Senate called to order at 11:57 a.m.
President Krolicki presiding.
Roll called.
All present.
Prayer by Pastor Louis Locke, Fountainhead Foursquare Church, Carson City.
The prayer today is not original with me, but is known as the Lord’s Prayer. If you are familiar with it and would like to join me, please do.
Our Father, Who art in Heaven; Hallowed be Thy name. Your kingdom come, Your will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our trespasses as we forgive those who trespass against us. Lead us not into temptation, but deliver us from evil. For Thine is the power and glory, forever and ever. Amen.
Please bless each Senator, their family and staff.
In the name of the One Who is alive forevermore.
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 was referred Senate Bill No. 220, has had the same under consideration, and begs to report the same back with the recommendation: Amend, and do pass as amended.

   KELVIN ATKINSON, Chair

Mr. President:
Your Committee on Finance, to which was referred Senate Bill No. 460, has had the same under consideration, and begs to report the same back with the recommendation: Amend, and do pass as amended.

   DEBBIE SMITH, Chair
Mr. President:
Your Committee on Natural Resources, to which were referred Senate Bill Nos. 245 and 390, 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 Transportation, to which was referred Senate Bill No. 303, 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 22, 2013

To the Honorable the Senate:
I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bills Nos. 244, 442, 455.
Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bills Nos. 9, 25, 54, 93, 168, 172, 182, 200, 209, 218, 283, 293, 306, 327, 334, 354, 358, 391, 403, 417, 434, 438, 453, 456, 460.

MATTHEW BAKER
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Smith moved that Senate Bill Nos. 220, 245, 303, 390 and 460 just reported out of committee be placed on Second Reading File for this legislative day.

Senator Smith moved that Assembly Bill Nos. 9, 25, 54, 93, 168, 172, 182, 200, 209, 218, 244, 283, 293, 306, 327, 334, 354, 358, 391, 403, 417, 434, 438, 442, 453, 455, 456 and 460 be referred en bloc to the committees set forth under Introduction, First Reading and Reference.
Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 9.
Senator Smith moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 25.
Senator Smith moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 54.
Senator Smith moved that the bill be referred to the Committee on Judiciary.
Motion carried.
Assembly Bill No. 93.
Senator Smith moved that the bill be referred to the Committee on Health and Human Services.
Motion carried.

Assembly Bill No. 168.
Senator Smith moved that the bill be referred to the Committee on Natural Resources.
Motion carried.

Assembly Bill No. 172.
Senator Smith moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 182.
Senator Smith moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 200.
Senator Smith moved that the bill be referred to the Committee on Health and Human Services.
Motion carried.

Assembly Bill No. 209.
Senator Smith moved that the bill be referred to the Committee on Health and Human Services.
Motion carried.

Assembly Bill No. 218.
Senator Smith moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 244.
Senator Smith moved that the bill be referred to the Committee on Transportation.
Motion carried.

Assembly Bill No. 283.
Senator Smith moved that the bill be referred to the Committee on Government Affairs.
Motion carried.
Assembly Bill No. 293.
Senator Smith moved that the bill be referred to the Committee on Transportation.
Motion carried.

Assembly Bill No. 306.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 327.
Senator Smith moved that the bill be referred to the Committee on Government Affairs.
Motion carried.

Assembly Bill No. 334.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 354.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 358.
Senator Smith moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 391.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 403.
Senator Smith moved that the bill be referred to the Committee on Finance.
Motion carried.

Assembly Bill No. 417.
Senator Smith moved that the bill be referred to the Committee on Government Affairs.
Motion carried.
Assembly Bill No. 434.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 438.
Senator Smith moved that the bill be referred to the Committee on Legislative Operations and Elections.
Motion carried.

Assembly Bill No. 442.
Senator Smith moved that the bill be referred to the Committee on Legislative Operations and Elections.
Motion carried.

Assembly Bill No. 453.
Senator Smith moved that the bill be referred to the Committee on Transportation.
Motion carried.

Assembly Bill No. 455.
Senator Smith moved that the bill be referred to the Committee on Transportation.
Motion carried.

Assembly Bill No. 456.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 460.
Senator Smith moved that the bill be referred to the Committee on Education.
Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 220.
Bill read second time.
The following amendment was proposed by the Committee on Commerce, Labor and Energy.

Amendment No. 577.
Senator Hardy moved the adoption of the amendment.
Remarks by Senator Hardy.
Thank you, Mr. President. Amendment No. 577 makes six changes to Senate Bill No. 220
The amendment requires that all complaints concerning unauthorized practice may be filed with the Board of Medical Examiners and the Board must accept such complaints and either exercise its jurisdiction or forward the complaint to the proper licensing board. It requires boards that issue an order to cease and desist to include contact number for the board and inform the person...
that the Board of Medical Examiners may, with or without law enforcement, enter any premises where it is suspected that unauthorized practice is being performed.

It deletes the Board of Dispensing Opticians.

Amendment No. 577 to Senate Bill No. 220 provides that a person who engages in the unlicensed activity of medicine, osteopathic medicine, nursing and pharmacy is guilty of a Category C felony for substantial bodily harm and a Category D felony for no substantial bodily harm. It also requires the identity of any alleged victim of unauthorized practice be kept confidential by the licensing board investigating the matter. Finally, the amendment requires the Board of Medical Examiners to adopt regulations governing the possession and manner and place of administering Botox. Thank you.

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

**Senate Bill No. 245.**

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources.

**Amendment No. 561.**

Senator Roberson moved the adoption of the amendment.

Remarks by Senator Roberson.

Thank you, Mr. President. Amendment No. 561 to Senate Bill No. 245 adds a Legislative finding and declaration specifying that the ownership of captive wild animals among persons in Nevada is a matter of public policy, which needs to be addressed. It deletes all sections of the measure except for section 18; it amends section 18 to clarify that a county may adopt an ordinance regulating the importation, possession, sale, transfer or breeding of captive wild animals. Thank you.

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

**Senate Bill No. 252.**

Bill read second time.

The following amendment was proposed by the Committee on Commerce, Labor and Energy.

**Amendment No. 566.**

Senator Atkinson moved the adoption of the amendment.

Thank you, Mr. President. Amendment No. 566 to Senate Bill No. 252 adds efficiency back into the Renewable Portfolio Standard statute. The measure revises the definition of a "portfolio energy system" or an "efficiency measure" to provide that any renewable system built before 1997 only counts in the Renewable Portfolio Standard if it was used to satisfy the portfolio standard as of July 1, 2009, or the energy efficiency measure is installed on or before December 31, 2019.

Amendment No. 566 to Senate Bill No. 252 limits station use prospectively to provide that energy systems placed into operation after July 1, 2015, the calculation for the kilowatt-hours generated or acquired does not include the amount of any electricity used by the system for its basic operations that reduce the amount of renewable energy delivered to the grid for distribution and sale to customers of the provider. It clarifies that small distributed generation systems continue to qualify for the 2.4 multiplier only if installed before July 1, 2014. The amendment maintains the value of the energy credits but reduces the amount of excess credits in future years if a market is available.
Amendment No. 566 to Senate Bill No. 252 provides boundaries around which the sales of portfolio energy credits will be reasonable and when the utility is able to undertake the transaction without risk of disallowance or fine. It requires the Public Utilities Commission of Nevada to open an investigatory docket to study, examine and review the process for the sale of portfolio energy credits. Finally, the amendment provides that any changes to the Renewable Portfolio Standard will not apply to existing eligible customers as defined in Chapter 704B of Nevada Revised Statutes. Thank you.

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

Amendment No. 421

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

Thank you, Mr. President. Amendment No. 421 to Senate Bill No. 303 clarifies the provision prohibiting the Department of Motor Vehicles from releasing information relating to or describing immigration status, nationality or citizenship. It renames the card the “Driver Authorization Card” and clarifies the documents required to prove identification. The amendment removes provisions requiring a Social Security number or individual taxpayer identification number. It also changes the text on the front of the card from “Not for Federal ID purposes” to “Not for Federal or State ID purposes. Only Authorizes the Holder to Drive.” Amendment No. 421 changes the annual expiration date of the card from an individual’s birthdate to the date of issuance or renewal of the card. Finally, it adds as a co-sponsor, the Senator from District No. 12. Thank you.

Amendment adopted.
Senator Manendo moved that Senate Bill No. 303 be re-referred to the Committee on Finance.
Motion carried.
Bill ordered reprinted, engrossed and to the Committee on Finance.

Amendment No. 463

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

Thank you, Mr. President. Amendment No. 463 to Senate Bill No. 390 deletes most sections of the bill and replaces section 1 with new language requiring the Division of Minerals and the Nevada Division of Environmental Protection to jointly develop a hydraulic fracturing program. It provides that the program must assess the effect of hydraulic fracturing on the waters of Nevada. The amendment also requires the Division of Minerals to adopt regulations implementing the hydraulic fracturing program on or before January 1, 2015. Thank you.

Amendment adopted.
Senator Segerblom moved that Senate Bill No. 390 be re-referred to the Committee on Finance.
Motion carried.
Bill ordered reprinted, engrossed and to the Committee on Finance.

Senate Bill No. 460.
Bill read second time.
The following amendment was proposed by the Committee on Finance.
Amendment No. 550.
Senator Kieckhefer moved the adoption of the amendment.
Remarks by Senator Kieckhefer.
Thank you, Mr. President. Amendment No. 550 to Senate Bill No. 460 increases, by approximately $22,000, the one-shot appropriation that is requested by the Department of Administration. The amendment was approved by the Senate Committee on Finance. Thank you.

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

Senate Bill No. 498.
Bill read second time.
The following amendment was proposed by the Committee on Commerce, Labor and Energy.
Amendment No. 574.
Senator Atkinson moved the adoption of the amendment.
Remarks by Senator Atkinson.
Thank you, Mr. President. Amendment No. 574 to Senate Bill No. 498 authorizes certain telecommunication providers to access databases created and maintained by the Department of Health and Human Services for the exclusive purpose of determining or verifying the status of an eligible customer for lifeline service. It prohibits access to the database by telecommunication providers after an independent administrator is selected. The amendment also authorizes an independent administrator, who is selected to certify or recertify the eligibility of customers for lifeline service, access to the database. Thank you.

Amendment adopted.
Senator Smith moved that Senate Bill No. 498 be re-referred to the Committee on Finance.
Motion carried.
Bill ordered reprinted, engrossed and to the Committee on Finance.

MOTIONS, RESOLUTIONS AND NOTICES
Senator Smith moved that Senate Bill No. 250 be taken from the Secretary's Desk and placed on the General File for this legislative day.
Motion carried.

Senator Smith moved that all necessary rules be suspended and that all Senate Bills passed under Second Reading and Amendment be declared
emergency measures on the Constitution and placed on the General File and third reading for this legislative day.

Motion carried unanimously.

Senator Denis moved that Senate Bill No. 422 be taken from the General File and placed on the Secretary’s Desk.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 26.
Bill read third time.
Remarks by Senator Parks.
Thank you, Mr. President. Senate Bill No. 26 creates within the Attorney General’s Office the Victim Information Notification Everyday, or “VINE” System, to consist of a toll-free telephone number and Internet website through which crime victims and members of the public may register to receive automated information and notification concerning changes in the custody status of an offender. The Attorney General is directed to create a governance committee for the system, which may adopt regulations for its operation and oversight. To the extent that funds are available, each sheriff and chief of police, the Department of Corrections, the Department of Public Safety, and the State Board of Parole Commissioners shall cooperate with the Attorney General to establish and maintain the system. This bill is effective on July 1, 2013. Thank you.

Roll call on Senate Bill No. 26:
YEAS—21.
NAYS—None.

Senate Bill No. 26 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 82.
Bill read third time.
Remarks by Senator Manendo.
Thank you, Mr. President. Senate Bill No. 82 acknowledges the various perspectives on the hunting of black bears in Nevada and urges proponents and opponents of the black bear hunt to engage in productive and meaningful discussions with the goal of achieving a consensus on the proper management of Nevada’s black bear population. The bill also urges the continued management of black bears in Nevada by the Nevada Department of Wildlife in a way that conserves, sustains, and protects the black bear population in a healthy and productive condition and minimizes threats to public safety and damage to personal property. Thank you.

Roll call on Senate Bill No. 82:
YEAS—21.
NAYS—None.

Senate Bill No. 82 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.
Senate Bill No. 105.
Bill read third time.
Remarks by Senator Roberson.
Thank you, Mr. President. Senate Bill No. 105 provides for the publication, authentication, preservation and security of an electronic record of certain legal materials through the enactment of the Uniform Electronic Legal Material Act. The bill requires the Legislative Counsel Bureau, as the official publisher of legal materials, to authenticate an electronic record and provide a means of verification by the user. Senate Bill No. 105 also requires the electronic record to be made available for use by the public on a permanent basis, and ensure the integrity and preservation of the electronic record including backup and disaster recovery. This bill is effective on January 1, 2014. Thank you.

