Senate called to order at 11:59 a.m.
President Krolicki presiding.
Roll called.
All present.
Prayer video conferenced from Las Vegas by Mr. Richard Mannis, American Hindu Association.

The Master’s Prayer:
O Parvardigar, the Preserver and Protector of All. You are without Beginning and without End; Non-dual, beyond comparison and none can measure You. You are without color, without expression, without form and without attributes. You are unlimited and unfathomable, beyond imagination and conception, eternal and imperishable. You are indivisible; and none can see You but with eyes Divine.
You always were, You always are and You always will be. You are everywhere, You are in everything and You are also beyond everywhere and beyond everything. You are in the firmament and in the depths. You are manifest and unmanifest; on all planes, and beyond all planes. You are in the three worlds, and also beyond the three worlds. You are imperceptible and independent.
You are the Creator, the Lord of Lords, the Knower of all minds and hearts. You are Omnipotent and Omniscient. You are Knowledge Infinite, Power Infinite and Bliss Infinite. You are the Ocean of Knowledge, All-Knowing, Infinitely-Knowing; the Knower of the past, the present and the future; and You are Knowledge itself.
You are All-merciful and eternally benevolent. You are the Soul of souls, the One with infinite attributes. You are the Trinity of Truth, Knowledge and Bliss. You are the Source of Truth; the Ocean of Love. You are the Ancient One, the Highest of the High; You are Prabhu and Parameshwar; You are the Beyond-God and the Beyond-Beyond-God also; You are Parabrahma, Allah, Elahi, Yezdan, Ahuramazda and God the Beloved. You are named Ezad, the only One worthy of worship.

The Prayer of Repentance:
We repent, O God Most Merciful, for all our sins; for every thought that was false, or unjust or unclean; for every word spoken that ought not to have been spoken; for every deed done that ought not to have been done.
We repent for every deed and word and thought inspired by selfishness, and for every deed and word and thought inspired by hatred.
We repent most specially for every lustful thought and every lustful action; for every lie; for all hypocrisy; for every promise given but not fulfilled and for all slander and backbiting.
Most specially also, we repent for every action that has brought ruin to others; for every word and deed that has given others pain; and for every wish that pain should befall others.

In Your Unbound Mercy! We ask You to forgive us, O God! For all these sins committed by us, and to forgive us for our constant failures to think and act according to your will.

Beloved God, help us all to love You more and more, and more and more and still yet more. Till we become worthy of union with You; and help us all to hold fast to Baba’s damaan till the very end.

OM, PEACE, PEACE, PEACE; OM. NAMASTE.

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 Education, to which was referred Assembly Bill No. 230, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOYCE WOODHOUSE, Chair

Mr. President:
Your Committee on Health and Human Services, to which were referred Assembly Bill Nos. 126, 286, 348, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JUSTIN C. JONES, Chair

Mr. President:
Your Committee on Judiciary, to which were referred Assembly Bill Nos. 212 and 313, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

TICK SEGERBLOM, Chair

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, May 21, 2013

To the Honorable the Senate:
I have the honor to inform your honorable body that the Assembly on this day passed Senate Bills Nos. 60, 155, 198.

Also, I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bills Nos. 470, 473, 499.

Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bills Nos. 7, 311, 463, 482.

Also, I have the honor to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 20; Amendment No. 677; Senate Bill No. 22, Amendment No. 635; Senate Bill No. 25, Amendment No. 678; Senate Bill No. 36, Amendment No. 649; Senate Bill No. 39, Amendment No. 679; Senate Bill No. 66, Amendment No. 715; Senate Bill No. 82, Amendment No. 689; Senate Bill No. 109; Amendment No. 632; Senate Bill No. 135, Amendment No. 618; Senate Bill No. 152, Amendment No. 713; Senate Bill No. 169, Amendment No. 623; Senate Bill No. 185, Amendment No. 791; Senate Bill No. 199, Amendment No. 660; Senate Bill No. 213, Amendment No. 690; Senate Bill No. 266.
Amendment No. 645, and respectfully requests your honorable body to concur in said amendments.

MATTHEW BAKER
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES
Senator Smith moved that all measures just reported out of committee be immediately placed on the appropriate reading file for this legislative day.
Motion carried.

Senator Smith moved that Assembly Bill Nos. 50, 189 and 236 be taken from the General File and placed at the bottom of the second agenda for this legislative day.
Motion carried.

Senator Smith moved that Assembly Bill Nos. 378 and 496 be taken from the General File and placed on the Secretary’s Desk.
Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE
Assembly Bill No. 7
Senator Smith moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 311
Senator Smith moved that the bill be referred to the Committee on Judiciary.
Motion carried.

Assembly Bill No. 463
Senator Smith moved that the bill be referred to the Committee on Finance.
Motion carried.

Assembly Bill No. 470
Senator Smith moved that the bill be referred to the Committee on Finance.
Motion carried.

Assembly Bill No. 473
Senator Smith moved that the bill be referred to the Committee on Finance.
Motion carried.
Assembly Bill No. 482.
Senator Smith moved that the bill be referred to the Committee on Finance.
Motion carried.

Assembly Bill No. 499.
Senator Smith moved that the bill be referred to the Committee on Judiciary.
Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 126.
Bill read second time.
The following amendment was proposed by the Committee on Health and Human Services.
Amendment No. 692.
Senator Kieckhefer moved the adoption of the amendment.
Remarks by Senator Kieckhefer.
Thank you, Mr. President. Amendment No. 692 to Assembly Bill No. 126 removes the criminal penalty that would have applied if the owner or operator of a restaurant or similar food establishment failed to make the required disclosure of nutritional information and replaces it with a civil penalty. It also provides greater clarification by revising the definition of a “restaurant or similar retail food establishment” by removing certain descriptors. Thank you.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

Assembly Bill No. 212.
Bill read second time.
The following amendment was proposed by the Committee on Judiciary.
Amendment No. 674.
Senator Kihuen moved the adoption of the amendment.
Remarks by Senator Kihuen.
Thank you, Mr. President. Amendment No. 674 to Assembly Bill No. 212 authorizes a person who was convicted of possessing a portable telecommunications device in a jail, branch county jail or other local detention facility to request a modification of the sentence if the underlying charge for which the person was in lawful custody or confinement has been reduced, declined for prosecution or dismissed. Thank you.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

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

Senate in recess at 12:26 p.m.

SENATE IN SESSION
At 12:30 p.m.
President Krolicki presiding.
Quorum present.

MESSAGES FROM THE ASSEMBLY
ASSEMBLY CHAMBER, Carson City, May 22, 2013

To the Honorable the Senate:
I have the honor to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 8.

MATTHEW BAKER
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES
Assembly Concurrent Resolution No. 8.
Resolution read.
Senator Denis moved the adoption of the resolution.
Remarks by Senator Denis.
Thank you, Mr. President. I would like to say a few words about John J. McDonald—Dad or Mr. Mac as he was known. Like a lot of people who live in Nevada, John was from elsewhere. But when he moved here after being discharged from the Navy, he came to stay and made Las Vegas his home. He worked in the casino industry, raised a wonderful family and was involved with youth, and later, politics. He was a dedicated family man, and knew that without making the effort, nothing gets done.
Living in a large city can be challenging, particularly for youngsters as they find their place in society. John worked with at-risk youth and taught them the fundamentals of sports—especially football, his favorite sport. He used sports to give them confidence and steer them toward positive endeavors. John was even known to sponsor Pop Warner football teams and give kids individualized coaching. John expected honesty from his own children, and this extended to his players.
He considered integrity an important part of a person’s character; if a person did something wrong, they had to own up to it. John lived by his values. He enjoyed time with his family, friends and players. Conversation was an important way for him to stay involved with people. John J. McDonald was an inspiration to many people and made many friends.
In Las Vegas, when you drive by the John J. McDonald Football Complex, it serves as a reminder of a gracious man. He was committed to his family, to his community and to the youth who he knew represented the future. He was a man with integrity. He was an inspiration to all of us and I sincerely can say, Mr. Mac, we miss you. Thank you.

Resolution adopted.
Resolution ordered transmitted to the Assembly.

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

Senate in recess at 12:39 p.m.

SENATE IN SESSION

At 12:41 p.m.
President Krolicki presiding.
Quorum present.
SECOND READING AND AMENDMENT

Assembly Bill No. 230.

Bill read second time.
The following amendment was proposed by the Committee on Education.
Amendment No. 752.

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

Thank you, Mr. President. Amendment No. 752 to Assembly Bill No. 230 restores the current policy requiring parents or guardians to “opt in” for sex education instruction for their child; under the revised language of the bill, school districts are authorized to adopt an “opt out” policy at their option. The amendment also clarifies that parents or guardians of a pupil are to receive written notice and a form for the signed written consent for pupils to attend the course specified in the bill. It also deletes provisions allowing a provider of health care to deliver instruction in accordance with the bill. Subject to school board approval, instructors must demonstrate certain competencies. In addition, school boards may authorize other competent instructors if the board determines that using such instructors is needed. The amendment deletes references to the term “without limitation” throughout the bill. Also deleted is the reference to a community life representative serving on a school board’s advisory council for courses in sex education. Finally, the term “comprehensive” is defined to mean an abstinence-based curriculum of instruction on a full range of topics relating to human sexuality. Thank you.

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

Assembly Bill No. 286.

Bill read second time.
The following amendment was proposed by the Committee on Health and Human Services.
Amendment No. 695.

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

Thank you, Mr. President. Amendment No. 695 to Assembly Bill No. 286 limits the requirement for the host organization to provide, under certain circumstances, medical personnel and emergency medical services for special events, to counties whose population is 100,000 or more (currently Clark and Washoe County), if the event is projected to be attended by 2,500 or more persons but less than 50,000 people at the same time. It also specifies all counties where a special event is projected to be attended by 50,000 people or more at the same time must comply with the provisions related to first-aid stations, dedicated advanced life support ambulances and certain medical personnel. Thank you.

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

Assembly Bill No. 313.

Bill read second time.
The following amendment was proposed by the Committee on Judiciary.
Amendment No. 740.

Senator Kihuen moved the adoption of the amendment.
Remarks by Senator Kihuen.
Thank you, Mr. President. Amendment No. 740 to Assembly Bill No. 313 deletes all sections of the bill relating to tracking a mobile phone and instead creates in statute the Subcommittee on Search and Seizure Law and Technology of the Advisory Commission on the Administration on Justice. Thank you.

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

Assembly Bill No. 348.
Bill read second time.
The following amendment was proposed by the Committee on Health and Human Services.
Amendment No. 694.
Senator Kieckhefer moved the adoption of the amendment.
Remarks by Senator Kieckhefer.
Thank you, Mr. President. Amendment No. 694 to Assembly Bill No. 348 removes new language, which would have allowed the licensing authority to suspend or revoke the license of a provider of foster care if the provider refused to accept the placement of a child or unreasonably or excessively requested the removal of a child when the agency determined, through a home investigation and its standards of care, that it was an appropriate placement. It also clarifies that the new provisions related to the placement of a child by a juvenile court may not be construed to allow for the placement of a child if such a placement would be prohibited by subsection 7 of section 390 of Chapter 432B of Nevada Revised Statutes, which requires siblings to be placed together, whenever possible and prohibits such a child from being placed in jail or other place for detention, or certain similar facilities. Thank you.

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

GENERAL FILE AND THIRD READING

Senate Bill No. 123.
Bill read third time.
Remarks by Senators Atkinson, Hutchison, Hardy, Denis, Jones, Settelmeyer, Spearman and Cegavske.

SENATOR ATKINSON:
Thank you, Mr. President. Senate Bill No. 123 requires certain electric utilities to file with the Public Utilities Commission of Nevada a comprehensive plan for emissions reductions from coal-fired electric generating plants and for the replacement of such plants with increased capacity from renewable energy facilities and other electric generating plants. The measure prescribes the minimum requirements of such plans, including: (1) the retirement or elimination of not less than 800 megawatts of coal-fired electric generating capacity on or before December 31, 2019; (2) the construction or acquisition of, or contracting for, 350 megawatts of electric generating capacity from renewable energy facilities; and (3) the construction or acquisition of 550 megawatts of electric capacity from other electric generating plants.

