Senate called to order at 12:31 p.m.
President Krolicki presiding.
Roll called.
All present except for Senator Woodhouse who was excused.
Prayer by Senator Pat Spearman, Pastor of The Fellowship of Affirming Ministries.
Let us pray.
God of the Vast Universe, Giver of Life and Creator of All That is Good: we thank You for our lives, our liberty that is secured by the lives of those who fought and have fallen to protect it; we are thankful for the blessings of peace and prosperity. Yet, as we bask in Your goodness, let us not be remiss and forget those who toil in sickness, disease and dis-ease. We pray for those who stand by the bedsides of loved ones who need to experience the healing virtues provided to so many others, and we pray especially for those entering a time of transition from earthly labor into eternal rest.
As we conclude the people’s business of Nevada’s citizenry, let us be guided by these words ascribed to Mother Theresa of Calcutta:
“People are often unreasonable, irrational and self-centered; forgive them anyway.
If you are kind, people may accuse you of unselfish, ulterior motives; be kind anyway.
If you are successful, you will win some unfaithful friends and some genuine enemies; succeed anyway.
If you are honest and sincere, people may deceive you; be honest and sincere anyway.
What you spend years creating, others could destroy overnight; create anyway.
If you find serenity and happiness, some may be jealous; be happy anyway.
The good you do today will often be forgotten; do good anyway.
Give the best you have, and it will never be enough; give your best anyway.
In the final analysis, it is between you and God; it was never between you and them anyway.”
AMEN.
SHALOM. SALLA ALLAHU TA’ALA ‘ALAYHI WA SALLAM.

Mr. President:
As we are still in prayer, let us give positive thoughts and our best wishes to the family of Senator Joyce Woodhouse. The most difficult circumstances are occurring in Senator Woodhouse’s life at this moment. Let us spend a few seconds reflecting on her and her family.
Pledge of Allegiance to the Flag led by Senator Spearman.
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 Finance, to which was referred Senate Bill No. 486, 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

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, May 31, 2013

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bills Nos. 388, 413, 425, 488.

Also, I have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 10.

Also, I have the honor to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 9.

Also, I have the honor to inform your honorable body that the Assembly on this day respectfully refused to recede from its action on Senate Bill No. 179, Assembly Amendment No. 871, and requests a conference, and appointed Assemblymen Horne, Spiegel and Fiore as a Conference Committee to meet with a like committee of the Senate.

Also, I have the honor to inform your honorable body that the Assembly on this day respectfully refused to recede from its action on Senate Bill No. 280, Assembly Amendment No. 777, and requests a conference, and appointed Assemblymen Frierson, Carlton and Duncan as a Conference Committee to meet with a like committee of the Senate.

Also, I have the honor to inform your honorable body that the Assembly on this day appointed Assemblymen Bustamante Adams, Neal and Kirner as a Conference Committee concerning Assembly Bill No. 66.

Also, I have the honor to inform your honorable body that the Assembly on this day appointed Assemblymen Bobzien, Healey and Grady as a Conference Committee concerning Assembly Bill No. 181.

Also, I have the honor to inform your honorable body that the Assembly on this day appointed Assemblymen Elliot Anderson, Carlton and Stewart as a Conference Committee concerning Assembly Bill No. 205.

Also, I have the honor to inform your honorable body that the Assembly on this day appointed Assemblymen Daly, Benitez-Thompson and Hansen as a Conference Committee concerning Assembly Bill No. 283.

MATTHEW BAKER
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Smith moved that all measures reported out of committees be immediately placed on the appropriate reading file for this legislative day.

Motion carried.

Senator Smith moved that Senate Concurrent Resolution No. 9 be taken from the Resolution File and placed on the Secretary’s Desk.

Motion carried.
Senator Smith moved that Assembly Concurrent Resolution No. 9 be taken from the Resolution File and placed on the Resolution File for the next legislative day.
Motion carried.

Senator Smith moved that the motion whereby Assembly Bill Nos. 224 and 260 were referred to the Committee on Education be rescinded.
Motion carried.

Senator Smith moved that Assembly Bill Nos. 224 and 260 be referred to the Committee on Finance.
Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 388.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 413.
Senator Smith moved that the bill be referred to the Committee on Revenue and Economic Development.
Motion carried.

Assembly Bill No. 425.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 488.
Senator Smith moved that the bill be referred to the Committee on Finance.
Motion carried.

Senator Smith moved that Assembly Bill Nos. 388, 413, 425 and 488 be referred en bloc to the committees set for above.
Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 486.
Bill read second time.
The following amendment was proposed by the Committee on Finance.
Amendment No. 941.
Senator Kieckhefer moved the adoption of the amendment.
Remarks by Senator Kieckhefer
Thank you, Mr. President. Amendment No. 941 to Senate Bill No. 486 reduces the total appropriation from $4 million to $1.5 million. It changes the appropriation from going to the Department of Education to the Department of Administration. It also offers some clarification about the scope of the technology project that will be funded. Thank you.
Amendment adopted.
Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 261.
Bill read third time.
Remarks by Senators Jones, Cegavske, Hutchison, Settelmeyer, Gustavson, Smith, Denis and Hardy.