Roll call on Senate Bill No. 105:
YEAS—21.
NAYS—None.

Senate Bill No. 105 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 133.
Bill read third time.
Remarks by Senator Goicoechea.
Thank you, Mr. President. Senate Bill No. 133 allows a county to participate, in an advisory capacity, in the development and implementation of a monitoring, management and mitigation plan, called a “3M Plan.” If the State Engineer requires such a 3M Plan as a condition of appropriating water for a beneficial use, the State Engineer must consider any comment, analysis or other information submitted by the participating county before approving any 3M Plan, but is not required to include such comments and analyses in the plan. Finally, Senate Bill No. 133 specifies that a determination of the State Engineer is not subject to judicial review. The bill is effective upon passage and approval. It can only consider water applications filed on or after January 1, 2012. Thank you.

Roll call on Senate Bill No. 133:
YEAS—21.
NAYS—None.

Senate Bill No. 133 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 135.
Bill read third time.
Remarks by Senators Atkinson, Settelmeyer, Roberson and Hammond.

SENATOR ATKINSON:
Thank you, Mr. President. Senate Bill No. 135 revises provisions applying to developers of redevelopment projects if part of a project being done is within an enterprise community. The bill requires public agencies that use redevelopment funds for a public work to submit an employment plan, which must include information about certain hiring preferences and about each employer relocating a business into the redevelopment area. A private developer who
constructs a project without knowing who the owner of the project will be is exempted from the employment plan requirement.

For a county whose population is 700,000 or more (currently Clark County), Senate Bill No. 135 extends one of the methods by which a redevelopment plan may terminate from 45 to 60 years after the date on which the original redevelopment plan was adopted. Finally, the bill creates a revolving loan account in a city whose population is 500,000 or more (currently Las Vegas) to make loans at or below market rate to small businesses that are in or want to relocate to a redevelopment area. Senate Bill No. 135 is designed to keep redevelopment dollars within a certain geographic area and help folks in that area gain employment. Also, it is designed to improve the community in which the redevelopment area is located. I urge my colleagues' support. Thank you.

SENATOR SETTELMEYER:
Thank you, Mr. President. A redevelopment plan should not exceed 30 years. Does Senate Bill No. 135 extend redevelopment plans beyond 30 years?

I rise in opposition to Senate Bill No. 135 giving preference to individuals living within the redevelopment area. It discriminates against an individual based on where they live. Literally, a person could live just across the street from the redevelopment area and not have the same preference in hiring as a person living within the redevelopment area. The bill creates a preferential hiring by excluding many Nevadans' that are still looking for employment and I do not support that. Thank you.

SENATOR ATKINSON:
Thank you, Mr. President. My colleague from Senate District No. 17 is correct: Senate Bill No. 135 seeks to help with employment in redevelopment areas. It is likely these are areas that have high unemployment. I disagree with the term “discriminates.” I believe it helps the folks in those areas because they are the ones that are going to be applying for the jobs. They will be the ones that know the area and are seeking employment there.

I was talking to one of my colleagues earlier, about another bill that I believe will go hand and hand with this bill. I hope to speak to that bill as well. Senate Bill No. 135 is good legislation and I think it is a great opportunity to make sure we are employing people that are in need of employment. Thank you.

SENATOR ROBERSON:
Thank you, Mr. President. I rise in support of Senate Bill No. 135. I would like to echo the remarks from the good Senator from Senate District No. 3. We are giving incentives to developers to develop areas that are struggling, probably more so than other areas in surrounding communities. This is beneficial, certainly in Southern Nevada. It makes sense to hire people from the community or neighborhood. We are giving the developers an financial incentive to develop in a certain area, and it is reasonable to ask them to hire a certain percentage of the people for the project from that area. Thank you.

SENATOR HAMMOND:
Thank you, Mr. President. I rise in support of Senate Bill No. 135. It is similar to a bill from a couple of years ago that did not do well. The sponsors of this bill have worked hard to make changes that would be agreeable to many of us. I do not look at the hiring preference as being discriminatory. We are asking is the people of those areas—who live there and who are qualified to do the jobs—do they have an advantage? I do not see a problem. I think we should all be able to support this measure—assuming the applicants are qualified—and give them the first look. I encourage everyone’s vote for this bill. Thank you.

Roll call on Senate Bill No. 135:

YEAS—17.

NAYS—Cegavske, Gustavson, Hardy, Settelmeyer—4.
Senate Bill No. 135 having received a constitutional majority, Mr. President declared it passed. Bill ordered transmitted to Assembly.

Senate Bill No. 144.
Bill read third time.
Remarks by Senators Segerblom, Goicoechea, Hutchison and Spearman.

SENATOR SEGERBLOM:
Thank you, Mr. President. Senate Bill No. 144 amends the Police Officer’s Bill of Rights to allow additional protections. When police officers are interviewed and investigated about incidents recorded on video or audio in which they were involved, they are allowed to view or listen to the recording before the interview or investigation. This is a small protection but it goes a long way to afford due process to police officers. Thank you.

SENATOR GOICOECHEA:
Thank you, Mr. President. I rise in opposition to Senate Bill No. 144. I commend my colleague from Senate District No. 3 for working hard and attempting to amend this bill but I still have concerns that we are affording police officers a higher level of protection than we are affording the general public. Police officers would have the ability to look at the videos or listen to the audio, before they are interviewed for an internal affairs investigation. I believe that police officers should be held to a higher standard by not having the advantage of reviewing an incident before being interviewed or interrogated. I am opposed to this bill and I ask that my colleagues oppose this bill as well. Thank you.

SENATOR HUTCHISON:
Thank you, Mr. President. I rise in support of Senate Bill No. 144. Police officers in my view are unique among our public employees, our constituents, our family and our friends. As a society, and as policy makers, we ask them to carry burdens and to engage in activities that most of us can neither appreciate nor imagine. Police officers who are the subject of an investigation resulting in interrogation or a hearing in connection with their conduct as police officers need and deserve the fairness and the protection that this bill offers. I urge your support. Thank you.

SENATOR SPEARMAN:
Thank you, Mr. President. I rise in support of Senate Bill No. 144. I have spoken with people on both sides of this issue. It really comes down to this—with all due respect to my colleague from Senate District No. 19—what happens with police officers whenever there is an investigation: that is their trial. It is not affording special privileges; it is taking into consideration the special circumstances by which they are judged, because police officers carry a heavier burden than many other people in society. Police officers are often judged on actions they make upon split-second decisions. No one knows what it feels like unless you are actually there. They have to make decisions on whether or not they are going to respond in one way or another—a wrong decision could cost them their life. Granted, every decision that’s made may not be the right one, but they make the very best decisions they can under the circumstances. Senate Bill No. 144 does not afford additional privileges; it gives police officers access to information that will help them explain their actions during a given situation. I strongly support this bill and I ask that you do the same. Thank you.

Roll call on Senate Bill No. 144:
YEAS—15.
Senate Bill No. 144 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

Senate Bill No. 148.

Bill read third time.

Remarks by Senator Parks.

Thank you, Mr. President. Senate Bill No. 148 revises requirements for the use of money in the Pollution Control Account by eliminating the program of grants to local governments derived from funds received in the Account in excess of $1 million. Instead, this excess money is to be distributed directly, on an annual basis, to local air pollution control agencies in nonattainment or maintenance areas, in an amount proportionate to the number of forms issued to emissions testing stations. As with the previously-awarded grant money, this excess money must be used for programs related to the improvement of air quality. Mr. President, this simplifies the entire process that has been in place for many years. It saves a number of salaried positions. The bill becomes effective July 1, 2013. Thank you.

Roll call on Senate Bill No. 148:

YEAS—21.
NAYS—None.

Senate Bill No. 148 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

Senate Bill No. 179.

Bill read third time.

Remarks by Senators Manendo and Hardy.

SENATOR MANENDO:

Thank you, Mr. President. Senate Bill No. 179 authorizes the governing body of a local government or the Department of Transportation to designate pedestrian safety zones on a highway in certain circumstances. This measure makes it a violation to perform a U-turn or pass another vehicle in a school zone, and it requires the installation of signs indicating higher fines during school hours. The bill also requires drivers to stop when a person is in a marked or unmarked crosswalk. Additionally, with the exception of residential roads, pedestrians are prohibited from crossing a highway outside of a crosswalk if the pedestrian is within 250 feet of a crosswalk.

Senate Bill 179 provides for a doubling of the penalty for a speed limit violation in a school zone when speed limits for such zones are in effect or in a pedestrian safety zone. Finally, the bill enables judges to require violators to attend a course on traffic safety.

This is a significant piece of public safety legislation that has been worked on for the last year by a coalition from the South, the North and the rural parts of this State, including public safety advocates, law enforcement, the regional transportation commissions and more; many people participated. I want to thank the members of the Senate Committee on Transportation, especially my good colleague from Senate District No. 12 who worked on this bill with me. I urge your passage. Thank you.

SENATOR HARDY:

Thank you, Mr. President. I appreciate the Chair of the Senate Committee on Transportation being able to talk with the main proponent of the bill in order to exempt out residential areas so my 92-year-old father-in-law can walk across the street and visit my wife and me. Thank you.
Roll call on Senate Bill No. 179:
YEAS—21.
NAYS—None.

Senate Bill No. 179 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 181
Bill read third time.
Remarks by Senator Kieckhefer.
Thank you, Mr. President. Senate Bill No. 181 expands the availability of special group fishing permits to include nonprofit organizations that will use such permits for the benefit of adults with disabilities. The bill allows the Director of the Nevada Department of Wildlife to expedite an application for, and the approval of, the issuance of special fishing permits if it is determined that special circumstances exist requiring such an expedited process. The measure clarifies the prohibition that no person other than a holder of a special fishing permit may engage in fishing using the permit.
Specifically, Senate Bill No. 181 states that a special fishing permit holder who is supervised by and in the company of an officer or employee of the nonprofit organization holding the permit may fish using the permit. In addition, at least one such officer or employee of the organization must be in possession of a valid Nevada fishing license and be present with the persons who are using the special fishing permit. Thank you.

Roll call on Senate Bill No. 181:
YEAS—21.
NAYS—None.

Senate Bill No. 181 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 183
Bill read third time.
Remarks by Senators Jones and Settelmeyer.

SENATOR JONES:
Thank you, Mr. President. With the proliferation of electronic devices, our landfills are the dumping grounds for cell phones, plasma televisions and computers that don’t biodegrade. Senate Bill No. 183 establishes a statewide program for electronics recycling. Manufacturers of specified electronic devices would be required to submit an annual registration fee and report on the company’s recycling of devices to the Nevada Department of Environmental Protection. The modest fees paid by the manufacturers would be used to further the recycling programs of the Nevada Department of Environmental Protection, and specifically to fund grants to communities where voluntary recycling is not available.

This is bipartisan legislation that received bipartisan support in committee. E-waste recycling legislation has been adopted in 24 states, with the support of bipartisan legislatures and republican governors in states including: Minnesota, Texas, Missouri, Indiana, Oklahoma, South Carolina and most recently, our neighbors to the east in Utah.
I have worked hard with those who initially expressed concerns about this bill and have resolved the concerns of retailers and many of the manufacturers. This is the right step forward for conservation in our State. I urge your support of Senate Bill No. 183. Thank you.
SENATOR SETTELMEYER:
Thank you, Mr. President. I agree that a lot of work has been done on Senate Bill No. 183. However, one of the issues is this bill is somewhat based on a study done by this Legislature that determined the voluntary system that we currently have is working, and there are no reasons to come forward with new legislation on electronics recycling. The study was done in 2009.
I have taken numerous televisions to Best Buy and they are very willing to accept them for recycling. During testimony, it was indicated that the biggest issue we have are individuals do not understand they shouldn’t throw their smart phones and iPads in the trash. We need to educate consumers rather than go after businesses and punishing them with fees. The general public needs education about electronic device disposal. I urge your opposition. Thank you.

Roll call on Senate Bill No. 183:
YEAS—13.
NAYS—Brower, Cegavske, Gustavson, Hammond, Hardy, Kieckhefer, Roberson, Settelmeyer—8.

Senate Bill No. 183 having not received a two-thirds majority, Mr. President declared it lost.

Bill read third time.
Remarks by Senators Cegavske and Gustavson.