The measure provides for the recovery of certain costs incurred by an electric utility in carrying out an emissions reduction and capacity replacement plan. The bill prescribes the power and duties of the Division of Environmental Protection of the State Department of Conservation and Natural Resources with respect to such a plan. If the Public Utilities Commission of Nevada deems inadequate any portion of a utility’s emissions reduction and capacity plan or an amendment to the plan, the Public Utilities Commission of Nevada may recommend a
modification to the plan or amendment, and the utility may accept the modification or withdraw the proposed plan or amendment. The Public Utilities Commission of Nevada is required after a hearing to review and accept or modify such a plan. Finally, the bill requires that any order issued by the Public Utilities Commission of Nevada accepting an element of such a plan must authorize a utility to construct or acquire and own electric generating plants necessary to implement it. This bill is effective upon passage and approval.

In my time here in Carson City, I have learned at least one thing: a stable, reliable and efficient source of electricity is essential to the health and welfare of every Nevadan. Senate Bill No. 123 outlines a strong policy statement, and charts a new course for Nevada’s energy future. This legislation puts Nevada at the forefront of energy policy in this country, and eliminates the uncertainty that continues to surround the operation of coal facilities.

As NV Energy exits its retiring-age coal fired generating units, those units will be replaced in a timely manner by building or acquiring a portfolio of new, cleaner and more efficient units as soon as the need arises. It is important that Nevada continues to have a strong, stable utility that our residents can rely on. In particular, section 17 of this legislation mandates that NV Energy exits coal and will construct or acquire and own the first 550 megawatts need for the customer. In short, the bill mandates that NV Energy immediately take steps that are necessary to make sure Nevadans do not, once again, become dependent on wholesale electricity markets.

In addition, the bill provides an orderly and predictable process for developing Nevada’s abundant natural renewable energy sources. The bill requires NV Energy to take appropriate and necessary steps to develop 350 megawatts of new renewable facilities, and provides construction jobs at a critical point in the emerging recovery of Nevada’s economy. The bill also makes a distinct and bold new approach to the development of renewable energy for our State. Mandating the development of renewable facilities rather than relying on mathematical formulas to stimulate the industry. This stable, competitive approach provides certainty for the customers and renewable developers have welcomed it with open arms.

The bill achieves all of those important objectives without sacrificing regulatory oversight. The bill uses an existing regulatory process for reviewing this emissions reduction and capacity replacement plan. The bill also insures that the Public Utilities Commission of Nevada will review the rate consequences of NV Energy’s actions by using the standards the Commission uses today. In summary, the bill has garnered support from a broad coalition of interest groups. Environmental groups have expressed their strong support for the legislation. Renewable developers have expressed support for the legislation as well. Last but not least, Governor Sandoval and United States Majority Leader Harry Reid, have endorsed Senate Bill No. 123. I urge this Body’s support. Thank you.

SENATOR HUTCHISON:
Thank you, Mr. President. I rise in support of Senate Bill No. 123. I first wish to congratulate my friend and colleague, the Chair of the Senate Committee on Commerce, Labor and Energy, for ushering this important legislation through a difficult process. We have had very spirited debates, but we have also done some important work here with wide bipartisan support. We began with the Internet gaming bill—Assembly Bill No. 114—in the first weeks of this Legislative Session; that bill was essential to our economy and to maintaining our gold standard in the gaming industry.

I believe Senate Bill No. 123 will, after this Session, be counted as another bipartisan effort to address another important element of our economy: the energy policy of this State. It is one we should all embrace; it ensures the consumers of energy in the State of Nevada are protected, and it reflects that they were a major focus when we considered this challenging legislation.

Please allow me to explain the reasons why I support Senate Bill No. 123. We had several—three, I believe—hearings in committee on this bill. We heard from many witnesses. The first point is the Board of Directors of NV Energy made a business decision that the company had to migrate from coal-fired energy plants to other energy resources for a variety of reasons, all of which were driven by federal lawsuits and regulations and related federal actions. The company was faced with continuing federal environmental lawsuits which are costly and not going away. The company was also faced with what were characterized as aggressive enforcement actions by the United States Department of Justice (it can be debated whether they
should or should not be that aggressive). The company also faced increasing and escalating regulations by the United States Environmental Protection Agency. For all of those reasons, the Board of Directors of NV Energy decided the company had to change direction, and the company had to retire coal-fired electric generating plants, and move to gas-fired plants and renewable energy, on an accelerated and expanded basis. I respect the decision of the Board of Directors of NV Energy who have fiduciary duties to both their shareholders and their customers.

Secondly, we talked about rates and regulations a great deal in committee. The Chairman was as concerned as all of us on those two issues. What we heard again and again—NV Energy gave us their models, their projections, their assumptions, and told us, repeatedly that—without this measure, Nevadans who are NV Energy customers would face a 1.5 percent increase in their rates each year on average over 20 years with existing plans and without this bill. Under this bill, the rates will increase by 1.65 percent per year on average over 20 years. So if an existing customer has a power bill of $100 today, in 20 years that power bill would be $132 if we do nothing; with this bill it changes that future bill amount to $136. I felt with all the risks and considerations that was a reasonable position and outcome. I had no reason to believe the models and the assumptions were accurate; we asked as a committee if there was anyone who could tell us if they weren’t accurate, and we heard nothing. We took NV Energy at their word. We took at their word those who were involved in the process. No one testified about any problems with those models or assumptions, and so we moved forward.

As the Chair of the committee mentioned, the Public Utilities Commission of Nevada regulation was another area of concern for all of us. Originally, NV Energy’s Envision Plan established a different process for the Public Utilities Commission of Nevada to review the emission reduction and capacity replacement plan—it concerned several of us and the Chairman worked very closely with the sponsor of the bill and others to go back and tighten that up so it would be in a form we could understand and accept. We needed it to be in a place where the committee could embrace a bill that recognizes this monopoly that needs to change, but that still needs to be regulated. As revised under the bill, the Public Utilities Commission of Nevada will review the emissions reductions and capacity replacement plan under existing law, and under the existing integrated resource planning statute; the Public Utilities Commission of Nevada may issue an order under existing law under the same.

The standard that the Public Utilities Commission of Nevada will use to set rates is unchanged under this bill. The Public Utilities Commission of Nevada will continue to ensure the rates charged by the company are just and reasonable. As the Chairman said, the Governor’s Office is fully in support of Senate Bill No. 123. We asked the Governor’s Director of Energy if she was satisfied, on behalf of the Governor, with the oversight by the Public Utilities Commission of Nevada; she and the Governor are both in support.

Finally, we received, and I heard, no opposition from consumer advocacy groups or representatives at the hearings. I heard wide support among the various interest groups. The Chairman did a great job in bringing those interest groups together and fashioning a bill that makes sense and received the support of those in the environmental arena, those in the gaming industry and the Board of Directors of NV Energy. Senate Bill No. 123 has the added benefit of job creation, and will eventually make us independent from an energy production standpoint in the State of Nevada.

Again, I congratulate those who have been involved in this process. I again tip my hat to the Chairman of the Senate Committee on Commerce, Labor and Energy. I urge your support. Thank you.

SENATOR HARDY:

Thank you, Mr. President. I would like to thank the Chair of the Senate Committee on Commerce, Labor and Energy. We were allowed to have input as no other committee has had the opportunity to do. We enjoyed talking to all of the people who had a dog in this fight. I rise in support of Senate Bill No. 123.

The process worked, and it worked very well. One of the things that impressed me was when we started going through the process—we literally had pages of questions to work through—we had people come to us in our offices, in committee and in the hallways. They had a vested
interest in the outcome. One of the groups were the independent power producers. What I enjoyed about the final outcome is the word “contracting.” There are those who produce power in the State of Nevada, as well as outside the State, who help us in our power needs. We have made sure we include those folks regarding power. NV Energy was, and is, able to continue to do that without having to necessarily build four power plants all at once.

Likewise, the Public Utilities Commission of Nevada—it was an interesting dynamic in committee where we had three people at the table, and we were reviewing the amendment to the bill; we came across the word “modify.” With that word, we heard testimony that they didn’t want to modify, they wanted to either deny it or approve it. The Public Utilities Commission of Nevada indicated they liked the word “modify.” We have given the Public Utilities Commission of Nevada something they did not have before, and that is a good thing.

As we look at going forward, we know power is the key thing for many of the major businesses. We have assured that we will be going forward. Likewise, we are also looking at NV Energy to have the ability to have their own renewable energies, and thus be part of the competition. I am, indeed, in support of the bill. I appreciate all of those who had a hand in developing this, and who will continue to work with us as we go through the rest of the process.

Thank you.

SENATOR DENIS:
Thank you, Mr. President. I rise in support of Senate Bill No. 123. I had the same opportunity to be part of the process, to sit in, as was mentioned by others. I was able to ask questions and hear from all of the different parties that are impacted by energy—which is everyone. We had many of those groups there. What I like the best about this bill is it replaces some power plants that need to be replaced anyway. They will be replaced with renewables, clean energy. In the past I have talked about the importance of clean air and how it impacts, not only the community as a whole, but in the minority communities. Clean air is important. In some areas these power plants are closer to large metropolitan areas and can create issues with asthma and other things. I appreciate that is being addressed.

I appreciate the regulation aspects of Senate Bill No. 123. Initially things were to be done a bit differently and it caused me some concern, but the concerns were addressed. I support this bill and I urge we pass it today. Thank you.

SENATOR JONES:
Thank you, Mr. President. I rise in strong support of Senate Bill No. 123. As some of you know, I had concerns when this bill was first presented. As you have heard, the parties came together and worked diligently to improve this legislation over a period of several weeks. I had interested parties visiting me late into the evening sometimes, after working all day on this. Their efforts were tremendous and the outcome is worthwhile: retiring coal is the right public policy for our State. Expanding renewable energy is the right public policy for our State. Allowing our regulators to be involved in that process is also the right public policy for our State.

I would like to thank United States Senator Reid for pressing to retire coal and increase renewables in our State, and Governor Sandoval for embracing that vision. Most of all I want to thank the Chair of the Senate Committee on Commerce, Labor and Energy for holding everyone’s feet to the fire so that this got done. I hope that when this bill goes to the Assembly that they respect the tremendous efforts by the Chair and the parties, to get this get into a format that is beneficial to our State. Thank you.

SENATOR SETTELMEYER:
Thank you, Mr. President. I rise in support for Senate Bill No. 123 as well. I also want to thank the Chair of the Senate Committee on Commerce, Labor and Energy for taking the time to listen to all concerns. Everyone on the committee who had concerns, as well as the individuals who came and testified, the Chair did his best to reconcile the expressed concerns. I appreciate that. We have worked together in the past, when he was in the Assembly. He is a different person here in the Senate, and I am grateful for that.

This reminds me of a political reality: I may not necessarily agree with some of my colleagues about whether coal is good or bad. It is a political reality that sooner, not later, all of
these coal-based plants will be gone. That is a political reality of the current administration that I may not agree with, but with the reality in place, plants will close. It is important that we make sure that Nevada power is provided through Nevada power plants. We need to quit buying power from other states. As we promote renewable energy, Nevada jobs will be created. I also appreciate that we put back into the bill, discretion to the Public Utilities Commission of Nevada to delay the building of the plant unless it is reasonable within the time frame. In other words, we gave them more discretion within the bill. For these reasons, I support Senate Bill No. 123. Thank you.

SENATOR SPEARMAN:
Thank you, Mr. President. I rise in strong support of Senate Bill No. 123. A few years ago when I was on a study trip to Uganda, I learned a phrase I like to repeat during times of transformation. I think that is where we are as a State right now, we are in a transformational time. We have depended on coal for years and years. As my colleague from Senate District No. 17 says, it is a political reality, but we also know it is an ecological reality.

