 a.m. and that it do so with prayers and thoughts for the Marvel family and particularly for Willie.

Motion carried.

Senate adjourned at 4:23 p.m.

Approved: BRIAN K. KROLICKI
President of the Senate

Attest: DAVID A. BYERMAN
Secretary of the Senate