SENATOR CEGAVSKE:
Thank you, Mr. President. Senate Bill No. 210 directs the Nevada Transportation Authority to issue permits to drivers operating in industries under its authority. Provisions of the bill require a driver to submit fingerprints for the purpose of a criminal background check. To qualify for the permit, a driver is required to hold a valid commercial driver’s license and provide proof of employment or a letter of intent by a certificated carrier. Additional provisions authorize the Nevada Transportation Authority to refuse a driver’s permit if the applicant has been convicted of a felony in the previous five years, or a felony involving a sexual offense at any time before the date of the application. The Nevada Transportation Authority may also deny an application if a driver has been convicted of driving under the influence in the immediate three-year period. Finally, the Nevada Transportation Authority will establish a fingerprint processing fee, which is to be paid by the applicant. This bill is effective upon passage and approval for the purposes of adopting regulations or performing other preparatory administrative tasks, and on January 1, 2014, for all other purposes. I urge your support. Thank you.

SENATOR GUSTAVSON:
Thank you, Mr. President. I rise in opposition to Senate Bill No. 210. Although I agree with the majority of this bill including the provision that drivers should have background checks, I want to state that most drivers make very little money. They work hard and for long hours. I hate to see them pay an additional fee for this permit out of their modest wages. We all pay for background checks for employment purposes and I support drivers paying that fee like the rest of us. However, I object to the additional fees on drivers proposed by Senate Bill No. 210. Thank you.

Roll call on Senate Bill No. 210:
YEAS—20.
NAYS—Gustavson.
Senate Bill No. 210 having received a two-thirds majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 213.
Bill read third time.
Remarks by Senators Parks, Cegavske, Settelmeyer, Ford, Smith, Goicoechea and Hardy.

SENATOR PARKS:
Thank you, Mr. President. Senate Bill No. 213 requires each trap, snare or similar device used in the taking of wild animals to be registered with and bear a number assigned by the Nevada Department of Wildlife. Traps sold after July 31, 2013, must not bear the seller’s trap registration number, unless the trap was permanently marked prior to that date. The bill specifies that any trap registration information maintained by Nevada Department of Wildlife is deemed confidential unless required to be disclosed by law or a court order.

The bill provides that a person who intentionally steals one or more traps or who knowingly buys, receives, or possesses stolen traps with a total value of less than $650 is guilty of a gross misdemeanor. Stolen traps must be reported by the owner to Nevada Department of Wildlife as soon as possible. Senate Bill No. 213 also makes an exception to the unlawful removal of a trap, snare, or similar device if the device creates an immediate and obvious risk of injury or death to any person, pet or service animal. Finally, the measure deletes from Nevada law the minimum nonlethal trap visitation time of once every 96 hours and instead requires the Board of Wildlife Commissioners to set the visitation times by regulation. The regulations must require the visitation of certain traps at least once every 96 hours. When setting these trap visitation requirements, the Board of Wildlife Commissioners must consider the proximity of the trap to populated or heavily used areas. Thank you.

SENATOR CEGAVSKE:
Thank you, Mr. President. To my colleague from Senate District No. 7, I was looking through the bill and realized that there was a hefty fiscal note on it: more than $2 million for the cost of implementation and an estimated 28 additional field specialists to carry out the provisions in this bill. Is that accurate? Thank you.

SENATOR PARKS:
Thank you, Mr. President. To my colleague in Senate District No. 8, I am unaware that an additional fiscal note was placed on the bill but I will yield to a member of the Senate Committee on Natural Resource. Thank you.

SENATOR SETTELMEYER:
Thank you, Mr. President. I believe that fiscal note was in reference to the original bill, which would have mandated the reduction of the trap visitation time. I believe the amendment waived the fiscal note, or the vast majority of the fiscal note.

This is compromise legislation allowing more flexibility than the original bill. It is important for this Body to remember that what may be good in rural areas may not necessarily be good in densely populated areas. I support Senate Bill No. 213, but as it is a compromise, I am not completely comfortable with it. I do not believe the existing fiscal note is that high; I believe the amendment cured the fiscal note as referenced by my colleague from Senate District No. 8. Thank you

SENATOR FORD:
Thank you, Mr. President. My colleague from Senate District No. 17 indicated that this bill is an example of the Senate Committee on Natural Resources working very hard to come up with good compromise legislation. I don’t know what the current fiscal note is, but it is less than what
it started at, as provisions related to the flagging of traps and 24-hour visitation to traps has been removed. This bill passed unanimously in committee as amended. Thank you.

SENATOR CEGAVSKE:
Thank you, Mr. President. I hear from my colleagues that Senate Bill No. 213 has been amended. However, I do not see an amended fiscal note. If would like to have clarification on this fiscal impact of this bill before we vote on it. The original bill’s fiscal note is steep. Thank you.

SENATOR SMITH:
Thank you, Mr. President. Fiscal notes are not amended and re-published when a bill is amended. Our fiscal staff reviews amendments to bills to assess the bills for fiscal impacts and will recommend referral to the Senate Committee on Finance as needed. I trust that the fiscal staff has done so with Senate Bill No. 213; my colleagues will not see a newly published fiscal note after an initial one is placed on a bill. Thank you.

SENATOR PARKS:
Thank you, Mr. President. I note that the fiscal note on Senate Bill No. 213 is suspicious because (1) it is submitted by the State Department of Agriculture, and 2) the date of the fiscal note is confusing because the hearing on the bill was more than two weeks prior to the receipt of the fiscal note. Thank you.

SENATOR GOICOECHEA:
Thank you, Mr. President. The State Department of Agriculture’s fiscal note would have been applicable in the original bill. However, in removing the exemption for animal damage control, the fiscal note reflected the State Department of Agriculture having to do a 24-hour trap check. In the amended version of the bill, the exemption was added back, changing the fiscal note.

SENATOR HARDY:
Thank you, Mr. President. I would like to know if the Assistant Majority Leader is going to be re-referring this bill to the Senate Committee on Finance. Thank you.

SENATOR SMITH:
Thank you, Mr. President. No. Thank you.

Roll call on Senate Bill No. 213:
YEAS—21.
NAYS—None.

Senate Bill No. 213 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

Senate Bill No. 230.
Bill read third time.

Remarks by Senator Parks.
Thank you, Mr. President. Senate Bill No. 230 requires the Administrator of the State Public Works Division of the Department of Administration to authorize the construction or installation of a memorial located on the Capitol Complex that is dedicated to Nevada’s fallen soldiers. The bill requires the American Legion Department of Nevada, or its successor organization, to submit a design for the memorial to the Administrator for approval. The Nevada Veterans Services Commission shall determine the criteria for the placement of names on the memorial. Finally, Senate Bill No. 230 authorizes the Administrator to accept any gift, grant or donation from any source for the maintenance of the memorial and prohibits the use of any public money for its design, construction or installation. The bill is effective upon passage and approval. Thank you.
Roll call on Senate Bill No. 230:
YEAS—21.
NAYS—None.

Senate Bill No. 230 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senator Denis moved that the Senate recess until 2:00 p.m.
Motion carried.

Senate in recess at 1:29 p.m.

SENATE IN SESSION

At 2:25 p.m.
President Krolicki presiding.
Quorum present.

Senate Bill No. 250.
Bill read third time.
Remarks by Senator Hardy.
Thank you, Mr. President. Senate Bill No. 250 provides for the creation by a local government, without an election, of a local improvement district that includes an energy efficiency improvement project or a renewable energy project. The local government must meet several requirements prior to creating the district, which include, among others, the adoption of a procedure for the creation and administration of the district for the purposes of financing one or more energy efficiency improvement or renewable energy projects. Senate Bill No. 250 also requires the written consent of each landowner of a tract within the district where a project is to be located that must include information on the benefits the tract owner will receive from the project as well as other contractual information regarding the builder or builders of the project, a refundable deposit on the project and other related information. Construction must be completed through independent contracts with contractors licensed in Nevada. It does not use taxpayer dollars. Thank you.

Roll call on Senate Bill No. 250:
YEAS—21.
NAYS—None.

Senate Bill No. 250 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 301.
Bill read third time.
Remarks by Senator Smith.
Thank you, Mr. President. I rise in support of Senate Bill No. 301 which makes various changes to clarify the duties of a county treasurer and of an assignee to be consistent with the assignment of a tax lien. This bill provides that a property owner may work with a third party to
assign a tax lien and let that third party pay their property tax lien. The positive thing accomplished by this bill is it removes the current provision where a third party can do this without the consent of the current property owner. Thank you.

Roll call on Senate Bill No. 301:
YEAS—21.
NAYS—None.

Senate Bill No. 301 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 311.
Bill read third time.
Remarks by Senators Ford, Woodhouse and Denis.

Senator Ford:
Thank you, Mr. President. Senate Bill No. 311 is a parent responsibility and involvement bill that requires school districts to identify schools rated as underperforming that are eligible for conversion into empowerment schools. Underperforming empowerment schools may later be converted into charter schools. The measure defines an “underperforming school” as one that has been rated as underperforming by the State Department of Education under its accountability provisions.

Parents or legal guardians of pupils at an underperforming school must petition the school board to form an advisory team to review achievement data and other factors and make recommendations to improve parent engagement and pupil achievement. Following that process, the measure provides that schools may be converted into an empowerment school if 55 percent or more of the parents or guardians of pupils enrolled in the school submit a petition for conversion. Once the petition is determined to be sufficient, the board is required to adopt a resolution approving the petition in a public hearing and the process of conversion must begin immediately. The bill specifies requirements for determining the sufficiency of the petition, notification requirements for the various parties and implementation deadlines. Additionally, parents and guardians are authorized to petition for a reversal of that conversion using the same signature threshold and process requirements set forth for the original petition to convert.

Should parents later wish to convert an empowerment school into a charter school, the same petition, notification and procedural requirements apply. The school’s charter may be revoked by its sponsor if it continues to be rated as underperforming for three consecutive years following its conversion. Such schools would become public schools the year following revocation. The bill is effective upon passage and approval for the purpose of adopting regulations and for other preparatory tasks, and on July 1, 2013, for all other purposes. Thank you. I urge your support.

Senator Woodhouse:
Thank you, Mr. President. I would like to extend my deepest appreciation to the Vice Chair of the Senate Committee on Education for pulling together the many teachers’ associations, school districts and parent teacher associations and putting together a bill that required a lot of time. There was a lot of hard work by the Vice Chair that the committee was interested in seeing and that information was used to guide the committee vote on Senate Bill No. 311. I really appreciate my colleague’s work on this issue and I urge your support. Thank you.
SENATOR DENIS:
Thank you, Mr. President. I too, rise in support of Senate Bill No. 311. I also appreciate the hard work of my colleague from Senate District No. 11. Anytime we talk about parental involvement in the process of educating our children, it is important. Senate Bill No. 311 allows for that. I look forward to seeing the positive things that will happen for kids through this piece of legislation. Thank you.

Roll call on Senate Bill No. 311:
YEAS—21.
NAYS—None.

Senate Bill No. 311 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

SENATOR HARDY:
Thank you, Mr. President. Senate Bill No. 319 authorizes a physician to substitute not more than two hours of continuing education credits in pain management or addiction care for the purposes of satisfying an equivalent requirement for continuing education in ethics. The State Board of Osteopathic Medicine is required to have its licensees, as part of the continuing education requirements approved by the Board, complete at least two hours of credit in pain management and addiction care biennially.

Senate Bill No. 319 authorizes a qualified professional who is licensed in another state or territory of the United States as a clinical professional counselor, marriage and family therapist, alcohol and drug abuse counselor or problem gambling counselor to apply for and receive a license or certificate by endorsement. If the applicant is an active member or veteran of, the spouse of an active member or veteran of, or the surviving spouse of a veteran of, the Armed Forces of the United States, the applicant is entitled to a 50 percent reduction in the fee for licensure by endorsement and issuance of the license or certificate. Thank you.

Roll call on Senate Bill No. 319:
YEAS—21.
NAYS—None.

Senate Bill No. 319 having received a two-thirds majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

SENATOR HARDY:
Thank you, Mr. President. Senate Bill No. 324 authorizes a qualified health care professional who holds a license in another state or territory of the United States, and who is an active member or veteran of, a spouse of an active member or veteran of, or the surviving spouse of a veteran of the Armed Forces of the United States, to apply for a license by endorsement to practice in Nevada. A person who receives a license by endorsement is entitled to a 50 percent reduction in the fee for the initial issuance of a license or an examination as a prerequisite to licensure. The measure also authorizes certain qualified health care professionals to enter into a reciprocal agreement with the corresponding regulatory authority in another state or territory of
the United States for the purposes of authorizing a licensee to practice concurrently in Nevada and another jurisdiction.