In support of Senate Bill No. 123, I say mwanzi ni ugumo which means, “the beginning is always tough” in Swahili. As we embark upon this next phase of renewable energy, I think this bill is the right thing to do. Thank you.

SENATOR CEGAVSKE:
Thank you, Mr. President. I rise in support of Senate Bill No. 123. I want to thank the Senate Committee on Commerce, Labor and Energy and those who have been involved. When you don’t sit on a committee, you don’t always hear everything that is going on. This is not a simple bill, it is complex; there are many nuances to it. There were many discussions over a long period of time. I would like to thank not only the Chair, but the committee members because each committee member was available for discussion. In my impression every committee member was very well versed on this bill. That does not always happen. From standing outside the committee, I saw a committee doing their work. The issues were dissected every which way. I want to say thank you because I had concerns. I only had two emails from constituents on this very complex issue. Thank you for helping those of us who don’t sit on the Senate Committee on Commerce, Labor and Energy to understand what was going on and describe it in a way we could understand.

When I did get some national concerns, I called NV Energy and they spoke with the people who contacted me. I want to thank them for that. I thought it was above and beyond to get someone who is not even in the State the information they need. We recognized that there are people from all over the nation who look at what we do. I stand to recognize everyone for their hard work. Thank you.

Roll call on Senate Bill No. 123:
YEAS—21.
NAYS—None.

Senate Bill No. 123 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 221.
Bill read third time.
The following amendment was proposed by Senator Roberson.
Amendment No. 820.
Senator Roberson moved the adoption of the amendment.
Remarks by Senators Roberson, Jones, Hardy and Spearman.

SENATOR ROBERSON:
Thank you, Mr. President. Amendment No. 820 to Senate Bill No. 221 maintains existing language regarding mental health. It replaces the current language regarding public-party transactions, and provides for three things: (1) it provides immunity from liability for private-party sellers who voluntarily perform background checks and it waives the central repository fee to encourage more voluntary background checks between private parties; (2) it creates a prohibition on straw purchases and transfers in the State of Nevada based on the Fraudulent Firearms Protection Act. A straw purchase is any purchase where an agent agrees to acquire a firearm for someone who is prohibited from purchasing or possessing the firearm legally for him or herself, and the agent transfers the firearm to that person after purchase. Third, the amendment proposes an Interim study to address criminal access to firearms, ways to improve school security and to ascertain ways to improve Nevada’s reporting to ensure that individuals who are disqualified from owning a firearm for mental health reasons are reported to the National Instant Criminal Background Check System. Thank you.

SENATOR JONES:
Thank you, Mr. President. I appreciate my colleague from Senate District No. 20 coming to me this morning with Amendment No. 820 to Senate Bill No. 221. I have worked on this bill for a few months now. I worked on it with my colleagues from the other side of the aisle to try and resolve concerns that had been raised, but I wasn’t able to get there in committee. I went and spoke to my colleague from Henderson a few weeks ago. I asked for his input. It wasn’t until this morning that he came to me with any proposal.

With regard to the proposal, I will say that when it comes to straw purchases this amendment will not do anything because they are already barred under federal law. With regard to some of the other proposals, again, I do not think they will have any effect. I want to address the concept of gutting the background check section and replacing it with a study.

I have learned around here that when somebody does not want to make a tough choice on a bill, what they do is water it down to a study. I am not immune from this practice myself, we have all done it. But this is not an issue we need to study anymore. It has been studied and debated numerous times in state Houses and in the United States Congress for more than 20 years. Too many innocent children and college students have been killed or maimed because of political foot-dragging. Too many women have been shot dead in their homes by husbands or boyfriends because law makers wring their hands and cower to a small but vocal minority.

Down the street here in Carson City, five National Guardsmen were gunned down while eating breakfast. Their mistake? Going to the International House of Pancakes that fateful day. Don’t listen to me; I am just a naïve, idealistic freshman. Please, listen to the sheriffs. Listen to Sherriff Haley, Sherriff Furlong, Sherriff Gillespie, former Sherriff Bill Young. Listen to the cops on the streets. Listen to the mental health professionals. Listen to the family members of victims like Tracy Kelly who had to celebrate what would have been her husband, Major Heath Kelly’s 36th birthday this week, alone. Her kids are without a father because he was gunned down at the International House of Pancakes down the street.

We don’t need a study to tell us that is unconscionable that one of our National Guardsmen can survive a tour of duty in Iraq or Afghanistan, but be shot dead at a restaurant by a paranoid schizophrenic who purchased and sold multiple guns including an uzi. More than 4,300 reported gun deaths have occurred just since the shooting in Newtown, Connecticut, in December. Every year 32,000 people die at the hands of persons with guns, many of them obtained illegally. That is 64,000 gun deaths that could be anticipated in this country if we decided to conduct yet another study and sit on our hands.

What we need right now is sensible and meaning legislation that respects the rights of law abiding gun owners while taking an important step in the direction of keeping guns out of the hands of felons, domestic violence perpetrators and those who are mentally ill. We need to take action, not do another study. Thank you.
SENATOR HARDY:
Thank you, Mr. President. My heart is full. I had the opportunity to have people to have people come who have been personally affected by the violence that has been put upon them, their neighbors and their loved ones. I feel we all would like to reach out and help anyone who has been so affected. In this political Body, we have tried to work together on some things; this is one of them. I think there are many pieces to the puzzle and there are pieces missing: one is the prevention piece, to have someone intervene sooner and closer with a response time. I don’t know that the amendment gets there; I don’t know that the bill gets there, in fact, I know it doesn’t.

I have asked on multiple occasions about different countries such as Israel where everyone has a gun. From a medical standpoint we cannot predict when people are going to have a psychotic break. Nobody can put that into a bill. We have looked at this and tried to assess whether one thing prevents another. I wish it could work that way.

I still have major concerns. Amendment No. 820 to Senate Bill No. 221 helps my concerns around what it is we need to know and what it is we can do. I am supporting the amendment. Thank you.

SENATOR SPEARMAN:
Thank you, Mr. President. I will try to get through this. This bill is personal for me. I don’t know if there are any other legislators who have experienced loss of two family members because of gun violence. My oldest brother did two tours of duty in Vietnam. He came home on May 14; yesterday was the anniversary of his death. He was killed seven days after he returned.

My youngest brother who was also killed in 2006 by someone who had an unregistered gun.
I agree with my colleague when he said it is time for us to do something sensible. We have heard all of the academic arguments about whether or not we can predict mental illness, whether this goes too far or whether this steps over the bounds of the Second Amendment to the United States Constitution. Unless you experience this personally, it is difficult for you to understand, perhaps.

Senate Bill No. 221 does nothing to abort or take away anyone’s Second Amendment rights. What the bill does is it brings sanity to the process. I will reject Amendment No. 820 because I think it controverts the intent of the sponsor’s bill. Thank you.

Motion lost on a division of the house.

SENATOR JONES:
Thank you, Mr. President. Senate Bill No. 221 sets out to accomplish the goal of improving public safety, and in particular, keeping guns out of the hands of felons and mentally ill individuals who are found to be a danger to themselves or others. First, the bill requires faster reporting of mental health adjudications by the courts to the state central repository which fees into the Federal Bureau of Investigation’s National Instant Criminal Background Check System, or “NICS” database. Courts that are now reporting in 45 days or more will now be required to do so within five days. Second, the bill directs the Department of Health and Human Services to expand collaboration efforts with mental health professionals, law enforcement, local governments and others to ensure that those with mental illness do not fall through the cracks. Third, the bill establishes a duty for mental health professionals to report to the police and warn a potential victim when a patient expresses a specific intent to harm or kill another person. Nevada is one of only a handful of states in the nation without a statutory duty to warn.

Finally, Senate Bill No. 221 expands background checks for private gun sales. Certain transfers, including between family members, upon the death of a family member, to a doctor or mental health professional or at a sporting event, are excluded. Since the Brady Handgun Violence Prevention Act was implemented more than 2 million felons, domestic violence perpetrators and mentally ill individuals were denied weapons because they failed background
checks. Background checks work, period. I am grateful for the strong support from our law enforcement community for Senate Bill No. 221.

Amongst those supporting the bill are the Nevada Sheriffs and Chiefs Association, Las Vegas Metropolitan Police Department, Sheriff Haley from Reno, Sheriff Furlong from Carson City, Sheriff Pierini from Douglas County, Sheriff Gillespie and former Sheriff Bill Young from Clark County, Las Vegas Police Protective Association, Peace Officers Research Association and many others. I am grateful for the support of domestic violence advocates concerned we have the highest incidence of gun deaths in domestic violence crimes in the nation. I am grateful for the support of mental health professionals including Dr. Dickson on behalf of the Nevada Psychiatric Association. I am very grateful for the victims and family members of so many who have shared their touching stories over the last two days with many of you. They put a face to lives that are forever changed by gun violence.

As law makers we are asked every day to take a stand on issues that are important to our community, important to our State. Today I stand with law enforcement officials. I stand with mental health professionals. I stand with these victims and family members of victims of senseless violence. I stand with the 86 percent of Nevadans in calling on my legislative colleagues to support Senate Bill No. 221 and expand background checks for private gun sales. Thank you.

SENATOR SMITH: Thank you, Mr. President. I rise in support of Senate Bill No. 221. Let me start by saying I am an avid supporter of the Second Amendment to the United States Constitution. I am a gun owner. I hunt. I shoot for recreational purposes. I have a husband who is as avid a hunter as you can find. I come from a long line of hunters. My father was a gunsmith and a licensed dealer before he left us. My brothers are all hunters. I have grown up in the world with guns and with hunting. In fact, I received my Hunter Safety Certificate before it was age-appropriate, in Arizona. My parents let me go with my older brothers. This is the life I have lived.

When we first started talking about the possibility of this legislation, I thought it was going to be really hard for me given the life I lead. In my Caucus, I am the one who represents a district in Northern Nevada, I socialize with hunters. I thought a lot about how I was going to feel about this when it finally came about. I heard the bill twice because I was on both the Senate Committee on Health and Human Services and the Senate Committee on Finance where we have discussed this bill. I surprised myself when we began to consider passing it in the Senate Committee on Health and Human Services and I realized how strongly I feel about this issue. In December, after the tragedy in Newtown, Connecticut, I had a visceral reaction that it is time we have some serious discussion in this Body about this issue. Let me say I have always supported the bills in this building that protect gun owners, Concealed Weapons Permits and similar matters. I believed it was time we do something. Some time passed, and then we had the hearing. My reaction was very strong.

After that tragedy in December, we heard a lot nationally about all of the possibilities of what might come about. There was talk about restricting automatic weapons, big magazines, background checks and mental health. Nationally the discussion seemed to really gel around mental health and background checks, and what we do to keep guns out of the hands of people who should not have them because of their mental health or for other reasons. I began to seriously think about that.

This is not a panacea. This is not going to fix everything. But I believe it really is the appropriate action to take. My colleague, the sponsor of this bill, has spent an unbelievable amount of time answering the concerns of the people who have come to him, answering the people who have come to our committees to testify—and there have been many of them. I have been in both meetings, and I chaired both of those meetings. I appreciate all of the effort he put into addressing the concerns that were expressed.

As I said in committee the other day, there may need to be some things that need to be fixed in the bill but I don’t think we should give up the good for the perfect. It is time that we address this issue. This does not hurt reasonable, safe, legal gun owners like me, like my husband, like my brothers. This doesn’t hurt us. It is not about hurting anyone’s rights. It is about an attempt to
keep guns out of the wrong hands and giving us a path through the other provisions in the bill to address mental health issues as they relate to guns.

So I surprised myself with how strongly I feel about this, but I do. Yesterday on this very floor we heard a remark about profiles of courage. I want to tell you that to me this is an act of courage for people to step up and address this very serious issue of gun violence. It is a small, courageous step we can take to make a difference. Thank you.