Senate Bill No. 324 authorizes a medical facility to employ or contract with a physician to provide health care to a patient. A medical facility, other than a hospital, must have: credentialing and privileging standards and a process for peer review; and a physician or committee of physicians oversee those standards and the process for peer review. Thank you.

Roll call on Senate Bill No. 324:
YEAS—21.
NAYS—None.

Senate Bill No. 324 having received a two-thirds majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 346.
Bill read third time.
Remarks by Senator Brower.
Thank you, Mr. President. Senate Bill No. 346 requires the Nevada Gaming Commission to adopt regulations governing the acceptance of race book or sports pool wagers made by certain entities. An entity is defined as one that is validly formed and existing under the laws of Nevada for the limited purpose of placing race book and sports pool wagers, provided that all members, partners, shareholders, investors and customers of the entity are reported to the State Gaming Control Board. This bill was passed unanimously out of the Senate Committee on Judiciary with the assistance of each and every member of that committee participating in the compromise. I appreciate that and urge your yes vote. Thank you.

Senator Jones disclosed that he would not be voting on Senate Bill No. 346 because the bill affects a client of a member of his family in a direct manner.

Roll call on Senate Bill No. 346:
YEAS—20.
NAYS—None.
NOT VOTING—Jones.

Senate Bill No. 346 having received a two-thirds majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 352.
Bill read third time.
Remarks by Senator Hutchison.
Thank you, Mr. President. Senate Bill No. 352 removes the prohibition against any voting member of the Board of Directors of the Silver State Health Insurance Exchange being affiliated with a health insurer. I urge your support. Thank you.

Roll call on Senate Bill No. 352:
YEAS—21.
NAYS—None.
Senate Bill No. 352 having received a constitutional majority, Mr. President declared it passed. Bill ordered transmitted to Assembly.

Senate Bill No. 371
Bill read third time.
Remarks by Senators Kieckhefer and Hardy.

Senator Kieckhefer:
Thank you, Mr. President. Senate Bill No. 371 prohibits a person from intentionally feeding any big game mammal without written authorization from the Nevada Department of Wildlife. This prohibition does not apply to any employee or agent of the Department or the Animal and Plant Health Inspection Service of the United States Department of Agriculture. A person found guilty of intentionally feeding a big game mammal must be issued a written warning for a first offense, shall be punished by a fine of not more than $250 for a second offense and shall be punished by a fine of not more than $500 for a third offense.

Senate Bill No. 371 is an effort to ensure there is some public safety restraint when it comes to feeding animals, particularly bears in the Lake Tahoe Basin and other wildlife that comes close to populated areas; these situations can cause serious public safety risks. Thank you.

Senator Hardy:
Thank you, Mr. President. I would like to compliment the sponsor of Senate Bill No. 371 for including the exception of the bighorn sheep in Boulder City. They come down to a park in Boulder City and eat the grass. Understand that the “person” as it is defined in statute, may not be an individual person but an entity. I appreciate the opportunity to allow the bighorn sheep to continue to visit the Boulder City park. I admire the sponsor for the way he crafted the bill. Thank you.

Roll call on Senate Bill No. 371:
YEAS—21.
NAYS—None.

Senate Bill No. 371 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 383
Bill read third time.
Remarks by Senator Hutchison.
Thank you, Mr. President. Senate Bill No. 383 revises provisions governing time shares. The measure requires a developer of a time share to submit a sample public offering statement with the Real Estate Division of the Department of Business and Industry as part of the application process. The measure includes certain disclosures and information that is required to be included in the sample public offering statement. The measure also outlines the procedures to follow if the sample public offering statement is found to be deficient, including authorizing the Division to reject the developer’s application if the cited deficiencies are not corrected within 30 days after receiving the notice of deficiencies. The measure also provides that before a contract for a time share is signed by the parties, the developer must provide a copy of the approved public offering statement to the purchaser and sales and marketing entity.

Senate Bill No. 383 permits the Administrator of the Real Estate Division 60 days to issue an order after receiving an application for a permit to sell a time-share plan with one component site or 120 days if it contains more than one component site. In addition, the measure requires the
Division to renew a permit to sell a time share within 30 days after receiving evidence that any deficiencies in the renewal application have been cured.

Finally, Senate Bill No. 383 provides that for time-share plans located outside the State of Nevada, the public offering statement or public report must provide information that is substantially equivalent or greater than the information required for time-share plans located in Nevada. The measure also provides the information that must be submitted by an out-of-state developer if filing an abbreviated registration application. This bill came out of the Senate Committee on Judiciary with unanimous support. I urge your support. Thank you.

Roll call on Senate Bill No. 383:
YEAS—21.
NAYS—None.

Senate Bill No. 383 having received a two-thirds majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 384.
Bill read third time.
Remarks by Senator Hammond.
Thank you, Mr. President. Senate Bill No. 384 enacts the Charter School Financing Law, and authorizes the Director of the Department of Business and Industry to issue tax-exempt bonds and other obligations to fund the buildings and facilities necessary to operate a charter school. A charter school is thereby authorized to borrow money and encumber its property and assets, and to use public money to purchase property with the approval of its sponsor. This measure also revises the provisions governing the closure of a charter school and includes important provisions related to: (1) notice of the closure; (2) the development of a plan for closure, including the maintenance of insurance coverage and an office with regular hours of operation; (3) measures to protect the school’s assets, including a final audit; and (4) steps that ensure the proper conclusion of the charter school’s financial affairs. Finally, a charter school is authorized to incorporate as a nonprofit corporation. The bill is effective on July 1, 2013. This bill passed unanimously out of the Senate Committee on Education. I urge your support. Thank you.

Roll call on Senate Bill No. 384:
YEAS—21.
NAYS—None.

Senate Bill No. 384 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 389.
Bill read third time.
Remarks by Senators Segerblom and Hutchison.
SENATOR SEGERBLOM:
Thank you, Mr. President. Senate Bill No. 389 addresses an issue that comes up during mortgage proceedings. Often there are questions around whether a mortgage company has title to the property. When that inquiry is made, the question is often ignored by the mortgage company. Senate Bill No. 389 requires a written request to see proof that a mortgage company holds the title to a property. They have 60 days to respond. If they fail to respond in the required
time period, the Division of Mortgage Lending is notified and they can take appropriate sanctions. Thank you.

**SENATOR HUTCHISON:**
Thank you, Mr. President. I rise in support of Senate Bill No. 389. I want to thank my colleague from Senate District No. 4 for working on this matter and for helping to craft a compromise. There were originally much harsher penalties affixed to the failure of banks and other financial institutions to provide the documents and records required under the bill. My colleague worked with the committee and fashioned a remedy that allows the regulators to deal with this issue. I thank him for his efforts. Thank you.

Roll call on Senate Bill No. 389:
YEAS—21.
NAYS—None.

**Senate Bill No. 389** having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

**Senate Bill No. 392.**
Bill read third time.
Remarks by Senator Segerblom.
Thank you, Mr. President. Senate Bill No. 392 directs the Legislative Committee on Education to study matters related to gifts and bequests of money and property to the State Board of Education and to school district boards of trustees. The study is designed to look at situations where a private party contributes to a school district and with that contribution, a certain person is employed; the person is not actually employed by the school district but would be working at the site and supervising employees. This needs to be investigated. Thank you.

Roll call on Senate Bill No. 392:
YEAS—21.
NAYS—None.

**Senate Bill No. 392** having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

**Senate Bill No. 399.**
Bill read third time.
Remarks by Senator Kihuen.
Thank you, Mr. President. I rise in support of Senate Bill No. 399 which revises the definition of “biodiesel” to clarify that certain fuels derived from renewable resources that are suitable for use in a diesel engine are to be considered a biodiesel fuel. The measure clarifies that it is a misdemeanor for any person to sell, offer for sale, deliver, or permit to be sold or offered for sale any biodiesel unless it conforms to American Society for Testing and Materials International Standards relating to biodiesel fuel. Finally, the bill clarifies that diesel, biodiesel and biodiesel blend fuels are taxed at the same rate of 27 cents per gallon as other special fuels. Thank you.

Roll call on Senate Bill No. 399:
YEAS—21.
NAYS—None.
Senate Bill No. 399 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 418.
Bill read third time.
Remarks by Senators Segerblom and Kieckhefer.

SenoR Segerblom:
Thank you, Mr. President. Senate Bill No. 418 allows for wagers on federal election in Nevada. In England betting on elections is permitted; hundreds of millions of dollars can be bet on elections. This bill allows sports books to do it if they choose. It is anticipated this will bring in a lot of revenue to the State. It will also bring enthusiasm and publicity to Nevada. Thank you.

Senator Kieckhefer:
Thank you, Mr. President. To the bill sponsor: is there anything that would prohibit an individual from making significant contributions to an election and then making a wager on that same election? Thank you.

Senator Segerblom:
Thank you, Mr. President. The Nevada Gaming Control Board will develop the regulations around election wagers so I cannot answer that question at this time. Thank you.

Roll call on Senate Bill No. 418:
YEAS—14.

Senate Bill No. 418 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 420.
Bill read third time.
Remarks by Senator Ford
Thank you, Mr. President. Senate Bill No. 420 authorizes a prosecuting attorney or an attorney for a defendant to issue subpoenas for witnesses to appear before a court for a preliminary hearing. Any subpoena issued by an attorney for a defendant at a preliminary hearing must be calendared by filing a motion that includes a notice of hearing set in the matter for hearing not less than two full judicial days after the date on which the motion is filed. A prosecuting attorney may oppose a motion orally in open court. A subpoena that is properly calendared may be served on the witness unless the court quashes the subpoena. The measure provides that a peace officer may accept delivery of a subpoena in lieu of service via electronic means. A person who fails to obey a subpoena to appear for a preliminary hearing shall be deemed in contempt of court. Similar to current provisions providing that a person who fails to obey a subpoena of an attorney for a defendant is in contempt of court. This bill is effective on October 1, 2013. This is a piece of compromise legislation that has been accepted by the district attorneys and the police departments. I urge your support. Thank you.
Roll call on Senate Bill No. 420:
YEAS—21.
NAYS—None.

Senate Bill No. 420 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 427.
Bill read third time.
Remarks by Senator Ford.
Thank you, Mr. President. Senate Bill No. 427 revises the definition of bullying and cyber-bullying to include harassment and intimidation, and it removes the separate references to harassment and intimidation throughout the statutes concerning a safe and respectful learning environment in public schools. The bill also requires a court to inform school districts if the court determines a child enrolled in the district has engaged in bullying or cyber-bullying. Finally, the measure prohibits a member of a club or organization that uses school facilities from engaging in bullying and cyber-bullying on school premises. The bill is effective on July 1, 2013. Thank you.

Roll call on Senate Bill No. 427:
YEAS—21.
NAYS—None.

Senate Bill No. 427 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 433.
Bill read third time.
Remarks by Senator Ford.
Thank you, Mr. President. Senate Bill No. 433 requires the State Board of Agriculture to adopt regulations on or before January 1, 2014, requiring the placement of a label on any motor vehicle fuel pump that draws fuel containing manganese or any manganese compound, including methylcyclopentadienyl manganese tricarbonyl, also called “MMT.” The bill also requires a person, other than a fuel retailer, who sells such fuel to provide documentation to the purchaser stating that the fuel contains manganese or MMT and stating the volume of the compound. The bill is effective upon passage and approval for purposes of adopting the required regulations and on January 1, 2014, for all other purposes. Thank you.

Roll call on Senate Bill No. 433:
YEAS—21.
NAYS—None.

Senate Bill No. 433 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.
Senator Kieckhefer moved that the Senate recess subject to the call of the Chair. Motion carried.

Senate in recess at 3:12 p.m.

SENATE IN SESSION

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


SENATOR MANENDO:
Thank you, Mr. President. Senate Bill No. 72 prohibits a person from intentionally engaging in horse tripping for sport, entertainment, competition, or practice. In addition, a person shall not knowingly organize, sponsor, promote, oversee, or receive money for admission to a charreada or rodeo that includes horse tripping, unless the event is authorized by the local government where the event is to be held. The measure defines horse tripping to include the roping of the legs of a horse or other equine animal to intentionally trip or intentionally cause the animal to fall. Horse tripping does not include tripping to provide medical or other health care for the animal or catching an animal by the front legs and then releasing it as part of an event authorized by the appropriate local government.

I want to thank the Chair of the Committee on Natural Resources, members of the committee, the Hispanic Caucus, proponents for animal welfare groups and everybody that has worked so hard on this issue. There were collectively, on both sides of the issue, 45,000 emails and phone calls to members. You can see the importance of this piece of legislation that has gotten so much attention not only in Nevada and the United States but around the world. I want to thank everybody in this body for your support and our commissioner from Las Vegas, Commissioner Chris Guinchigliani who also worked extremely hard with both sides on this measure. I appreciate your support. Thank you.