SENATOR ATKINSON:

Thank you, Mr. President. I, too, rise in support of Senate Bill No. 221. In listening to my colleague from Senate District No. 13, I began to think of some things that suggest that we are probably not doing enough. We talk sometimes and we don’t do enough of the people’s work. Senate Bill No. 221 addresses a lot. The Assistant Majority Leader said we continue to want to get to the great and don’t accept what is good. I think this measure is good.

I will share a personal story while trying not to get emotional. In 1990, I was attending school back east at Howard University. I received a phone call from my mom. She told me that my father had just been murdered. I will never forget that day; I looked at the clock and it was 5:06 a.m. Eastern time. I remember getting off the phone with my mom in disbelief. I actually proceeded to go to class the next day, not realizing I was in a state of shock. I was trying not to deal with that phone call. My brother ended up having to fly out to Washington D.C. to get me a couple of days later because I would not talk about it; I did not want to deal with it.

My father was my best friend. He is also the reason I am a Raider fan; you can blame him for that. He had season tickets when I was a child; I remember going into the locker room several times because my dad knew a lot of the players. That should explain to everyone why I bleed black and silver. I have had to live 20-some years now with the fact that the person who murdered my father has never been found. I have no doubt in my mind that he has probably gone on as well. I make myself believe that to get through certain things and certain days. It is still tough for me.

I think about that, and I think about where we are today. Like my colleague from Senate District No. 13, I believe in our Second Amendment rights. I, too, am a gun owner. I am probably one of the few in our Caucus who is endorsed by the National Rifle Association. I have a Concealed Weapons Permit, and I carry. I believe in it. I also believe guns should be in the right hands. Does this get us all the way there? It doesn’t. But it does get us to a better place.

I said I wasn’t going to say this—so I won’t say any names—but there is a provision in this bill that means a lot to me. We talked about it in our Caucus. The provision that allows a gun owner to loan it to someone for the weekend, to someone who does not have a license to carry, or a gun should not be in their hands—I was in the midst of some of this earlier this Session. Someone loaned a gun to a member of the other House. I was against it then, and I am against it now. I am happy that my colleague is addressing that because it is a loophole in our law that should not exist. I hope that my colleagues understand that, and understand that this bill is sure better than nothing.

I applaud the efforts of my colleague and hope that this Body can do something good today. Thank you.

SENATOR FORD:

Thank you, Mr. President. I rise in support of Senate Bill No. 221. To my colleagues from Senate District No. 1 and Senate District No. 4, my condolences to you both, and thank you for having the courage to share those stories with us. They are very informative for me. Unlike my colleagues from Senate District No. 13 and Senate District No. 4, I am not a gun owner. I have never owned a gun. I have never shot a gun. In fact, I have avoided guns my whole life. The members of the Senate Committee on Natural Resources know that I don’t go outside, let alone go outside to shoot guns. That said, I have avoided it primarily because of the neighborhoods I grew up in. Guns were prevalent. Many of my good friends are either dead or in jail behind gun violence. I have avoided guns for that reason.

I know that what I just said might be fodder to those who oppose my position, but as much as I have avoided guns I have also appreciated the United States Constitution and the rights its affords us as citizens—including the Second Amendment—which is the reason why I can
support this bill right now. We are all familiar with the *District of Columbia v. Heller* decision that struck down Washington D.C.’s law related to gun ownership. I am familiar with that particular case. I am also familiar with some of the things that case said, and I think they are very appropriate for us to consider right now. It cautioned that the Second Amendment should not be understood as conferring a “right to keep and carry any weapon whatsoever, in any manner whatsoever and for whatever purpose.” It also identified a non-exhaustive list of presumptively lawful regulatory measures including “longstanding prohibitions” on firearm possessions by felons and the mentally ill, as well as laws forbidding firearm possession in sensitive places such as schools and government buildings.

Here is the key: and imposing conditions on the commercial sale of firearms. That is all we are talking about here: imposing a condition on the commercial sale of firearms. I do not find it persuasive that a background check is too onerous and, therefore, violates the Second Amendment.

The court also noted that the Second Amendment is consistent with laws we have already had on our books that banned “dangerous and unusual weapons.” It is not uncommon to be able to ban those types of things. Although this bill does not go that far, I mention that to say that we are not talking about an outright attack and assault on the Second Amendment. In fact, we all know that every single one of our constitutional amendments can be abridged in some form or fashion—every single one. What we are talking about here is an effort to shield ourselves from those who may obtain guns who should not have them.

I applaud my colleague to the south of my district for bringing this bill, and I am happy to support it. Thank you.

**Senator Settelmeyer:**

Thank you, Mr. President. I appreciate the comments of my colleague from Senate District No. 11. However, Senate Bill No. 221 goes a little further than commercial sales. It may be uncommon for some of the individuals to hear, but the loaning of guns from individual to individual in my community is not that strange at all. In that respect, I stand in opposition to the bill.

One of the issues I have with the bill is that the exceptions swallow the rule. There are so many exceptions in it—it may feel good to pass it, but I am afraid that is all it is: feel-good legislation. Some of the examples were cited, such as the shooting at our local International House of Pancakes, concern me too. If this bill would have been in effect, it would not have changed the outcome in any way, shape or form. You can cite examples, but when you apply the rule that you are trying to put to it, it does not accomplish what you intend.

One of the things I liked about the amendment to this bill that came forward was the right to check, voluntarily, a gun. I had a situation where I had a friend whom I loaned a car to. I got the vehicle back, and there was a gun in the glove box. I called and asked what was going on. I was told, “My friend put it there. You can give it back.” I told him I don’t operate that way; I just don’t give someone a gun even if you said you left it there. I don’t do that. I went down to local law enforcement and asked them to run the gun and turn it over to the lawful owner. They declined saying they had no business with that; they wouldn’t run it for me. They refused. They said they had no right to run the gun, no obligation and no knowledge of it. I pressed that it should be checked, but again, they declined. I was refused the ability to run the gun and make sure it was clear. Luckily, I had another friend on the force who did me a personal favor; he conveyed the gun to the owner because I felt uncomfortable. The amendment that was offered would have allowed that.

One of the other issues that the bill doesn’t really speak to is security guards who don’t own their own guns. They come to work, check out a gun and put it in their holster. At the end of the night they put it back. The way I am reading the bill, that is a transfer. Are they going to have to go to a Federal Firearm Licensed dealer every time? That seems rather onerous and rather problematic—you are potentially decreasing safety by having these guys have to do that.

To me, this bill is an infringement on individuals who do lawfully carry guns and who have the right to carry guns, those who are loaning guns to one another lawfully. It is a burden to them.

Let’s face it, the criminals are going to ignore this law. We will not have the effect.
I appreciate very much the personal stories that have been shared today here. My dad died at the hand of a gun, but I don’t blame the gun. Thank you.

SENATOR HUTCHISON:
Thank you, Mr. President. Sometimes I wish there was a way we could vote the way the courts can vote, which is concur in part and dissent in part.
First I want to thank my friend and colleague from Senate District No. 9; he knows of my affection and respect for him. I know he has worked hard—he has spent many hours on this bill. I know there are those of us in this room who share his concerns. We all have very strong feelings about gun violence. We would all vote for a bill—in fact, we all support laws—that outlaws gun violence. We would all vote for a bill against criminals killing with guns; there are laws that do that too. We would all vote for innocent victims to be spared the hand of violence. We would all do what we could to spare the lives of the 32,000 who have died by guns, and the 4,300 who have died by guns since the tragedy at Sandy Hook Elementary School in Newtown, Connecticut. The reality is that we have to eliminate all criminal activity in this country, and in this world, in order to accomplish this because criminals kill people.
I am a very strong supporter of background checks. I do agree with my friend from Senate District No. 9 that background checks work. I believe there is pretty strong support generally for that. Indeed, the part of Senate Bill No. 221 I concur in is a large part of the bill: the central repository record keeping improvements, the mental health professionals’ additional reporting requirements that have been enhanced. These are great improvements directed at the mental health factors that have led to some of the gun violence we all know about.
However, about the same percentage of those who support background checks also believe the government has no business knowing what guns you own. Recent events have underscored the point. We cannot keep the government out of our personal lives and our tax records. It gives me great concern when we give the government more and more private information, particularly about our gun purchases.
As I said, there are a number of wonderful things in Senate Bill No. 221 for which I applaud my colleague. I see where I, as a Concealed Weapons Permit holder, am excluded from the background check under Section 7.81. However, I am concerned about the records issue I referenced because even though I have undertaken extensive training, submitted myself to a background check, have been fingerprinted and run through the databases; I am determined to be clean, I am okay. Yet, under this bill, if I engage in a private transaction with a friend of mine to buy a gun, I have to go down to Cabela’s, or somewhere to a Federal Firearm Licensee and they have to record the fact that I am purchasing a gun from someone. I don’t agree with that. I don’t believe that the government has any business possessing that information after I have already passed a background check and given my fingerprints. Why does the government in that situation have to have a record of me, a good guy, purchasing a handgun, rifle or any other type of weapon.
To me, as important as background checks are—equally important to me is not authorizing the government to maintain a list of the guns that I own. That is the part of Senate Bill No. 221 from which I dissent. For that fundamental reason I will not support the bill. But again, I appreciate what my friends who do support the bill are seeking to address, particularly the mental health component of the bill. Those who have Concealed Weapons Permits, those who are serious gun owners like my friends from Senate District No. 4 and Senate District No. 13 are well-intended, sincere and honorable can differ on the various provisions of the bill. For the reasons I discussed, I will respectfully dissent from supporting this bill. Thank you.

SENATOR BROWER:
Thank you, Mr. President. Let me first of all thank the sponsor of Senate Bill No. 221. As has been said, he has done a lot of very hard, very difficult work on this issue. We all commend him for that. There are some things about this bill, as have been discussed, that are laudable and can make a difference. The faster reporting of mental health information is very good. Better collaboration between social services and law enforcement is a “no brainer.” Enhancing the duty to report by mental health professionals is also a very sound concept. These are logical reforms. But the bill has some defects that I cannot look past, and I cannot support the bill as a result.
I think I am the only member of this Body who has actually prosecuted gun violence, who has actually dealt with the victims. I don’t say that to suggest that my experience gives me any kind of monopoly on good ideas in this area. It certainly doesn’t give me a monopoly on the truth when it comes to these very difficult issues. But I have been there, I have done that, and the type of street crime that is epidemic in many of our cities—including cities that have banned handguns for the most part like Washington D.C. and Chicago, and the type of street crime I suspect was the cause of some of the tragic stories we have heard here today—will not be addressed by this bill.

Here are the problems with the bill as I see it. And unfortunately, the failed amendment could have addressed at least some of these issues. First of all, it is incredibly overbroad. As we have heard, Senate Bill No. 221, for the first time, would subject private transactions—not commercial transactions to background checks. I think we are all in support of background checks for commercial transactions. When I hear that 86 percent of Nevadans support background checks, I know what that means. I have received the emails and the phone calls like all of you have. I have talked with a couple of constituents who say, “I support background checks, do you?” I say, “Absolutely I do.” They conclude I will support a bill like Senate Bill No. 221 and I tell them, “Not exactly and here is why.” The constituents I have talked to do not understand what this bill does. I would submit to the Body that the 86 percent of Nevadans who support background checks do not understand what this bill would do. The bill is overbroad in that it would require background checks for all private transactions. If I want to buy my neighbor’s shotgun, under this bill we would have to go down to a sporting goods store and document that transaction. That is flat-out illogical.