SENATOR KIHUEN:
Thank you, Mr. President. I rise in support of Senate Bill No. 72. I would like to commend my colleagues from Senate District No. 21 and Senate District No. 11 on working so diligently to elevate concerns that the Hispanic Caucus, my colleague from Senate District No. 2 and myself had regarding this issue. I know both of you have been working tirelessly since before the beginning of this session on this measure. I want to say thank you for your tireless work and I urge this body’s support. Thank you.

SENATOR GUSTAVSON:
Thank you, Mr. President. To my colleague from Senate District No. 21, I appreciate all the work that you have done on this bill, but I am confused with the area of the bill that states “unless it is allowed by local government where the horse tripping event is conducted.” I thought we were trying to outlaw horse tripping? If we are trying to outlaw it why would local governments allow it? Is it being done in other counties? Is it legal there? Thank you.

SENATOR MANENDO:
Thank you, Mr. President. We included the definition in the bill. Horse tripping means “the roping of the legs or otherwise using a wire, pole, stick, rope or other object to intentionally trip
or intentionally cause a horse, mule or burro to fall.” It is part of the definition that all ties in together. Thank you.

PRESIDENT KROLICKI:
Senator Gustavson, did that answer your question?

SENATOR GUSTAVSON:
Thank you, Mr. President. I believe so.

SENATOR FORD:
Thank you, Mr. President. I want to rise in support of Senate Bill No. 72. Every member of the Senate Committee on Natural Resources had a hand in coming together with combined legislation. This was not only a Hispanic Caucus issue, it was also a rodeo, rancher and cowboy issue. We had great discussions throughout the hearings, right up to the first House committee passage deadline. I want to give accolades to those who were on the committee. I urge this Body’s support of this bill. Thank you.

Roll call on Senate Bill No. 72:
YEAS—21.
NAYS—None.

Senate Bill No. 72 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 327.
Bill read third time.
The following amendment was proposed by the Committee on Commerce, Labor and Energy.
Amendment No. 575
Senator Jones moved the adoption of the amendment.
Remarks by Senator Jones.
Thank you, Mr. President. Senate Bill No. 327 revises provisions authorizing the practice of medicine in Nevada by health care professionals regardless of whether the professionals are physically located in this State. The bill also revises provisions relating to telepharmacies, remote sites and satellite consultation sites, and it requires the Board of Medical Examiners to adopt regulations concerning telemedicine regarding physician assistants.
Senate Bill No. 327 provides that a physician who is licensed in another state and is issued a special-purpose license must comply with all applicable State laws and regulations of the Board of Medical Examiners and is subject to the jurisdiction of the courts of Nevada.
We all know we have health care challenges in this State. We have challenges in finding enough health care providers. Senate Bill No. 327 modernizes our telemedicine laws and will allow, particularly in the rural areas of the State, opportunities for high quality doctors to participate in medical procedures. I urge your support. Thank you.

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

Senate Bill No. 388.
Bill read third time.
Remarks by Senators Segerblom, Hardy, Ford and Brower.
SENATOR SEGERBLOM:
Thank you, Mr. President. Senate Bill No. 388 eliminates the infamous crime against nature which is a terrible term that relates to same-sex crimes dealing with children. For some reason in the past, same-sex crimes were treated differently and more harshly than similar opposite-sex crimes. This bill clarifies and makes all sex crimes involving children hold the same weight.

The Senate Committee on Judiciary considered whether eliminating this crime would result in the removal of legitimate crimes from statute. I asked the Legislative Counsel Bureau and emailed each one of my colleagues this legal opinion which explains Senate Bill No. 388 and clarifies that no crime that was illegal yesterday would now be legal today. This corrects terrible language in our statutes. I urge your support. Thank you.

SENATOR HUTCHISON:
Thank you, Mr. President. I have no problem cleaning up antiquated or insensitive provisions of the law. I think the aims of Senate Bill No. 388 are admirable. In sitting and listening to the bill in the Senate Committee on Judiciary, however, I was confused. I continue to be confused. I appreciate the statement my friend from Senate District No. 3 has provided, but I am still cautious when it comes to crimes involving minors. I want to ensure that protections are afforded under the law and that they remain intact. Because of my concern about what Senate Bill No. 388 does in terms of the provisions and crimes covered by the bill, I am going to vote no on this measure. Thank you.

SENATOR HARDY:
Thank you, Mr. President. I have not received the document referenced to by my colleague from Senate District No. 3. Thank you.

SENATOR SEGERBLOM:
Thank you, Mr. President. Earlier today, I announced that I had circulated a Legislative Counsel Bureau legal memo. I had not actually done that at the time I made the announcement, but I have since sent it to my colleagues so that they may have an opportunity to read it.

In case there are any questions about Senate Bill No. 388, I want to reiterate its purpose is to remove from statute something that is clearly unconstitutional: the statute treats a certain class of people differently. There are no crimes currently being punished that will no longer be punished after the effective date. We changed the crime of luring to solicitation, eliminating a potential issue. I urge your support. Senate Bill No. 388 rectifies a serious wrong against certain people because of their sexual orientation. Thank you.

SENATOR FORD:
Thank you, Mr. President. I rise in support of Senate Bill No. 388. I want to reiterate something that was stated in the Senate Committee on Judiciary: we inserted discrimination into the Nevada Revised Statutes and institutionalized it across our state. When we tried, through this bill, to remove discriminatory language we saw problems arise that ensure unintended consequences in our statutes. I am in very much support of this bill, which removes a discriminatory statute that attempted to address something that should not have been the business of most of us, namely same-sex interactions. I strongly urge my colleagues to vote in support of this bill and restore some sanity to this particular provision of law. Thank you.

SENATOR HARDY:
Thank you, Mr. President. I have had an opportunity to talk to members of the Senate Committee on Judiciary and would yield the floor to them. Thank you.

SENATOR BROWER:
Thank you, Mr. President. I want to thank my colleague from Senate District No. 3 for sharing the legal memo on Senate Bill No. 388. It is the usual excellent work product from the Legislative Counsel Bureau. It did address one issue that came up during the committee hearing: whether passing this bill would cause a problem with Nevada’s compliance with the federal Adam Wash Child Protection and Safety Act—the answer from the memo is no.
Nevertheless, there are other issues that caused some of the members of the Senate Committee on Judiciary to vote no on the bill. I had proposed during the hearing that we could achieve the purpose of the bill by simply changing the language of the relevant section rather than repeal it. I still think that is the way to go. We could remove the offending terminology and the allegedly discriminatory scope, but I think repealing the section all together doesn’t make sense. I am not convinced that there are sufficient other sections in *Nevada Revised Statutes* that fairly capture all of the conduct that is addressed by this section. Thank you.

Roll call on *Senate Bill No. 388*:

YEAS—11.


*Senate Bill No. 388* having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Smith moved that *Senate Bill No. 38* be taken from the Secretary's Desk File and placed on the General File.

Motion carried.

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

Motion carried.

Senate in recess at 3:38 p.m.

SENATE IN SESSION

At 4:18 p.m.

President Krolicki presiding.

Quorum present.

REPORTS OF COMMITTEES

*Mr. President:*

Your Committee on Commerce, Labor and Energy, to which was referred *Senate Bill No. 123*, 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.

KELVIN ATKINSON, Chair

WAIVERS AND EXEMPTIONS

NOTICE OF EXEMPTION

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility of exemption of: *Assembly Bill No. 33.*

Also, the Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility of exemption of: *Assembly Bill No. 125.*

CINDY JONES

*Fiscal Analysis Division*
SECOND READING AND AMENDMENT

Senate Bill No. 123.

Bill read second time.

The following amendment was proposed by the Committee on Commerce, Labor and Energy.

Amendment No. 576.

Senator Settelmeyer moved the adoption of the amendment.

Remarks by Senator Settelmeyer.

Thank you, Mr. President. Amendment No. 576 to Senate Bill No. 123 went to the Senate Committee on Commerce, Labor and Energy. It was decided it needed more review so it calls for a study during the Interim on power rates and related issues. Therefore, the amendment puts forward a pot of money for that study. I urge support of the amendment. Thank you.

Amendment adopted.

Senator Settelmeyer moved that Senate Bill No. 123 be re-referred to the Committee on Finance upon return from reprint.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 245.

Bill read third time.

Remarks by Senator Roberson.

Thank you, Mr. President. Amendment No. 561 to Senate Bill No. 245 adds a Legislative finding and declaration specifying that the ownership of captive wild animals among persons in Nevada is a matter of public policy that needs to be addressed. It authorizes a board of county commissioners to adopt an ordinance regulating the importation, possession, sale, transfer or breeding of captive wild animals. Such an ordinance may provide for reasonable necessary fees, registration requirements and standards for the humane care of captive wild animals. This bill is effective July 1, 2013. Thank you.

Roll call on Senate Bill No. 245:

YEAS—19.

NAYS—Gustavson, Settelmeyer—2.

Senate Bill No. 245 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

Senate Bill No. 252.

Bill read third time.

Remarks by Senator Atkinson.

Thank you, Mr. President. I stand in support of Senate Bill No. 252, the renewable energy portfolio standards bill. It clarifies what qualify as portfolio energy systems. The measure revises the definition of a “portfolio energy system” or an “efficiency measure” to provide that any renewable system built before 1997 only counts in the Renewable Portfolio Standard if it was used to satisfy the portfolio standard as of July 1, 2009, or the energy efficiency measure is installed on or before December 31, 2019. It limits stations used prospectively to provide the energy system placed into operation after July 1, 2015, the calculation of the kilowatt generation required does not include that amount. It also clarifies the small distributive generation system...
continues to qualify for the 2.4 multiplier only if installed before July 1, 2014. It also maintains
the value of energy credits but reduces the amount of excess credits in future years of the market.

I would like to thank my colleagues from Senate District No. 12 and Senate District No. 1.
They played positive roles in passing Senate Bill No. 252; they helped develop joint language
the resulted in a healthy compromise, making this a good committee bill. We worked in a
bipartisan manner. We can proudly say we addressed some renewable energy portfolio standard
legislation in this House. I urge passage of Senate Bill No. 252. Thank you.

Roll call on Senate Bill No. 252:
YEAS—21.
NAYS—None.

Senate Bill No. 252 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 280.
Bill read third time.
Remarks by Senators Kihuen, Brower and Jones.

SENATOR KIHUEN:
Thank you, Mr. President. Senate Bill No. 280 establishes procedures that a homeowner’s
association must follow before initiating a foreclosure on a unit or any other debt collection
activity. The measure provides that if an obligation is 60 days or more past due, the association
must mail a full statement of account showing all transaction history for the immediately
preceding 24 months, along with a schedule of fees that may be charged if payment is not
received and a proposed repayment plan. In addition, the measure provides if payment is not
received within 15 days after the mailing of the documents, the association must mail at least
two letters, containing specific information, including a notice of the right of the owner to
contest the past due obligation at a hearing before the executive board and the procedures for
requesting such a hearing.

Senate Bill No. 280 provides that not earlier than 30 days after mailing the last of the two
letters, the executive board must conduct a hearing to verify the past due obligation. The
measure provides the unit’s owner with certain entitlements, including the right to: (1) attend the
hearing to verify past due obligations; (2) be represented by another person at the hearing; and
(3) present evidence. The measure provides that the association shall mail the determination of
the executive board to the unit’s owner within 30 days.

If a repayment plan is initiated, the measure authorizes the association to charge up to $50 for
administering the plan. If the unit’s owner fails to pay an installment payment to the repayment
plan, the measure authorizes the association to charge a fee of not more than $50 to cover the
costs incurred by the association.

Senate Bill No. 280 provides that an association may foreclose a lien by sale for a failure to
pay an assessment for common expenses, only if the amount of the delinquent assessments and
any interest, charges for late payment, fines or costs of collecting the assessment is $1,000 or
more, or exceeds 12 months of assessments. Finally, the measure provides for the right of
redemption for the unit’s owner, if the unit is owner occupied. This bill is effective on October 1,
2013. Thank you.

SENATOR BROWER:
Thank you, Mr. President. I want to commend the sponsor of Senate Bill No. 280 for the hard
work he has done on it. I can certainly understand where he is coming from with this bill; there
is a lot of good intent. In this State, we know there are—particularly in Clark County—some
homeowners’ associations that don’t always act in the ways we would like them to act. There are
also many very responsible, very effective homeowners’ associations throughout the State.
I think this Senate Bill No. 280 goes too far in making it too onerous for those good homeowners’ associations out there to do the business of the people who make up their communities. Despite my friend’s best efforts to put together a bill that might work, I must oppose it. Thank you.