The second problem I see is that the bill is essentially unenforceable. There are an estimated 300 million guns in this country. Trying to create and impose some kind of new regulatory regime on the ownership and sale of firearms by law-abiding citizens, I would submit to you, is bureaucratically impossible—forget about the Second Amendment issues—it is impossible. And finally, if you are a proponent of expanded universal background checks, this is not the bill for you. Listen to the list of loopholes I have been able to find in the bill: private transactions would be subject to background checks unless the transfer is: to a holder of a Concealed Weapons Permit, of an antique gun, is a gift to a family member, via a will, to another for the defense of their property, temporary and takes place at a shooting range or while hunting, for the purpose of repair or maintenance, by a person in the military who wants to transfer their weapon to a family member or to a medical doctor or mental health professional; there may be other loopholes, I stopped counting at ten. It seems to me, as has been suggested earlier, the loopholes swallow up this proposed new law.

Given all of that, I will tell you I do believe we should do something. We do have a problem. The bill does include some very positive reforms, especially with respect to mental health issues. But let’s not fool ourselves, and let’s not fool our constituents. Passing Senate Bill No. 221 will do little if anything beyond making some of us feel good about passing a bill. Sometimes that is good enough; we pass bills every session that are feel-good bills, that are symbolic. I have been the sponsor of at least one resolution this Session that was nothing more than symbolic, but very important in terms of its symbolism. So sometimes that is okay.

When it comes to getting a handle on the real problem which in my view is guns in the hands of mentally ill people who commit the horrendous crimes that we have been talking about on the floor today, a feel-good piece of legislation is not good enough. Let’s get at the problem. Let’s adequately fund our mental health system. Let’s do more—as this bill does in part—to make sure those who are not mentally competent to handle firearms cannot get firearms. Let’s address that. But, let’s not subject law-abiding citizens to an unprecedented level of government intrusion so we can say we passed a bill.

I want to again thank the sponsor of the bill for his efforts in this regard. There is a bill out there that accomplishes the goals I am talking about, and that we are all concerned with. This is not that bill. Thank you.

SENATOR SEGERBLOM:
Thank you, Mr. President. I want to bring to this moment a little bit of history. I have been in this State a long time—I was born and raised here. For the first time in my lifetime, this Body
has been able to actually debate gun control. How much progress is that? For the first time we are discussing this without the National Rifle Association on our backs or fear of talking about it. I appreciate everyone here being willing to talk about this issue. It is a crisis, and it is a cancer. There are too many guns in this country. We have guests sitting in the Chamber today who have come here from all over the country to watch us and ask us to please do something. We cannot let the perfect get in the way of the good. We have to do something.

My colleague here says, “This is not good enough. What are we going to do?” We have to start somewhere, and we are starting somewhere today. Senate Bill No. 221 will pass today. We start today. This is not the end, it is the beginning.

I thank everyone—for the first time in Nevada’s history—for being willing to stand up and talk about it. I also want to thank the 11 of you who are going to vote in favor of this bill. We are making a positive change in our State. This is not the Nevada I grew up in; this is a new Nevada that we can all be proud of. Thank you.

SENATOR JONES:
Thank you, Mr. President. I really appreciate the comments from all of my colleagues here today, and for the opportunity which my colleague from Southern Nevada has acknowledged—the opportunity to have a real debate about this issue.

I want to briefly address one or two of the issues that were raised by a few of my colleagues. I heard from my colleague from Senate District No. 17 that he would like to go to a voluntary background check system. We have that now. It is in statute. We heard about it in committee, and I asked the question of Julie Butler from Central Records, how many people have taken advantage of that opportunity that currently exists in statute to get a voluntary background check. She indicated five. Five. Five people in history have taken advantage of a voluntary background check that was proposed in the failed amendment to Senate Bill No. 221. It does not work.

I have heard from many the argument that a background check is not going to stop a criminal, because a criminal won’t go through the process. If that were the case, then in the 20 years since we have had the Brady Handgun Violence Prevention Act in effect, the number of denials would be zero. But it is not. Two million criminals, domestic violence perpetrators and mentally ill individuals have been denied access to firearms. Two million. This bill is not going to prevent all criminals from obtaining guns, but if it prevents one of those two million individuals from committing a crime, it is worth it. It is worth it to have people like our guests over here, not suffer through what they have experienced: losing a son or a husband. It is worth not having members of our own National Guard gunned down, down the street.

With regard to the remarks of my colleague from Senate District No. 15, I have watched him in committee vote 100 percent record with our law enforcement officials—every time they come up to the lectern. Every time he votes with our law enforcement. I recognize that he and others on the committee value the opinions of law enforcement. I am confused why, on this vote, they won’t listen to the sheriffs that oversee their own districts: Sheriff Pierini, Sheriff Furlong, Sheriff Gillespie, Sheriff Haley. Why in the world do we listen to them on every other bill, but not on Senate Bill No. 221? I have heard my colleagues on the Senate Committee on Judiciary ask to hear from our domestic violence representatives, and go along with them—as we should. Except this bill is one where we should ignore their opinions? What Sue Meuschke has to say is Nevada has the highest rate of gun violence in domestic violence situations. But let’s not listen to her on this vote.

I hear some of the examples that have been cited here today wouldn’t be prevented by this legislation—and perhaps not. I am not here to tell you that every crime committed with a gun is going to be prevented by this legislation. But let me give you one example: my colleague from Senate District No. 15, he served as the United States Attorney for a few years; he spent a lot of time in the Lloyd D. George Federal Courthouse in Las Vegas. Three months after he left that office, I happened to be two blocks away at the State Courthouse when security went on alert because two blocks away, a man named Johnny Lee Wicks walked into the Federal Courthouse and gunned down United States Marshalls. I served in that courthouse; I had the opportunity early in my career to work for a judge in that courthouse, and I knew the United States Marshalls who protected us every day. Johnny Lee Wicks was a convicted criminal. He was able to
purchase a gun because we don’t require background checks of private-party sales. No, not every
criminal is going to abide by the law—that’s why they are criminals.
But again, two million people have been denied firearms as a result of background checks.
Background checks work. I encourage your support. Thank you.

SENATOR BROWER:
Thank you, Mr. President. In response to my colleague from Senate District No. 9: as has
been discussed, I led federal law enforcement in our district here for a time. Federal and local
law enforcement professionals in this State know me, and I know them. Not a single one has
talked to me about Senate Bill No. 221. We have parades of lobbyists outside our offices every
day. I, like most of you, despite all of that lobbying, do what I think is right. It is true, I support
law enforcement whenever I can in this Body, and I am happy to do so. I think most of us do. I
am proud of that. They are not always right, but in my view, they are mostly right. On this issue
I have not talked to a single law enforcement official. They know where to find me, they know I
have an open door and they know that more often than not I am sympathetic to their views on
issues. When it comes to important issues, they seek me out. I have not had a single
conversation. That is just to set the record straight. It doesn’t matter because, again, I just try to
do the right thing. It doesn’t matter who is on the list of supporters, or who is opposed, we look
at the bills, we look at the Nevada Constitution, we look in our heart of hearts and  we try to do
what we think is best for the State—and for all of the people of this State. That is all I have tried
to do on this bill, and on any other bill. I am sure that is the same with all of us in this Chamber.
Thank you.

SENATOR KIHUEN:
Thank you, Mr. President. I rise in support of Senate Bill No. 221. Most of the points have
already been eloquently articulated by my colleagues. I have never really said this to anyone
here, but I am a Democrat and I am a gun owner—a proud gun owner just like my colleagues
from Senate District No. 13 and Senate District No. 4. I take a lot of heat from my base, from
some of my supporters, for this. I know when I speak at certain venues and I talk about the
reasons why I own a gun, I take heat. But I believe in the Second Amendment to the United
States Constitution. I believe in the right to bear arms. I believe in the right to protect yourself,
and to defend yourself. I also believe in responsible gun ownership. If there are mentally ill
people out there trying to access weapons, there should be a process to catch them.
Eighty-six percent of Nevadans, and about 80 percent of Americans, support background
checks. We represent the State of Nevada, our constituents. When we come up here to Carson
City to legislate, we don’t legislate on our personal beliefs, but on the interests of our
constituents. When you have 86 percent of Nevadans saying they support background checks, it
is incumbent on us to listen to them.
Part of the reason I own a gun, unlike my colleague from Senate District No. 11, is because of
the place I grew up. I grew up in rough areas here in Nevada, California and in Mexico. I felt the
need to protect myself. I am a proud gun owner, and I proudly support the Second Amendment. I
proudly support anyone who wants to own a gun responsibly. There should be a process to catch
criminals and mentally-ill folks. Lastly, I believe that the victims at Sandy Hook Elementary
School, Columbine, the Colorado movie theater, the Arizona shooting that injured U.S.
Representative Gabrielle Giffords, my colleagues’ brothers and fathers, they deserve a vote; they
deserve for us to support this bill.
As my colleague from Senate District No. 3 said, the fact that we are debating guns here in
the Legislature is a step in the right direction. This is not a perfect bill, but again, it is a step in
the right direction. I hope my colleagues join me in supporting this bill. I thank my colleague
from Senate District No. 9 for his hard work; I have seen him working on this bill for almost a
year now. When I was out campaigning door to door with him, he was talking about this bill to
his constituents. Senator, I congratulate you, and I commend you for your efforts. Thank you.
Roll call on Senate Bill No. 221:
YEAS—11.

Senate Bill No. 221 having received a constitutional majority,
Mr. President declared it passed.
Bill ordered transmitted to Assembly.

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

Senate in recess at 2:15 p.m.

SENATE IN SESSION

At 4:02 p.m.
President Krolicki presiding.
Quorum present.

Assembly Bill No. 14.
Bill read third time.
Remarks by Manendo.
Thank you, Mr. President. Assembly Bill No. 14 revises various provisions governing persons who are engaged in the sale of vehicles. Specifically, the bill deletes a provision requiring that the application for licensure of a salesperson who holds a temporary permit be denied if that person ceases to be employed as a salesperson by a licensed and bonded dealer, lessor or rebuilder. It also expressly prohibits the person from engaging in the activity of a salesperson during the period in which the person is not employed as a vehicle salesperson. Thank you.

Roll call on Assembly Bill No. 14:
YEAS—21.
NAYS—None.

Assembly Bill No. 14 having received a constitutional majority,
Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 44.
Bill read third time.
Remarks by Senator Hutchison.
Thank you, Mr. President. Assembly Bill No. 44 prohibits a homeowners’ association from regulating the manner in which containers for collection of solid waste or recyclables are stored on the premises of a residential unit with curbside service, except as provided in the bill itself. This measure authorizes a homeowners’ association to adopt reasonable rules regarding the location, screening and storage of containers when the containers are not in the collection area, and the conditions under which containers may be placed in the collection area. The measure allows such rules to require the storage of containers in the rear or side yard of a unit, if such locations exist. The bill requires any rules adopted by the homeowners’ association to allow the
storage of containers outdoors and to comply with all applicable codes and regulations. Thank you.

Roll call on Assembly Bill No. 44:
YEAS—21.
NAYS—None.
Assembly Bill No. 44 having received a constitutional majority,
Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 66.
Bill read third time.
Remarks by Senator Kihuen.
Thank you, Mr. President. Assembly Bill No. 66 requires the State Board of Equalization to provide a 30-day notice, rather than a 10-day notice, to interested persons if the Board proposes to increase the valuation of any property on the assessment roll. The bill also eliminates the requirement that the State Board of Equalization provide notice by registered or certified mail, that the Board propose an equalization action to increase the property value of a class or group of properties. The State Board must still provide notice to the taxpayers who may be affected by these actions by First Class mail. Thank you.

Roll call on Assembly Bill No. 66:
YEAS—21.
NAYS—None.
Assembly Bill No. 66 having received a constitutional majority,
Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 95.
Bill read third time.
The following amendment was proposed by Senator Atkinson.
Amendment No. 819.
Senator Atkinson moved the adoption of the amendment.
Remarks by Senator Atkinson.
Thank you, Mr. President. Amendment No. 819 to Assembly Bill No. 95 provides that an election by the person to indicate or not indicate a substitution on the label applies both to the fill and refill of the same prescription. Thank you.

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

Assembly Bill No. 98.
Bill read third time.
Remarks by Senator Kihuen.
Thank you, Mr. President. Assembly Bill No. 98 establishes procedures that a homeowners’ association must follow before initiating a foreclosure on a unit or any other debt collection activity. The measure provides that if an obligation is 30 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.

The measure provides that no earlier than 30 days after mailing the last of the two letters, if the unit’s owner so requests, the executive board must conduct a hearing to verify the past due obligation. Finally, 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. Thank you.

Roll call on Assembly Bill No. 98:
YEAS—11.

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

Assembly Bill No. 116.
Bill read third time.
Remarks by Senator Segerblom.
Thank you, Mr. President. Assembly Bill No. 116 adds concealing and aiding in the destruction or concealment of material evidence to the acts that make a person an accessory to a felony. The bill also adds the domestic partner of a principal offender to the list of persons who are not considered accessories after the commission of a felony or gross misdemeanor. Thank you.

Roll call on Assembly Bill No. 116:
YEAS—21.
NAYS—None.

Assembly Bill No. 116 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

MOTIONS, RESOLUTIONS AND NOTICES
Senator Manendo moved that Assembly Bill No. 176 be taken from its position on the General File and placed at the bottom of the General File.
Motion carried.

GENERAL FILE AND THIRD READING
Assembly Bill No. 207.
Bill read third time.
Remarks by Senator Ford.
Thank you, Mr. President. Assembly Bill No. 207 limits to 30 days the period for which the juvenile court may order a person who is at least 18 years of age but less than 21 years of age, and who is subject to the jurisdiction of the juvenile court, to be placed in county jail for a violation of probation or parole. This measure is effective on October 1, 2013. Thank you.
Assembly Bill No. 207 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 240
Bill read third time.
Remarks by Senators Segerblom, Brower, Ford, Hutchison, Settelmeyer and Hammond.

SENATOR SEGERBLOM:
Thank you, Mr. President. Assembly Bill No. 240 provides that comparative negligence is not a bona fide issue if the trier of fact finds no comparative negligence on the part of the plaintiff or the plaintiff’s decedent. Thank you.

SENATOR BROWER:
Thank you, Mr. President. Assembly Bill No. 240 has been amended at least a couple of times and it remains, in my humble opinion, one of the most confusing bills despite its few words. The issue this bill purports to address is before the Nevada Supreme Court currently, and will be decided, hopefully, very soon. The court in its decision, we hope, will give us some clarity as to what the current state of the law is, which we cannot get a consensus on, currently. Frankly, I think we should allow that clarity to be shared with us before we try to change the law. For that reason I urge my colleagues to vote against this bill. Thank you.

SENATOR FORD:
Thank you, Mr. President. While I agree this is certainly a confusing issue, as well as a confusing bill, I respectfully disagree that the very issue Assembly Bill No. 240 is trying to address will be heard by the Nevada Supreme Court. The underlying issue as to whether joint and several liability is the state of the law relative to non-negligent plaintiffs vis-à-vis negligent defendants is an issue that might be decided by the Court. What Assembly Bill No. 240 attempts to address is in cases where comparative negligence is an issue, whether a defendant must do more than just plead as an affirmative defense comparative negligence. Or whether you have to prove apportionment before the case is converted *de facto* into a several case. Arguably under the current state of the law, the answer should be yes. That is why I am advocating for this particular bill. Thank you.

SENATOR HUTCHISON:
Thank you, Mr. President. I would like to clarify one point that was discussed in committee. My friend from Senate District No. 11 would probably agree with me on this: the lawyers on the Senate Committee on Judiciary feel that there is a bit of confusion in the law, but we are not doing anything in Assembly Bill No. 240, if it passes, which would preclude a court from deciding comparative negligence issues pre-trial by way of motion practice. Perhaps my colleague from Senate District No. 11 could confirm that. It is something I recall we all agreed on during the committee discussions, by both the lawyers and the esteemed non-lawyers on the Senate Committee on Judiciary. Thank you.

SENATOR FORD:
Thank you, Mr. President. I certainly agree that we are not attempting to establish what the law is with this bill. I want to repeat that: we are not attempting to establish the law with this bill. The assumption is under the *Buck v. Greyhound Lines* case that joint and several remains the state of the law, and if that is the case and the Nevada Supreme Court confirms that in the next couple of months, then this bill will indicate that you have to do more than plead as an
affirmative defense comparative negligence; it will have to be proved. At that juncture you can convert the case to several liability if there is comparative negligence.

My colleague is correct that under this bill nothing prohibits a court from determining pre-trial—at any time pre-trial or during trial—that comparative negligence is in fact a bona fide issue, and it doesn’t purport to remove any discretion from the judge in that regard. Again, I advocate and urge your support. Thank you.

SENATOR SETTELMEYER:
Thank you, Mr. President. I would like to address my question to my colleague on the Senate Committee on Judiciary: if I am correct on what this establishes—say you are driving along, your turn signal didn’t work and you were unaware of that, and someone raced by you with another car and caused an accident because you started to move over in the lane as they were speeding pass—a situation where the other car is 99 percent at fault and the fact that your turn signal wasn’t working is one percent of the reason for the accident. Would the person who is one percent responsible have to pay the entire case and then go after the other person for the other 99 percent? I don’t know if I am reading that correctly, but it scares me as a business person. I do not like the idea of being responsible for someone else’s negligence. Thank you.

SENATOR SEGERBLOM:
Thank you, Mr. President. Assembly Bill No. 240 doesn’t really deal with the issue just mentioned by my colleague from Senate District No. 17. It just says that the person who did not do anything wrong should not have to worry about fighting someone who claims that person was partially responsible until that fact is proven. So, if you are driving down the road and two cars hit you, and you weren’t at fault, both of those cars have to fight between themselves as to who is responsible. You don’t have to be a part of the fight.

We are just trying to clarify the pleadings process when the affirmative defense of comparative negligence comes in. You can’t just say the plaintiff did something wrong, you have to actually prove it. That will come out during discovery, if at all. This does not deal with the situation you are describing, that already is the law: where the individual who is one percent at fault and the person who is 99 percent at fault are both equally, jointly and separately, liable. Thank you.

SENATOR HAMMOND:
Thank you, Mr. President. I rise to state why I oppose Assembly Bill No. 240. As you have heard, many of the lawyers from the committee who heard this bill have described the bill and their confusion with it. The way I look at it we are supposed to be passing legislation that gives clarity. In listening to those who are talking about the bill, we can’t be sure what this bill will do in the end, and that is why I am opposing it. I understand the intent of the bill, I understand what we are trying to get at. But we don’t know what might happen to joint and several by passing this bill: will we establish it in the State? Will we not establish it in the State? Was it established already? Was it not? It is a very confusing issue. I was put through one semester of law school on this one issue alone, which is another reason why I am going to say no to this bill. Thank you.

SENATOR BROWER:
Thank you, Mr. President. Let me say it again: the lawyers on the committee, in this building and in this State have been informally surveyed by many of us, and cannot agree on what the law is. I have been part of a lot of debates in this Chamber over the years. As you all know we generally can agree on what the law is, and we fight every day about what the law should be. In a court, of course, it is just the opposite. I have never seen a debate in four sessions here where we couldn’t at least agree on what the law is, and then move on to fighting about what it should be. Again, we don’t know what the law is, and therefore we aren’t sure what the bill would do. The Nevada Supreme Court has a case in front of it, squarely on point—let’s let our Court decide this issue. If we don’t like that decision and we think a fix is necessary, let’s do that next Session. Let’s not jump in and try to decide something we can’t get a consensus on with respect to what the current state of the law is. Thank you.
SENATOR FORD: Thank you, Mr. President. As the person who proffered the amendment to Assembly Bill No. 240, I feel I have to defend the amendment despite the confusion. We do know what this bill would do. It would do one of two things: on the one hand, without pronouncing—we have to assume the current state of the law as pronounced in Buck v. Greyhound Lines, is joint and several. If we agree with that premise this bill would say that you have to do more than simply plead as an affirmative defense comparative negligence. You have to prove it. Pre-trial you can file a motion or do whatever you need to do to prove that it is either a bona fide issue or otherwise. If it is not the state of the law, and the Nevada Supreme Court, by the way, may or may not decide this issue because there are several issues in the Nevada Supreme Court case. They may not get to this issue, and if they don’t it may be presumed joint and several. But if they get to this issue and they determine several, we know that this bill has no utility. I still urge support. Thank you.

Roll call on Assembly Bill No. 240:
YEAS—11.

Assembly Bill No. 240 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 352.
Bill read third time.
Remarks by Senator Ford.
Thank you, Mr. President. Assembly Bill No. 352 prohibits a person from knowingly advertising, making, possessing, purchasing, selling or transporting a hoax bomb with intent to: (1) make a reasonable person believe it is an explosive or incendiary device; (2) cause alarm or reaction by an employee, officer or volunteer of a fire or law enforcement agency; or (3) cause the evacuation of a building, whether or not a threat is conveyed. The bill provides that a violation of this prohibition is a gross misdemeanor or, if used to cause the evacuation of a building, a Category E felony or, if used in furtherance of a felony, a Category C felony. This measure is effective on October 1, 2013. Thank you.

Roll call on Assembly Bill No. 352:
YEAS—21.
NAYS—None.

Assembly Bill No. 352 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 354.
Bill read third time.
Remarks by Senator Hardy.
Thank you, Mr. President. Assembly Bill No. 354 prohibits the manufacture, sale, or distribution of an empty bottle or cup containing intentionally added Bisphenol A, or BPA, if the bottle or cup is designed or intended to be filled with liquid, food, or beverage intended primarily for consumption by a child less than four years of age. The bill also prohibits the manufacture, sale or distribution of infant formula or baby food stored in a container that contains intentionally added Bisphenol A. Thank you.
Roll call on Assembly Bill No. 354:
YEAS—21.
NAYS—None.

Assembly Bill No. 354 having received a constitutional majority,
Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 358.
Bill read third time.
Remarks by Senator Brower.
Thank you, Mr. President. Assembly Bill No. 358 enacts the Uniform Deployed Parents Custody and Visitation Act. It essentially prohibits a court from using a parent’s past or possible future military deployment itself as a negative factor in determining the best interest of a child in a custody proceeding. The bill received unanimous support from the Senate Committee on Judiciary. I urge your support. Thank you.

Roll call on Assembly Bill No. 358:
YEAS—21.
NAYS—None.

Assembly Bill No. 358 having received a constitutional majority,
Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 366.
Bill read third time.
Remarks by Senator Hutchison.
Thank you, Mr. President. Assembly Bill No. 366 allows a nonprofit cooperative corporation to deal in products of nonmembers in an amount greater in value than products it handles for members, if allowed by its articles of incorporation or bylaws. It requires the name of the corporation to contain the word “Cooperative” or “Co-op,” or the abbreviation “N.C.C.” The bill also authorizes the adoption of initial bylaws by a majority vote of the directors, authorizes a majority of the members to delegate the power to amend the bylaws to the directors and makes other related changes. Thank you.

Roll call on Assembly Bill No. 366:
YEAS—21.
NAYS—None.

Assembly Bill No. 366 having received a constitutional majority,
Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 379.
Bill read third time.
Remarks by Senator Hardy.
Thank you, Mr. President. To summarize, Assembly Bill No. 379 allows owner or occupant of property where an abandoned recreational vehicle is located to apply to the Department of Motor Vehicles for a letter of abandonment. Once the Department of Motor Vehicles figures out they cannot get ahold of the prior owner of the abandoned vehicle, the vehicle can be removed to the solid waste landfill, eliminating the eye sore and potential dangers. Thank you.

Roll call on Assembly Bill No. 379:
YEAS—21.
NAYS—None.

Assembly Bill No. 379 having received a two-thirds majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 381.
Bill read third time.
Remarks by Senator Manendo.
Thank you, Mr. President. Assembly Bill No. 381 sets forth a legislative finding that St. Thomas, Nevada, contains unique, culturally important resources. It also encourages the Office of Historic Preservation of the State Department of Conservation and Natural Resources to collaborate with Partners in Conservation to identify and develop programs for the preservation and protection of the historical culture of St. Thomas. Thank you.