SENATOR JONES:
Thank you, Mr. President. I applaud the efforts of my colleague from Senate District No. 10 on Senate Bill No. 280. I think it is a good bill and I was proud to support it in the Senate Committee on Judiciary. Over the weekend, I met with many constituents who are homeowners’ association board members. They raised some additional concerns with the bill. I have addressed those with my colleague from Senate District No. 10. I will be supporting Senate Bill No. 280 today. I hope to continue to work together with him and others involved with this bill in order to, hopefully, tinker with it and improve it as it continues its way through the rest of the process. Thank you.

Roll call on Senate Bill No. 280:
YEAS—11

Senate Bill No. 280 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 373.
Bill read third time.
The following amendment was proposed by Senator Segerblom.
Amendment No. 558.
Senator Segerblom moved the adoption of the amendment.
Remarks by Senator Segerblom.
Senator Segerblom:
Thank you, Mr. President. Amendment No. 558 to Senate Bill No. 373 lowers the amount that is exempt for garnishment. As it came out of committee, the bill exempted 90 percent of an employee’s wages up to $70,000. In consulting with others after the bill came out of committee, we thought we may have been too extreme. We have reduced the exemption to 85 percent of the first $50,000. Thank you.

Amendment adopted.
Bill ordered reprinted and re-engrossed and to third reading.

Senate Bill No. 460.
Bill read third time.
Remarks by Senator Smith.
Thank you, Mr. President. Senate Bill No. 460, as amended, appropriates $9,130 from the General Fund to the Commission on Judicial Discipline for an anticipated shortfall due to a terminal leave payout. The bill also appropriates $71,657 from the General Fund for an anticipated shortfall in hearings resulting from unanticipated hearings. Funding remaining at the end of fiscal year 2013 would revert to the General Fund. Senate Bill 460 becomes effective upon passage and approval. I urge your support. Thank you.
Roll call on Senate Bill No. 460:
YEAS—21.
NAYS—None.

Senate Bill No. 460 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 266.
Bill read third time.
The following amendment was proposed by the Committee on Commerce, Labor and Energy.
Amendment No. 580.
Senator Denis moved the adoption of the amendment.
Remarks by Senators Denis and Goicoechea.

SENATOR DENIS:
Thank you, Mr. President. Amendment No. 580 to Senate Bill No. 266 prohibits certain policies of health insurance and health care plans from making monetary limits of coverage for certain orally-administered chemotherapy less favorable to the insured than other forms of chemotherapy. It also limits the total combined amount of any copayment, deductible or coinsurance for chemotherapy administered orally. Thank you.

SENATOR GOICOECHEA:
Thank you, Mr. President. Pertaining to the amendment, oral chemotherapy will be a big help in the rural communities of this State, reducing the need to drive 500 miles or so to get treatment. I am very supportive of the bill. I am concerned about the $100 prescription amount; will that be attainable? I worry the insurance company may say we can’t provide the oral medication to you because of the $100 limit.

SENATOR DENIS:
Thank you, Mr. President. Many of the insurance companies are already doing this for less than $100. One company, for example, is offering it for $50. This is a maximum of $100. We worked with the insurance companies as well as the providers on this bill and they felt comfortable with this.

SENATOR GOICOECHEA:
Thank you, Mr. President. If it is doable, that is great. I appreciate your answer. Thank you.

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

Senate Bill No. 38.
Bill read third time.
The following amendment was proposed by Senator Smith.
Amendment No. 582.
Senator Smith moved the adoption of the amendment.
Remarks by Senator Smith.

Thank you, Mr. President. Amendment No. 582 to Senate Bill No. 38 makes it clear that the term “volunteer” in this bill does not apply to a person who renders time and services in a public
school or for an activity that is part of the program for a public school. This bill was meant to apply to people who volunteer in elderly care situations. Thank you.

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

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

Senate in recess at 4:47 p.m.

SENATE IN SESSION

At 5:18 p.m.
President Krolicki presiding.
Quorum present.

Senate Bill No. 49.
Bill read third time.
The following amendment was proposed by Senator Kieckhefer.
Amendment No. 579.
Senator Kieckhefer moved the adoption of the amendment.
Remarks by Senators Kieckhefer, Spearman, Denis, Hardy, Hutchison and Jones.

SENATOR KIECKHEFER:
Thank you, Mr. President. Amendment No. 579 to Senate Bill No. 49 does three primary things. First, it makes the language in our statute consistent with the federal guidelines as they relate to personal use of campaign funds for clothing. Second, it increases disclosure for on-cycle candidates by requiring monthly reporting of individual expenses and contributions in excess of $2,000 during the period between candidate filing and early voting. The amendment retains the provisions passed by the Senate Committee on Legislative Operations and Elections that requires 72-hour reporting for that same $2,000 threshold during the early voting period. Finally, under existing law, a person who meets the definition of a candidate can retain their campaign funds indefinitely; this amendment would limit that to four years as a policy of the State. Thank you.

SENATOR SPEARMAN:
Thank you, Mr. President. I appreciate the work of my colleague from Senate District No. 16. However, as we talked earlier today, I have to say we had discussion during the time we were hearing from the Secretary of State. We heard the bill in committee in February and then went into work session on it in April.
Some may feel challenging this would question our commitment to transparency, but that it not the case. As the Chair of the Senate Committee on Legislative Operations and Elections, if I did not believe in transparency, the bill could have been killed. I thought there was some merit in the bill.
I looked at a couple of things. In an effort to be transparent, we also don’t want to limit opportunities for people who are not career politicians from getting involved. We worked with the Secretary of State to ensure there was a balance between accomplishing the intent of his original bill and ensuring there was ample opportunity for those who enter the arena as first-time candidates.
My colleague from Senate District No. 17 said it very eloquently when he looked at the way the bill was originally written; he said it puts an excessive logistical burden on those who are
living in rural communities. If you look at the amendment, as presented my colleague from Senate District No. 16 along with the original bill, you will find they are more than similar—they are alike. My issue then, as well as now, is when you require a lot of things for someone who simply wants to run, say for a school board or city council—who just wants to get involved. The technical things that are required here may be accomplished by those who are already in the arena but may prove to be so daunting to others that it prevents them from getting involved. I shared these sentiments with my colleague from Senate District No. 16.

With all due respect, I have to say I am taken aback because yesterday we had an ethics bill, Senate Bill No. 228 that would have put provisions in place, not just for elected officials but, for everyone in public office. If you check the record you will see a vote of 11 in support of the bill and ten against. My colleagues on the other side of the aisle were the ten who voted against Senate Bill No. 228. I think this has some overtones of duplicity and I would say, let’s stay with the amendment we hammered out so it is fair, transparent and it balances the intent of the Secretary of State’s original bill while not closing the door on some of the people. Thank you.

SENATOR DENIS:
Thank you, Mr. President. I appreciate all of the work the Chair of the Senate Committee on Legislative Operations and Elections did on this legislation. I am not on that committee but I had an opportunity to work on this item.

My concern is last night we had complaints about last-minute amendments and not having the time to read and understand them. And now we are on the deadline day for House passage and we are getting an amendment that puts Senate Bill No. 49 back to where it was when the big discussions to change it started happening. I don’t see the need to go backward. A lot of work has gone into Senate Bill No. 49. I think we should go forward without Amendment No. 579. Thank you.

SENATOR KIECKHEFER:
Thank you, Mr. President. I commend the work my colleague from Senate District No. 1 did in this bill. I think her heart is in the exact right place in trying to assure that people are not disenfranchised from the ballot. She is trying to ensure that people who run for office and who do so, don’t face a lot of restrictions. I don’t believe the reporting requirements I am proposing in the amendment are overly burdensome. I agree there is a balancing act and I think Amendment No. 579 is reasonable.

To the Majority Leader, this is late. I know it’s late. That’s solely my fault, not the fault of any of my colleagues. It’s a process I started late yesterday. I will take that blame but it shouldn’t undermine the merits of the amendment before us. Thank you.

SENATOR SPEARMAN:
Thank you, Mr. President. I want to reiterate and respond to my colleague from Senate District No. 16 who admits the amendment comes to us late. If you check the record for when the bill came out of committee, it was a vote with the three Democrats for the bill and the two Republicans in opposition. It echoed the same concerns that were addressed with the Secretary of State when we were trying to come to some type of compromise.

Those of you who know me know that I always start in the middle; I don’t start at the extreme. I took into consideration the comments from my colleague from Senate District No. 8 and Senate District No. 17. That’s where we started when we talked with the Secretary of State. Their comments were, as I have described before, the way the original bill was written would require some onerous responsibilities on some people who may not have the sophistication of someone who has been here a longtime. We agree we want transparency. I am saying the amendment we hammered out brings the balance with transparency. Thank you.

SENATOR HARDY:
Thank you, Mr. President. I would appreciate it if there could be a verbal side-by-side comparison. What I have gleaned from the presentation of Amendment No. 579 is that it includes a clothing limitation, monthly reporting during election cycles and during early voting—which I suspect is via electronic submission—and four years of cash to be allowed to be kept if you are not running for office again. Perhaps the sponsor of the amendment or the Chair
of the Senate Committee on Legislative Operations and Elections could clarify what the reporting requirements or limitation is for clothing, if there is one, as well as the reporting requirements during the time we hold onto cash if we are not running again. Thank you.

SENATOR KIECKHEFER:
Thank you, Mr. President. The additional reporting requirement of Amendment No. 579 is that an on-cycle candidate will have to file a monthly report between the period of their filing for office and the start of early voting that reflects any contributions and expenditures greater than $2,000. Thank you.

SENATOR HUTCHISON:
Thank you, Mr. President. I would like to direct my comments to the sponsor of Amendment No. 579 to Senate Bill No. 16: could you please explain the difference between the proposed amendment and the bill as you understand it, in terms of the federal guidelines related to clothing. What would or would not be allowed under Amendment No. 579 versus the bill, as proposed? I have the same question with the four-year limitation of regarding campaign funds: what is the difference and why does Amendment No. 579 contain the language? If you could address those two subjects of which I am particularly interested, I would be grateful. Thank you.

SENATOR KIECKHEFER:
Thank you, Mr. President. On page 4 of the short-form amendment, which you have before you, you will see the change in language regarding personal use of campaign expenses. Section 3, subsection 2, paragraph F reverts to the language originally contained in the Secretary of State’s bill. That language change is designed to make our statute consistent with federal guidelines over the purchasing of clothing with campaign funds, as it relates to clothing that will be used in the candidate’s campaign.

As it relates to the issue of retaining campaign funds: following a vacancy of office, the current statute has no restriction on how long those funds can be retained. This would put a four-year limit on the retention of those funds following departure from office. I selected the four-year period because it would provide the opportunity to seek any other State office. The only offices that may be outside of that time limit are Nevada Supreme Court positions. Thank you.

SENATOR JONES:
Thank you, Mr. President. I have a question for the proponent of Amendment No. 579: in regard to the return of unspent campaign funds, is that something that was part of the discussion in the committee hearing? Thank you.

SENATOR KIECKHEFER:
Thank you, Mr. President. The return of unspent campaign funds was not part of the Secretary of State’s original proposal. It was a component of a piece of legislation that did not make it past a previous deadline. I talked with the Legislative Counsel Bureau and they deemed it germane to and allowed to be included. I think it is a fair addition to a more stringent campaign finance law so I included it. Thank you.

Motion lost on a division of the house.

Remarks by Senators Atkinson, Roberson, Hardy, Kieckhefer, Spearman, Brower, Smith, Manendo.

SENATOR ATKINSON:
Thank you, Mr. President. Senate Bill No. 49 revises campaign finance provisions. Candidates must report all expenses paid from campaign contributions and may not spend campaign contributions for personal use. Expenditures shall include those made for campaign advocacy on the Internet or in periodicals or by mail. Expenses incurred in connection with holding office may be included on contribution and expenditure reports. During nonelection years, contributions and expenditures shall be reported quarterly.
The measure clarifies the reporting of ending fund balances. During early voting periods, all contributions and expenditures over $2,000 must be reported within 72 hours of receiving the contribution, incurring the expense, or making the expenditure. Contributions from a contributor which cumulatively exceed $2,000 must also be reported during this period. Lobbyists shall report gifts as defined in the measure. Certain restricted donors may not give gifts to candidates or public officials. Any such gifts must be returned. Gifts that do not violate these provisions are identified. The Secretary of State may investigate violations and enforce provisions regarding gifts.

The Director of the Legislative Counsel Bureau shall provide the Secretary of State with lobbyist reports and notify the Secretary of any suspected violations. The reporting of the balance of a campaign account shall be prospective from the effective date of the measure. The bill is effective upon passage and approval for the purpose of adopting regulations, and on January 1, 2014, for all other purposes.