Roll call on Assembly Bill No. 381:
YEAS—21.
NAYS—None.

Assembly Bill No. 381 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 382.
Bill read third time.
Remarks by Senator Hammond.
Thank you, Mr. President. Assembly Bill No. 382 allows the governing body of a city, within a county whose population is 700,000 or more (currently Clark County) and which is home to an endangered or threatened species, to impose a fee, by ordinance, on the construction of a structure or the grading of land in the unincorporated areas of the county if the county has created an enterprise fund as specified. The enterprise fund must be established pursuant to current State law, and the money in the fund may be used only to pay the actual direct costs of the program or programs established to encourage the preservation of those species or subspecies in the county likely to have a significant impact upon the economy and lifestyles of the residents of the county if listed as endangered or threatened. The fee, collected at the same time and in the same manner as the fee for the issuance of a building permit, may be no more than $550 per acre. This measure is effective upon passage and approval. Thank you.

Roll call on Assembly Bill No. 382:
YEAS—21.
NAYS—None.
Assembly Bill No. 382 having received a constitutional majority, Mr. President declared it passed. Bill ordered transmitted to Assembly.

Assembly Bill No. 383
Bill read third time.
Remarks by Senator Spearman, Settelmeyer, Kieckhefer and Goicoechea.

SENATOR SPEARMAN:
Thank you, Mr. President. Assembly Bill No. 383 requires the Audit Division of the Legislative Counsel Bureau to perform an audit of a board or a commission being reviewed by the Sunset Subcommittee of the Legislative Commission, if both the Sunset Subcommittee and the Legislative Commission recommend an audit. The Legislative Auditor shall not perform more than four such audits during a legislative interim. The measure specifies that the three members of the Sunset Subcommittee who are appointed from the general public are nonvoting members, and the other six members are voting members. The number of boards or commissions that must be reviewed each interim is reduced from not less than 20 to not less than ten.

The Sunset Subcommittee is a permanent subcommittee of the Legislative Commission whose authorization and duties are set forth in Chapter 232B, “Legislative Review of Public Agencies,” of Nevada Revised Statutes. Created in 2011 with the enactment of Senate Bill 251 (Chapter 480, Statutes of Nevada), the Subcommittee is responsible for conducting reviews of all boards and commissions in Nevada that are not provided for in the Nevada Constitution or established by an Executive Order of the Governor. This measure is effective upon passage and approval. Thank you.

SENATOR SETTELMEYER:
Thank you, Mr. President. I have a question for the Senate Committee on Government Affairs: are you lowering the number of bills that need to be reviewed? I am have served on the Sunset Subcommittee in the past. We did a lot of work in that respect. I am curious why the reduction in number; I think it is good to continue to review those and find any duplicative items that can be eliminated. Why are we lowering the number of committees to review? Thank you.

SENATOR KIECKHEFER:
Thank you, Mr. President. The effort is to reduce the overall number of committees so those that are bigger in their scope and reach can be reviewed in a more in-depth fashion, in order to crack down on some of the potentially more wasteful areas. I believe that is the intent behind Assembly Bill No. 383.

SENATOR GOICOECHEA:
Thank you, Mr. President. I believe the testimony in committee, both from the auditor, Paul Townsend, and the sponsor of the bill, they wanted to review fewer committees. The last Sunset Subcommittee reviewed many committees and only three or so were eliminated. The focus was to less in order to do more. Thank you.

SENATOR SETTELMEYER:
Thank you, Mr. President. I am concerned that if the committee looks at less, they will get rid of less. I think we should be looking at as many as possible in an effort to reduce the number. Thank you.

Roll call on Assembly Bill No. 383:
YEAS—20.
NAYS—Settelmeyer.
Assembly Bill No. 383 having received a constitutional majority, Mr. President declared it passed. Bill ordered transmitted to Assembly.

Assembly Bill No. 386. Bill read third time. Remarks by Senators Woodhouse and Hardy.

SENATOR WOODHOUSE:
Thank you, Mr. President. Assembly Bill No. 386 establishes a pilot program in the Clark and Washoe County School Districts for the administration of mental health screenings to students enrolled in at least one secondary school in each school district. It also requires a parent to affirmatively give his or her written consent to the proposed screening, or the child will be exempt. This measure requires the school districts to report program outcomes to the Legislative Committee on Education and Nevada’s Department of Education, and the Department must subsequently compile the results and submit them to the 78th Session of the Nevada Legislature.
Assembly Bill No. 386 also: (1) ensures engagement and coordination with community stakeholders throughout the process of implementing the pilot program; (2) specifies that a school district does not have financial or referral responsibilities related to follow-up treatment that might be needed by a student who is screened; and (3) provides for aggregated data collection to inform the possible development of future programs, resources or interventions. This bill is effective on July 1, 2013. I would appreciate your support. Thank you.

SENATOR HARDY:
Thank you, Mr. President. I rise in support of Assembly Bill No. 386. We have had recent debates on the Senate floor and in committees on mental health. One of the challenges we have is identifying those who have mental health challenges. This is the kind of tool we can start with to see how it works, and if it works, what we can do to intervene. I think this is a small step that portends different directions depending on how things go. Thank you.

Roll call on Assembly Bill No. 386:
YEAS—18.
NAYS—Cegavske, Gustavson, Settelmeyer—3.

Assembly Bill No. 386 having received a constitutional majority, Mr. President declared it passed. Bill ordered transmitted to Assembly.

Thank you, Mr. President. Assembly Bill No. 389 authorizes the court to make the child a party to an action to determine parentage, or to appoint a guardian ad litem for a minor child in such an action, if the court determines it is necessary. The bill also deletes existing provisions that require the district attorney or the Division of Welfare and Supportive Services, Department of Health and Human Services, to act as guardian ad litem. Thank you.

Roll call on Assembly Bill No. 389:
YEAS—21.
NAYS—None.
Assembly Bill No. 389 having received a constitutional majority,
Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 391.
Bill read third time.
The following amendment was proposed by Senator Atkinson.
Amendment No. 816.
Senator Atkinson moved the adoption of the amendment.
Remarks by Senator Atkinson.
Thank you, Mr. President. Amendment No. 816 to Assembly Bill No. 391 clarifies the
definition of energy services so that such services do not apply to standard wheeling of
electricity. Thank you.

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

Assembly Bill No. 393.
Bill read third time.
Remarks by Senators Jones and Kieckhefer.

SENATOR JONES:
Thank you, Mr. President. Assembly Bill No. 393 provides that a child placed in foster care
has the right to have contact with siblings unless it is contrary to the safety of that child, and to
the extent practicable, have contact arranged on a regular basis, holidays, birthdays and other
significant life events. The bill further prescribes that a child placed in foster care has the right
not to have contact or visitation with a sibling withheld as a form of punishment, and consistent
with the age and developmental experience of the child, be notified of changes in the placement
of a sibling. This bill is effective on October 1, 2013. I urge your support. Thank you.

SENATOR KIECKHEFER:
Thank you, Mr. President. Assembly Bill No. 393 helps ensure that children who are placed
in foster care continue to have access to their siblings. It is a good bill. Thank you.

Roll call on Assembly Bill No. 393:
YEAS—21.
NAYS—None.

Assembly Bill No. 393 having received a constitutional majority,
Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 395.
Bill read third time.
Remarks by Senators Kihuen and Hardy.

SENATOR KIHUEN:
Thank you, Mr. President. Assembly Bill No. 395 prohibits persons associated with a
common-interest community from willfully and without legal authority harassing, threatening or
engaging in a course of conduct against other persons associated with the community. If that
conduct causes harm or serious emotional distress, or the reasonable apprehension thereof, or
creates a hostile environment for the other person. The prohibition applies to a community
manager; an agent or employee of a community manager; a member of the executive board; an agent, employee or officer of a homeowners’ association; a unit’s owner; and a guest or tenant of a unit’s owner. The bill provides that a person who violates this prohibition commits a public nuisance and is guilty of a misdemeanor. Thank you.

SENATOR HARDY:
Thank you, Mr. President. Having heard the description of emotional stresses and harassment, I recall when my wife was accused of stealing a dime out of the dryer in college—to tell you how long ago that was. It caused her quite some emotional distress to be accused of stealing. I struggle with the homeowners’ associations and the intimidation factors that may or may not be perceived differently by different people. I don’t know if that was addressed in the bill, but I have some anxiety with the bill. Thank you.

Roll call on Assembly Bill No. 395:
YEAS—19
NAYS—Hardy, Settelmeyer—2.

Assembly Bill No. 395 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 415.
Bill read third time.
Remarks by Senators Segerblom.
Thank you, Mr. President. Senate Bill No. 415 provides that the crime of burglary does not include the act of entering a commercial establishment during business hours with intent to commit petit larceny unless the person who enters has two or more previous convictions for petit larceny within the last seven years or a felony conviction. This legislation is designed to deal with the situation where someone goes into a convenience store and takes a soda—we don’t want that to be a felony to start out with. It also provides a special account for the Advisory Commission on the Administration of Justice. It also authorizes each county to establish a community court pilot project within any of the counties’ justice courts. Thank you.

Senator Segerblom moved that Assembly Bill No. 415 be taken from the General File and placed on the Secretary’s Desk.
Motion carried.

Assembly Bill No. 417.
Bill read third time.
Remarks by Senators Parks and Hardy.

SENATOR PARKS:
Thank you, Mr. President. Assembly Bill No. 417 requires the legislative body of a community to create a revolving loan account administered by the redevelopment agency. Money in the revolving loan account may be used by the agency only to make loans at or below market rate to new or existing small businesses in the redevelopment area. A “small business” is defined as a business that employs not more than 25 persons. Loans may be made from the revolving loan account to small businesses located within the redevelopment area or persons wishing to locate or relocate a new small business in the redevelopment area per certain criteria, and the term of the loan must be five years or less. Each redevelopment agency must make certain annual reports to the Legislature concerning loans from the revolving loan account.

Prevailing wage requirements apply to certain projects when a redevelopment agency has provided: (1) property for development at less than the fair market value; (2) a loan to a small
business from the revolving loan account at or below the market rate; or (3) financial incentives
to a developer valued at more than a $100,000. Each redevelopment agency must adopt
regulations for the application process, terms and criteria for a loan from its revolving loan
account. The measure authorizes a redevelopment agency in a city, located in a county whose
population is 700,000 or more (currently Clark County), to adopt an ordinance providing for the
recalculation of the total assessed value of property in a redevelopment area under certain
circumstances. Finally, it provides for the set-aside and use of certain revenues from taxes
imposed on property in such a redevelopment area. This measure is effective upon passage and
approval. The requirement for reports to the Legislature expire by limitation on December 31,
2017. Thank you.

SENATOR HARDY:
Thank you, Mr. President. To the Chair of the Senate Committee on Government Affairs: is
the entity that has such a loan on the hook in any way if the loan is not paid? Does it affect their
bond rating in any way? Thank you.

SENATOR PARKS:
Thank you, Mr. President. To my colleague in Senate District No. 12, it is presumed that the
small business would make good on its loan. Obviously the possibility does exist that there
might be an insolvency issue. In that case, the small business to the extent possible would be on
the hook. However, there is nothing that says there may be an uncollected loan amount. These
are relatively small amounts of money, and they are intended to be incentives to bring small
businesses into a redevelopment district. Thank you.

Roll call on Assembly Bill No. 417:
YEAS—21.
NAYS—None.

Assembly Bill No. 417 having received a constitutional majority,
Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 418.
Bill read third time.
Remarks by Senator Parks.
Thank you, Mr. President. Assembly Bill No. 418 revises the formula for distributing, on or
after July 1, 2013, the proceeds from a property tax that county commissioners, in a county with
a population of 700,000 or more (currently Clark County), may levy at a rate not to exceed
5 cents per $100 of the assessed valuation of the county. The proceeds are distributed among the
county and the cities and towns in the county. This measure is effective on July 1, 2013. The
distribution has been out of balance for a number of years, and this simply puts the distribution
of these proceeds—it is an existing 5 cent tax rate—into a more equitable distribution. Thank
you.