I listened to my colleagues on both sides of this issue as they discussed the amendment that failed. I was going to stand but as I stated last night, we rarely change anyone’s mind with our last-minute bantering. I sit on the Senate Committee on Legislative Operations and Elections and this was a measure we heard very early in Session. There was ample time—at least a month and a half—for anyone—and I mean no disrespect to my colleague from Senate District No. 1 and I hope he knows that—to come forward and offer some changes or language that would be amenable.

The committee was struggling. It was a very difficult process with a difficult bill. I spent time serving in the Assembly and I was asked the other day what is more difficult about being a part of the Nevada Senate: the difficulty is in the Assembly I chaired committees where I could do whatever I wanted to do. It’s more difficult over here. The committee members understood that working on this legislation. The two Republican members of that committee, they too had the opportunity to suggest language as we struggled through this.

The Secretary of State’s Office reached out to everyone to try and come up with language that could get us to a point of transparency. We did the best we could. Some feel we didn’t go far enough, and that’s their opinion. We will go to sleep at night knowing we did everything we could to come up with something the Body could vote for and support; this language affects politicians all over the State so we had to be careful with choosing language to work for all the people the bill will effect. We tried to take everything into account.

I spent hours working with the Chair of the committee, and with leadership to try and massage what we thought was a comprehensive bill. To do a “last-minute” amendment, I just don’t see the necessity.

Senate Bill No. 49 will hopefully pass to the other House and we will have time to make changes. I encourage my colleagues to work with the members of the Assembly—we can go to the table together and come up with something else. I am willing to do that, willing to reach out my hand to my colleague from Senate District No. 16. I see it as something we have to continue to work on. I hope this Body is committed to doing that. I urge your support. Thank you.

SENATOR ROBERSON:
Thank you, Mr. President. I rise to oppose Senate Bill No. 49. As I mentioned before, I support the amendment from my colleague from Senate District No. 16 that failed. Specifically, my concern with this bill is section 3, subsection 2F—the so-called “Armani provision”—now provides that legislators can use campaign funds to buy suits to serve here in the legislature. I don’t consider that effective, transparent, accountable campaign finance reform.

I don’t know if this provision was put in as a poison pill. I don’t think it can be expected that we support legislation that allows us to use campaign funds to buy suits. It isn’t appropriate. It is contrary to the federal law on this subject. I cannot support it. Thank you.

SENATOR HARDY:
Thank you, Mr. President. I rise in support of the amendment that just failed to Senate Bill No. 49, as well as Senate Bill No. 49. I think realistically this bill is a work in progress. I appreciate the comments of my colleague from Senate District No. 4. I also appreciate the concept of the bill. The Secretary of State has reached out to us and I appreciate the time the office has spent with us. I saw some things in the amendment that made sense and I see other
things in the bill itself that make sense. I look forward to seeing how this comes out of the other House. I will be voting in support of the bill. Thank you.

SENATOR KIECKHEFER:
Thank you, Mr. President. I appreciate everyone’s perspective on this item. To my colleague from Senate District No. 4, there was a long time that I could have brought this. I just received a presentation on this bill for the first time yesterday. I was trying to get Senate Bill No. 49 to a place where we could pass it out of this House unanimously, showing a strong statement of support for strict campaign finance. I am going to vote against Senate Bill No. 49 tonight but I am hopeful it will be amended as it continues through the process and that in the end we will have a product that we can happily put forward for elections to come. I really appreciate the comments and your patience with me. Thank you.

SENATOR SPEARMAN:
Thank you, Mr. President. I would like to make a point of clarification. My colleague from Senate District No. 20 referred to a part of the bill as the “Armani provision.” I was at the pentagon at the height of the War with Iraq. I remember those soldiers who were medically evacuated from Iraq, Kuwait and Afghanistan stopping in Germany to get stabilized. Once stabilized they were medically evacuated to Walter Reed National Military Medical Center. My team, Team 4, we used to go and visit them and ask, “What can we do for you that is tangible?” They said to us, “When they evacuate us back, all we have are the clothes on our backs. That is all we have.” We got together and took up a collection. We appealed to some retailers to donate some sweat suits for our service men and women, and also for their families—in many instances the families came with just the clothes on their backs to the bedsides of their loved ones.

What does that have to do with this? It has everything to do with this. My colleague from Senate District No. 4 stated earlier, this is not just about Senators or members of the Assembly; we are talking about elected officials at every level. What about the person who needs to have appropriate business attire but cannot afford it. I don’t know of anyone seeking $200 or $300 suits. The clothing piece of Senate Bill No. 49 is saying, if certain clothing is part of your duties and you don’t have what is needed, it can be available.

It is my hope that those who have fought for our freedoms and come home with nightmares from this last war—when they get out of the service, off of active duty, all they have are uniforms and perhaps some casual clothes. Would we be willing to suspend the rules in this Body for these individuals? Thank you.

SENATOR BROWER:
Thank you, Mr. President. I have to start by saying I really appreciate my colleague from Senate District No. 1’s service to our country. I spent some time at the Pentagon during the first Gulf War. However, I cannot for the life of me see what her service or mine has to do with Senate Bill No. 49. Let’s talk about this bill.

I met with the Secretary of State a couple of months ago about his bill. As I previously mentioned on this floor, we had a good conversation. I told him I liked the bill and I asked him some questions. It was typical of a big, ambitious bill: it was complicated with some good points and some questionable points. On the whole I thought it was a good bill. However, a funny thing happened with the bill on the way to this floor.

I will zero in on the part of the bill that was mentioned by my colleague from Senate District No. 20: the original bill did not have this clothing provision. As far as I can tell, it was not the Secretary of State’s intent. I cannot speak for the Secretary of State but my assumption is his intent was to make our State law like the federal law which clearly, if you look at the Federal Election Commission’s candidate guidance, says thou shalt not buy clothes—suits, shirts, ties, belts, underwear, et cetera—out of your campaign funds. Forget about whether that makes sense to me or anyone else in this Chamber, I cannot believe that any of our constituents could imagine that we could use campaign funds to buy the clothing that we wear.

What was a good bill, and what could have been an even better bill with the amendment to this bill that this Body failed to adopt today, is now a bill that I cannot support. I know they cynical view we hear all the time is politicians, when it comes to campaign finance bills, always
look for that one thing they can’t support when their real goal is to kill all campaign finance reform legislation. I am here to tell you that is not my intent nor do I believe it is the intent of anyone else. I would love nothing more, than on the deadline day for first House passage of bills, to be able to stand up and vote in favor of a good, commonsense transparency-oriented campaign finance bill.

How anyone can support a bill that has a provision like that which I just described makes no sense to me. I understand this is a work in progress. But all I can do is vote on the bill in front of me at this time. I just don’t support it. I hope it can be fixed as it continues through the legislative process.

With constituents viewing us and our process, and particularly the campaign process, with a cynicism that is at an all-time high in the history of our republic, for us to now change our laws to allow us to now purchase clothing with no apparent limitation out of campaign funds, is enough for me to oppose this bill. Thank you.

SENATOR SMITH:
Thank you, Mr. President. I rise in support of Senate Bill No. 49. I am not on the committee that took testimony on this bill, but when I saw the bill, understanding its complexities as the Secretary of State’s bills often have, I wanted to get involved. I wanted to make sure there was positive language included to bring to this floor. The bill has a lot of improvements in reporting, transparency and accountability. Much has not been talked about here; all of the important parts of the bill have not been discussed.

Cynicism from the public gets increased when we stand on the floor and accuse our colleagues of wanting to spend money on Armani suits; we create something that isn’t really there. I worked on those provisions of Senate Bill No. 49 and the intention was to acknowledge an accepted practice by the very people who my colleague, Chair of Senate Committee on Legislative Operations and Elections, referred to. People who come to this Body may not be in a line of work that requires them to wear suits. Many years ago it was opined that this was an acceptable use of campaign funds, therefore, this would codify that practice. It was nothing more than that.

I have not heard a word about an amendment to allow people to go out and buy expensive suits just to abuse campaign funds.

Let’s talk about the pieces of the bill that are actually important, reporting. It proposes more reporting during the off-cycle years as well as 72-hour reporting during early voting. It limits gifts. The whole section of the bill that addresses these topics is much more stringent and requires much more accountability. What I see as a very small piece of the bill—not insignificant but small—within a big, complex and good bill, is being used to power through the other parts of the bill.

It can be a work in progress, but I will use a couple of analogies to explain further: don’t throw the baby out with the bathwater and don’t give up the good for the perfect. Senate Bill No. 49 takes us many steps beyond where we have been and I encourage my colleagues to support the accountability and transparency aspects while still understanding that many people who want to run for office and get elected to office, don’t come from the same walks of life and may need a little bit different provisions than some of the rest of us have. Thank you.

SENATOR MANENDO:
Thank you, Mr. President. I am hearing that none of us like all parts of Senate Bill No. 49. In some cases it doesn’t go far enough. I have to respect the work of the Chair of the Senate Committee on Legislative Operations and Elections and her work with the Secretary of State’s office. Many of us had concerns and we talked those through during the committee hearing. I commend the Body’s work. The process is working.

Before I was a member of the other House, I was driving down the street and saw an older guy putting up signs. I pulled over and talked to him, realizing he was running for Assembly District No. 18. I took to helping him with his signs and we got to talking. He was running for the same Assembly seat that I filled later. I found it interesting because the incumbent in Assembly District No. 18 at that time did not respond to phone calls I had made as a constituent so I was hoping the election would bring change to that seat. I didn’t know if the man standing
there with me was a Democrat or a Republican—it did not really matter. I want someone in office who would pay attention to me when I called them about a concern. This man and I ended up going to lunch together to continue our conversation. He and his wife are wonderful people. This man was retired, and lived in a double-wide manufactured home. He loved to play bingo and go out to eat at the Sam’s Town buffet with his wife. He decided to run for the Nevada Assembly. And he won the election, not once or twice, but three times—it was a revote and the judge then threw out the results so they held a special election. It was a big mess, but at the end of it all, he won the election. I found it very interesting because after he won, he thought he could stay in Las Vegas and serve from there. I told him he would have to go to Carson City to serve. He asked me to drive him and wasn’t sure how exactly to get to Carson City. I ended up volunteering to work for him, which brought me to this building in 1991. I had no idea at that time that my own future would be to serve here.

Before we got in the car and drove from Las Vegas to Carson City, I told his wife that there was a dress code her husband would have to follow; he would have to wear business suits. She wanted to know why so I explained there was a decorum to be followed that required suits and ties. She was curious if “Pa” could wear tennis shoes. We went shopping and bought some suits and ties for him to wear. Honestly, I don’t remember if he used campaign money or not; I don’t think he had much left over after running. These folks did not have a lot of money. Rest his soul, he was a good man at heart who meant well.

I also recall a man who is a friend of mine who ran for Assembly District No. 11’s seat; it was a similar situation with a Democrat taking on another Democrat. This man did not own a suit; he had a couple of sports coats but not much more. He was a good church-going man but didn’t have a closet full of clothes. He worked in an auto body repair shop. He didn’t dress like we do here. He also didn’t have the money to go out of pocket to get a whole new wardrobe. We tell people they can run for office and they can win, but are we also telling them that if they don’t have the money to buy shirts and ties, they can’t serve. Is that constitutional?

I can’t believe that out of all of the things in Senate Bill No. 49, we are hashing over the clothing provision. There are rules in this Body that require we wear certain clothing—those are the rules of this Body. I think we need to pass this bill even though I feel it doesn’t go as far as it should on some things. Let’s send this bill to the other House and continue our discussions.

My colleague from Senate District No. 20 always looks sharp. He looks like he fell out of GQ magazine. Not everyone can afford that. We should not penalize people who are poorer, those who can’t afford the same clothes.

There is so much more in this bill that is so much more important to the public. I urge passage of Senate Bill No. 49. Thank you.

SENATOR ATKINSON:
Thank you, Mr. President. The good Senator who just spoke before me said many of the things I was going to say. I don’t understand the Armani suit statement; I am not sure that is a good litmus test for anyone trying to find something appropriate to wear on the Chamber floor. I have never worn an Armani suit, nor do I have interest in wearing one. I am a bargain shopper; my suits come from Macy’s and they all cost under $200. I would hope others are too.

I heard a comment earlier, I believe it was said by my colleague from Senate District No. 15, about provisions and such being patterned after federal law—that was one of the biggest issues I had, frankly, in talking with the Secretary of State’s Office. This is a part-time legislature. We have different backgrounds. Some of us can afford Armani suits and some of us can’t. Senate Bill No. 49 is patterned after federal law and I am not so sure we should be following that lead.

We are not full-time legislators. We should not be expected to perform under full-time legislator rules and regulations. When I leave here, I don’t have a fancy secretary nor do I have a fancy assistant. My job is my job and I do the work. We all have different limitations and different expectations.

The good Senator from Senate District No. 15 said it appears we are hung up on one thing as a reason not to pass Senate Bill No. 49. I say take it out. It’s not my call, but an idea is to put it on the desk, take the clothing part out and move the rest of Senate Bill No. 49. The Senator in front of me talked about wanting to have a bill we could all support. Let’s think about removing the provision we are hung up on.
I have never bought a suit out of my campaign funds, I can honestly say that. I think 99 percent of this Body hasn’t either. I do recall during my very first session, some female legislators bought outfits with their campaign donations. We are talking about a very small percentage of people. We are talking about a few isolated incidents out of hundreds of people. If that is really what we are worried about, let’s take it out. I am okay with that. It is not my call but if that is what it will take to bring everyone to the table to get something passed that is a little more bipartisan, I am all for it. Thank you.

SENATOR ROBERSON:
Thank you, Mr. President. I am left speechless. In hearing some of the remarks from the Majority Party the last few minutes has left me speechless.
I agree with my colleague from Senate District No. 4. I would be happy to vote Senate Bill No. 49 today if the “Armani provision” is removed. Thank you.

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

Senate in recess at 6:07 p.m.

SENATE IN SESSION
At 6:13 p.m.
President Krolicki presiding.
Quorum present.

Senator Denis moved the previous question, sustained by Senators Manendo and Spearman.
Motion carried.

The question being on passage of Senate Bill No. 49.
Roll call on Senate Bill No. 49:
YEAS—13.
NAYS—Brower, Cegavske, Goicoechea, Gustavson, Hutchison, Kieckhefer, Roberson, Settelmeyer—8.

Senate Bill No. 49 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 38.
Bill read third time.
Remarks by Senators Brower and Smith.

SENATOR BROWER:
Thank you, Mr. President. Senate Bill No. 38 expands current law relating to the dissemination of criminal history information to apply to persons who work in positions involving the elderly and persons with disabilities. In addition, the measure expands the dissemination of such information to include prospective and current volunteers who work with children, the elderly and persons with disabilities. The measure clarifies that the term “volunteer” does not include a person who renders time and services for a public school or for an activity that is part of the program of a public school. I urge your support. Thank you.
SENATOR SMITH:
Thank you, Mr. President. I rise in support of Senate Bill No. 38. I would like to clarify one provision regarding the section that does not apply to public school volunteers. That piece is very important because school districts have their own policies on fingerprinting and volunteers. When volunteering in the classroom, some parents are supervised and others are not. We have tried very hard in this State to maintain an atmosphere where parents are encouraged to come to school, and when they are under supervision they aren’t required to go through the fingerprinting process. This allows the volunteers in the elder services category of this bill to go through the process, leaving the others to continue through the process we already have in law. I urge your support. Thank you.

Roll call on Senate Bill No. 38:
YEAS—21.
NAYS—None

Senate Bill No. 38 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

SENATOR HARDY:
Thank you, Mr. President. Senate Bill No. 220 amends various provisions of the Nevada Revised Statutes for the following licensing boards: medicine, perfusion or respiratory care, homeopathic medicine, dentistry or dental hygiene, nursing, osteopathic medicine, chiropractic, Oriental medicine, podiatry, optometry, audiometry, speech pathology, pharmacy, physical therapy, occupational therapy, cosmetology, hearing aid specialists and administrators of facilities for long-term care.
I appreciate the work done by the Senate Committee on Commerce, Labor and Energy, and especially the Chair of the Senate Committee on Health and Human Services for coming up with the very complicated matrix that allows the board to cooperate with law enforcement and regulate unlicensed care. Thank you.

SENATOR JONES:
Thank you, Mr. President. I rise in support of Senate Bill No. 220. I appreciate the opportunity to have worked closely with my colleague from Senate District No. 12 at the request of the Chair of the Senate Committee on Commerce, Labor and Energy.
Last summer I heard a disturbing program on the radio about serious issues with individuals performing medical procedures in Southern Nevada without licenses. I heard the stories of those who died and were seriously disfigured by people in back rooms with little medical training. Poor and Hispanic communities appear to have been targeted by these unscrupulous criminals.
Senate Bill No. 220 provides licensing boards with additional authority to address the unauthorized practice of medicine including cite-and-fine authority and stiffer penalties for practicing without a license. I urge your support to protect our communities. Please vote yes on Senate Bill No. 220. Thank you.

SENATOR DENIS:
Thank you, Mr. President. I rise in support of Senate Bill No. 220. I also rise in support of Senate Bill No. 220. Since I have been in the Nevada Legislature, I have worked hard to get at fraud and related matters, especially in my own Hispanic community. I very much appreciate my colleague for bringing this forth. Many of these stories are things that have happened in my
community. We are trying to protect people who are innocent; there really are unscrupulous people out there. I urge support of Senate Bill No. 220. Thank you.

Roll call on Senate Bill No. 220:
YEAS—21.
NAYS—None.

Senate Bill No. 220 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 266.
Bill read third time.
Remarks by Senators Denis, Woodhouse, Hutchison and Brower

SENATOR DENIS:
Thank you, Mr. President. Senate Bill No. 266 requires each health care plan and insurance policy, other than the State Plan for Medicaid, that provides coverage for both chemotherapy administered intravenously or by injection and orally administered chemotherapy to provide coverage to the insured for orally administered chemotherapy to the same extent as other types of chemotherapy. A health care plan or insurance policy is prohibited from meeting this requirement by increasing the costs of the other types of chemotherapy or by decreasing the monetary limits for chemotherapy under the policy or plan.

On a personal note, this is a bill about fairness. When someone has cancer, to be able to make a decision about care based on what is the best treatment for you versus what you can afford is important. The intent of Senate Bill No. 266 is to allow people the freedom to make that decision. I urge your support. Thank you.

SENATOR WOODHOUSE:
Thank you, Mr. President. I stand in support of Senate Bill No. 266. I extend my appreciation to the Majority Leader for bringing this bill forward. Cancer is a word we all fear and dread. I never thought it would affect my family, but it did. When Senate Bill No. 266 was in committee, I shared my story; tonight I will share a much shorter version of it. As most of you know, my sister Francie, a resident of Oregon, was diagnosed in January 2011 with Stage IV glioblastoma which is brain cancer. She underwent surgery, radiation and chemotherapy. She was fortunate that her chemotherapy medication was administered orally, allowing her to avoid the five hours it would take to drive round-trip up Highway 101 to Coos Bay for her infusion treatments. She could be comfortable at home and her insurance paid for the costs of the oral medications. I sincerely urge your vote in support of this measure, thus affording cancer patients like my sister to take the medication prescribed by their physicians and have it covered by their insurance policies. Thank you.

SENATOR HUTCHISON:
Thank you, Mr. President. I would like to thank my colleague from Senate District No. 2 for bringing this bill forward. It is a good bill, and one I am happy to have co-sponsored. I had some questions about the bill; in committee, I asked about the Affordable Care Act and what effects that law would have, particularly as it related to the State and expenses the State may incur. My concerns have been addressed, Mr. Majority Leader. I would support and look forward to seeing the benefits offered under Senate Bill No. 266 expanded even more. Perhaps we can work on that in the future. I urge support of this important bill.

SENATOR BROWER:
Thank you, Mr. President. I rise to commend the Majority Leader for bringing Senate Bill No. 266. This is the kind of bill that is bold, it’s forward thinking and it raises a lot of red flags with lobbyists. A few months ago we saw lobbyists scurrying around wanting to talk to us about
their concerns with this. I am not on the committee that considered Senate Bill No. 266 but my sense is that our colleague persevered through questions and worked through compromises. He did not give up. This is a very important issue. I am honored to be able to support Senate Bill No. 266 today. Thank you.

Roll call on Senate Bill No. 266:
YEAS—21.
NAYS—None.

Senate Bill No. 266 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 327.
Bill read third time.
Remarks by Senator Jones.
Thank you, Mr. President. Senate Bill No. 327 revises provisions authorizing the practice of medicine in Nevada by health care professionals regardless of whether the professionals are physically located in this State. The bill also revises provisions relating to telepharmacies, remote sites and satellite consultation sites, and it requires the Board of Medical Examiners to adopt regulations concerning telemedicine regarding physician assistants.

Senate Bill No. 327 provides that a physician who is licensed in another state and is issued a special-purpose license must comply with all applicable State laws and regulations of the Board of Medical Examiners and is subject to the jurisdiction of the courts of Nevada.

We all know we have health care challenges in this State. We have challenges in finding enough health care providers. Senate Bill No. 327 modernizes our telemedicine laws and will allow, particularly in the rural areas of the State, opportunities for high quality doctors to participate in medical procedures. I urge your support. Thank you.

Roll call on Senate Bill No. 327:
YEAS—21.
NAYS—None.

Senate Bill No. 327 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 373.
Bill read third time.
Remarks by Senators Segerblom and Hutchinson.

SENATOR SEGERBLOM:
Thank you, Mr. President. Senate Bill No. 373 changes the current garnishment law. Currently 75 percent of persons earnings are exempt from garnishments. This bill would increase it to 85 percent of the first $50,000 of wages; after $50,000 it would go back to percentage that is currently in the law. I urge your support. Thank you.

SENATOR HUTCHISON:
Thank you, Mr. President. Although I rise in opposition to Senate Bill No. 373, I think its intentions are big hearted. The intent is to help those who are struggling as judgment debtors. I especially like one of the provisions of the bill, the part of the bill that prohibits foreign
companies, credit agencies and banks from trying to collect on a foreign judgment without having domesticated the judgment in Nevada. This is an abusive practice. I applaud the provision.

However, I am very concerned about the unintended consequences of this bill. This bill is intended to help people when they may well be hurt by it in the long run. This bill will increase fees and interest that judgment debtors pay. Under Senate Bill No. 373, the time it will take to garnish wages and repay judgments can be increased up to two-and-a-half times. Every time an employee must comply with a garnishment order, the debtor’s employer can charge the debtor to comply with fees, also. Post-judgment interest continues to accrue as well.

Creditors and lenders in small businesses do not operate in vacuums; when you tell them, through this bill that there is a group of people who will be very difficult to collect from, creditors and lenders will act in their best business interest and stop lending to those folks. These are the very people in the lower-income brackets—those who are trying to start small businesses—who need access to capital and access to credit. When we tell creditors and lenders, through Senate Bill No. 373, don’t loan to these people because it will be very difficult to collect against them, we deny the extension of credit to them.

As we campaign and champion small businesses in this State—we have plumbers, electricians, carpet cleaners and more; they provide services and are operating on razor-thin margins—now we are going to make it more difficult for them to collect. We hurt the very people we are trying to protect. I urge you to vote no on Senate Bill No. 373. Thank you.

Roll call on Senate Bill No. 373:

YEAS—11.


Senate Bill No. 373 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary of the Senate signed Assembly Concurrent Resolution No. 5.

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 the students, teachers and chaperones from Brookfield School, students: Spencer Abts, Adithya Ayanam, Chase Buchholz, Maya Conkey, Arabella Cullen, Kyle Dixson, Nathaniel Evans, Vivian Fyda, Arvind Gill, Gavin Glass, Jordan Goecker, Cameron Hackenberry, Olivia Hackenberry, Katarina Hallerbach, Jonah Henry, Grishen Hestiyas, Michael Howard, Sarah Liley, Neil Macartney, Akshay Mediwal, Daria Prewitt, Dane Quackenbush, Sarah Ross, William Ross, Erin Schmidt, Elissa Simons, Jordan Tayler, Melissa Venzon and Joshua Zebrack; teachers: Annette Friedlander and John Trevino; and chaperones: Julia Abts, Peta Ross and Lynne Simons.

On request of Senator Goicoechea, the privilege of the floor of the Senate Chamber for this day was extended to the Pahrump Senior Citizens Association.
On request of Senator Kieckhefer, the privilege of the floor of the Senate Chamber for this day was extended to Jan Kieckhefer, April Kieckhefer, Aspen Kieckhefer, Austin Kieckhefer, Lincoln Kieckhefer and Lucerne Kieckhefer.

Senator Denis moved that the Senate adjourn until Wednesday, April 24, 2013, at 11:00 a.m.
Motion carried.

Senate adjourned at 6:40 p.m.

Approved: BRIAN K. KROLICKI
President of the Senate

Attest: DAVID A. BYERMAN
Secretary of the Senate

UNION LABEL