Roll call on Assembly Bill No. 418:
YEAS—21.
NAYS—None.

Assembly Bill No. 418 having received a constitutional majority,
Mr. President declared it passed.
Bill ordered transmitted to Assembly.
Assembly Bill No. 421.
Bill read third time.
Remarks by Senator Kihuen.
Thank you, Mr. President. Assembly Bill No. 421 modernizes Nevada’s laws on assisted reproduction. The bill provides definitions of appropriate terms; identifies the circumstances in which a parent-child relationship is established and in which a person is (and is not) the parent of a child; and addresses the effect of a divorce or termination of a domestic partnership. Assembly Bill No. 421 also provides that court hearings related to assisted reproduction are confidential; addresses the effect of noncompliance with a gestational agreement; provides that a gestational carrier or donor may receive reimbursement for expenses and economic losses; and requires consideration, if any, to be negotiated in good faith between the parties. The bill also repeals obsolete statutes. Thank you.

Roll call on Assembly Bill No. 421:
YEAS—20.
NAYS—Gustavson.

Assembly Bill No. 421 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 432.
Bill read third time.
Remarks by Senator Settelmeyer
Thank you, Mr. President. Assembly Bill No. 432 provides that a supplier’s subsidiary or affiliate is included in the definition of “supplier” for purposes of the purchase of liquor by a wholesaler who is not the importer designated by the supplier. The bill also prohibits an importer or wholesaler from operating or otherwise locating his or her business on the premises, or on the property of any supplier. This bill is effective on October 1, 2013. Thank you.

Roll call on Assembly Bill No. 432:
YEAS—21.
NAYS—None.

Assembly Bill No. 432 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 434.
Bill read third time.
Remarks by Senator Woodhouse.
Thank you, Mr. President. Assembly Bill No. 434 allows certain educational requirements for registration as an interior designer to be satisfied by the receipt of a degree from an accredited architectural program. The bill also provides that an application for registration submitted to the State Board of Architecture, Interior Design and Residential Design may be denied for violations of existing law governing architects, registered interior designers and residential designers, including any violation that may reasonably call into question the qualifications or experience of the applicant. This bill is effective on October 1, 2013. I would appreciate your support. Thank you.
Roll call on Assembly Bill No. 434:
YEAS—21.
NAYS—None.

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

Assembly Bill No. 437.
Bill read third time.
Remarks by Senator Atkinson.
Thank you, Mr. President. Assembly Bill No. 437 authorizes a title insurer to provide a closing protection letter to any party in a real estate transaction, not only the party purchasing title insurance. The bill restricts the acts or omissions that may affect the status of the title or the validity of the lien on the mortgage for the real estate subject to the transaction. A title insurer is restricted from providing indemnification for the type provided by the closing protection letter in any other manner. Additionally, the bill provides that a closing protection letter may indemnify the party to whom it is issued from acts or omissions by a person employed or approved by the title insurer to perform closing or settlement services. Thank you.

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

Assembly Bill No. 437 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

MOTIONS, RESOLUTIONS AND NOTICES
Senator Smith moved that Assembly Bill Nos. 176, 440, 441, 442, 445, 449, 455, 456, 459, 460, 471, 478, 483, 486, 494; Assembly Joint Resolution Nos. 1 and 3 be taken from the General File and placed on the top of the General File for the next legislative day.
Motion carried.

UNFINISHED BUSINESS
CONSIDERATION OF ASSEMBLY AMENDMENTS
Senator Segerblom moved that the Senate concur in the Assembly Amendment No. 659 to Senate Bill No. 31.
Motion carried.
Bill ordered enrolled.

Senator Segerblom moved that the Senate concur in the Assembly Amendment No. 624 to Senate Bill No. 106.
Motion carried.
Bill ordered enrolled.
Senator Segerblom moved that the Senate concur in the Assembly Amendment No. 661 to Senate Bill No. 243. Motion carried. Bill ordered enrolled.

REPORTS OF COMMITTEES

Mr. President:
Your Committee on Commerce, Labor and Energy, to which were referred Assembly Bill Nos. 225 and 284, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

KELVIN ATKINSON, Chair

Mr. President:
Your Committee on Finance, to which was re-referred Senate Bill No. 113, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DEBBIE SMITH, Chair

Mr. President:
Your Committee on Government Affairs, to which were referred Assembly Bill Nos. 218 and 363, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DAVID R. PARKS, Chair

SECOND READING AND AMENDMENT

Assembly Bill No. 218.
Bill read second time.
The following amendment was proposed by the Committee on Government Affairs.
Amendment No. 761.
Senator Parks moved the adoption of the amendment.
Remarks by Senator Parks.
Thank you, Mr. President. Amendment No. 761 to Assembly Bill No. 218 adds to the definition of “bona fide fringe benefit” those benefits that are determined pursuant to a collective bargaining agreement and are “included in the determination of the prevailing wage by the Labor Commissioner.” Thank you.

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

Assembly Bill No. 225.
Bill read second time.
The following amendment was proposed by Senator Atkinson.
Amendment No. 785.
Senator Atkinson moved the adoption of the amendment.
Remarks by Senator Atkinson.
Thank you, Mr. President. After discussing with the sponsor of the bill and the agency, and due to a change in circumstances, and with the knowledge and approval of the members of the Senate Committee on Commerce, Labor and Energy, I would like to take a reading of my personal amendment to Assembly Bill No. 225 first. Amendment No. 785 makes one change to Assembly Bill 225: it revises the definition of business broker to include someone who rents or
leases as a part of a transaction, proposed transaction or prospective transaction involving an interest or estate in real property. Thank you.

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

Assembly Bill No. 284.
Bill read second time.
The following amendment was proposed by the Committee on Commerce, Labor and Energy.
Amendment No. 768.
Senator Atkinson moved the adoption of the amendment.
Remarks by Senator Atkinson.
Thank you, Mr. President. Amendment No. 768 makes six changes to Assembly Bill No. 284:
(1) includes “identifying the adverse party” in an affidavit signed by a qualified third party;
(2) adds physicians and clinical professional counselors to the list of a qualified third party;
(3) expands the term clergy as used under the list of a qualified third party;
(4) deletes from the list of qualified third party a volunteer who advises persons regarding domestic violence or refers them to persons or agencies where their request and needs can be met;
(5) prohibits a landlord from characterizing the termination of a rental agreement pursuant to the act as an early termination and provides that the tenant or cotenant is not required to disclose the termination to a prospective landlord; and (6) requires that an affidavit be made in a specific form. Thank you.

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

Assembly Bill No. 363.
Bill read second time.
The following amendment was proposed by the Committee on Government Affairs.
Amendment No. 759.
Senator Manendo moved the adoption of the amendment.
Remarks by Senator Manendo.
Thank you, Mr. President. Amendment No. 759 to Assembly Bill No. 363 makes a couple of technical corrections to the bill to clarify that, only in a county with a population of 700,000 or more (currently Clark County) may a county, by ordinance, provide that the county or a city may request that a tow car operator abate a public nuisance by towing an abandoned or junk vehicle. Thank you.

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

GENERAL FILE AND THIRD READING

Senate Bill No. 113.
Bill read third time.
The following amendment was proposed by the Committee on Finance.
Amendment No. 792.
Senator Kieckhefer moved the adoption of the amendment.
Remarks by Kiekhefer.
Thank you, Mr. President. Amendment No. 792 to Senate Bill No. 113 does several things. Most importantly, it adjusts the responsibilities of the Health Division of the Department of Health and Human Services in the implementation of the Registry of Putative Fathers. The bill will allow the implementation to happen with little to no cost. Thank you.

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

MOTIONS, RESOLUTIONS AND NOTICES
Senator Smith moved that Assembly Bill Nos. 50, 189 and 236 be taken from the General File and placed at the bottom of the General File for the next legislative day.
Motion carried.

UNFINISHED BUSINESS
CONSIDERATION OF ASSEMBLY AMENDMENTS
Senator Woodhouse moved that the Senate concur in the Assembly Amendment No. 677 to Senate Bill No. 20.
Motion carried.
Bill ordered enrolled.

Senator Smith moved that the Senate do not concur in the Assembly Amendment No. 791 to Senate Bill No. 185.
Motion carried.
Bill ordered transmitted to the Assembly.

SIGNING OF BILLS AND RESOLUTIONS
There being no objections, the President and Secretary signed Senate Bill Nos. 73, 78, 101, 133, 134, 143, 167, 178, 180, 181, 206 and 233; Senate Joint Resolution No. 14; Assembly Bill Nos. 2, 11, 17, 19, 23, 25, 29, 30, 39, 40, 55, 59, 61, 65, 72, 79, 82, 89, 90, 93, 94, 102, 109, 110, 117, 120, 128, 132, 144, 154, 155, 158, 168, 173, 174, 182, 183, 185, 194, 199, 217, 221, 231, 244, 249, 255, 259, 266, 277, 281, 282, 307, 310 and 322.

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 Josh Hess. And also, the students, chaperone and teachers from Truckee Meadows Community College High School, students: Sebastian Aleman, Alex Armitage, SaraJane Barnard, Haley Bonsley, Chelsea Bosco, Janea Campbell, Kaitlin Cates, Lizzie Cates, Quinn Chapman, Shelby Cook, Christiann Crowder, Evan Cunningham, Koraleigh Ebbs, Serena Evans, Megan Geisinger, Ian Gibson, Sarah Goode, Kaelie Huff, Tara Humphreys, Ashley Jackson, Carly Johnson, Kim Kedrowski, Chloe Kelly, Connor Kelly, Tiffany Klaich, J. J. Lake, Kenneth Lester, Karen Mendoza, Carlie Meyers, Diana Morales Herrera, Brenda Moreno, Cheyanne Neuffer, Samantha Noose, Karl Nordland, Colby Noyes,
Emily O'Brien, Gienie Mae Oquendo, Selena Padilla, Sonja Petersen, Kyra Pfennig, Keegan Phillips, Lainee Potter, Faith Rucker, Catrina Ryan, Anita Savell, Amanda Scott, Crystal Sepulveda, Jakob Shepherd, Jordyn Sliter, Tori Speicher, Elysis Stone, Frankie Talbot, Tehman Tariq, Tayllo Thompson, Olivia Thrasher, Brylee Vanna and Kaitlyn West; chaperone: Melanie Mahan; and teachers: Launie Garnder and Carlos Hatfield.

On request of Senator Denis, the privilege of the floor of the Senate Chamber for this day was extended to Diana Denis Gale. Also to the John J. McDonald family.

On request of Senator Gustavson, the privilege of the floor of the Senate Chamber for this day was extended to Arilene Pelayo.

On request of Senator Jones, the privilege of the floor of the Senate Chamber for this day was extended to Colonel Bill Badger, Carol Gaxiola, Daniel Hernandez, Neil Heslin, Tracy Kelly, Patricia Maisch, Sue Meuschke, Gilles Rousseau and Dr. Ronald Stone.

On request of Senator Kihuen, the privilege of the floor of the Senate Chamber for this day was extended to Astrid Perez and Silvia Villanueva.

On request of Senator Settelmeyer, the privilege of the floor of the Senate Chamber for this day was extended to Mansi Shah.

On request of Senator Smith, the privilege of the floor of the Senate Chamber for this day was extended to Madeline Burak.

On request of Senator Spearman, the privilege of the floor of the Senate Chamber for this day was extended to Donna Spearman-Davis.

Senator Denis moved that the Senate adjourn until Thursday, May 23, 2013, at 11:30 a.m.

Motion carried.

Senate adjourned at 5:27 p.m.

Approved: BRIAN K. KROLICKI

President of the Senate

Attest: DAVID A. BYERMAN

Secretary of the Senate

UNION LABEL