SENATOR JONES:
Thank you, Mr. President. Senate Bill No. 261 defines commercial door-to-door solicitation and makes it unlawful for a business owner, agent or employee that engages in commercial door-to-door solicitation to have been convicted of a felony during the immediate preceding five years or to have been convicted of any violation deceptive advertising, deceptive trade practices or the unlawful employment of minors during the immediate preceding two years. The bill requires the owner of a business that engages in commercial door-to-door solicitation and the agents and employees of the business to: (1) engage and complete the solicitation during the hours of 9 a.m. and 7 p.m., (2) refrain from soliciting to any public or private premise with prominently displayed signage indicating “No Solicitation” or “No Trespassing,” (3) refrain from providing false or deceptive representation to obtain an invitation to visit a private residence, and (4) provide a well displayed and authorized identification badge at all times when engaging in solicitation. Additionally, the business owner must maintain: (1) a State business license issued by the Secretary of State; (2) any other business license required by a local government, incorporated city or unincorporated town, and (3) a list of all door-to-door solicitor agents, employees and current personal documents for each solicitor, which includes a photo, personal information, governmental photo identification and fingerprints.

Many of you have received emails in the last few days from some of the Direct Sales Association folks. I have asked them to respond and provide their specific concerns with the bill; to date, none of them have. They did say identification badges would be difficult for them. This morning I made my own identification badge to make the point. It took me 90 seconds, and with the little clip I fastened to it, it cost about 8 cents. I appreciate the bipartisan support from the Senate Committee on Commerce, Labor and Energy and from the Senate Committee on Finance. I urge your support. Thank you.

SENATOR CEGAVSKE:
Thank you, Mr. President. To my colleague from Senate District No. 9: when I am reading in section 24, there is a passage related to “becomes a deceptive trade practice.” So if you are out and you don’t have a badge, you are not in compliance with Senate Bill No. 261, and you go to a dozen or more doors and you get caught and charged, are you charged for each individual door you have visited? How do you calculate the first offense, second offense and then the third offense which is the felony? How does that work? I received a lot of correspondence from many different entities including the Avon Lady—I did not know they still go door to door—and the vacuum cleaner salesmen. Section 24: I would appreciate it if you could walk me through that. Thank you.

SENATOR JONES:
Thank you, Mr. President. To my colleague from Senate District No. 8. I appreciate the question. I would read section 24 as one violation if you went to 12 different doors. I would have to investigate further and get back to you to be certain. With regard to the concerns from the different entities to which you referred, I asked for clarification. I had Susan Erdman from Avon in my office twice this week. We addressed those concerns over and over. Nonetheless, the National Direct Sales Association sees fit to send out their notices to everybody without the proper information, and as a result people don’t particularly understand the bill. My mother-in-law is a direct seller for Arbonne; my wife is also an Arbonne salesperson. Neither of them has ever gone door-to-door; I am not sure anyone really does anymore. I don’t
think this is a burden on them. Senate Bill No. 261 is really addressing those who are dumping ex-felons into our neighborhoods and frightening people. Thank you.

SENATOR CEGAVSKE:
Thank you, Mr. President. I have concerns, so I do need them addressed before I can vote on Senate Bill No. 261. I know we do not have a lot of time. I am concerned with not having a definite response to my question. However, I applaud my colleague for going after the solicitors who are harassing seniors. Thank you.

SENATOR HUTCHISON:
Thank you, Mr. President. I rise in support of Senate Bill No. 261, and to also applaud my colleague from Senate District No. 9. I know he has worked very hard on this bill. He worked with me to address some of my own concerns. I think this is a fine bill. For constituents in my district—including Sun City—there are many who stay home during the day, and who feel vulnerable when people come to their doors—they don’t know who they are or where they are from, nor do they know if they are associated with the organization they claim to be. This legislation provides a way for identifying individuals who are now coming to your door, some of whom we heard in testimony are very aggressive and persistent. Seniors at home feel vulnerable in these circumstances. They welcome this protection. I do not think this legislation is an overreach; I think offers reasonable protection in our neighborhoods, particularly in our senior populations and those who are home, requiring door-to-door salesmen to identify themselves, to make sure they aren’t dangerous. I think this is an effective way to help protect our constituents. I appreciate it because I have a large senior population in my district. Thank you.

SENATOR SETTELMEYER:
Thank you, Mr. President. I rise in opposition to Senate Bill No. 261. I appreciate my colleague from Senate District No. 9 and his concerns. I have been a representative for Region 9 for the Small Business Administration’s small businesses. I am concerned because we have numerous concerns from individuals from Amway, Avon, encyclopedias, house cleaners and others who are just trying to survive in the economy; they are trying to earn a few dollars.

What bothers me most is the constitutionality of this bill. I have already expressed this to my colleague from Senate District No. 9. I still don’t believe the issue has been addressed. The Supreme Court of the United States in Central Hudson Gas and Electric Corporation vs. Public Service Commission established a four-pronged test to go through a bill that has to do with door-to-door solicitation. At the outset of that test, it must be determined if the expression by the First Amendment. For commercial speech under that provision, it must concern lawful activity and not be misleading. Individuals who are going to door-to-door selling products are not doing anything illegal. The second prong in the test is to ask whether the assertive governmental interest is substantial. The problem is the information we got during committee did not include any proof that we currently have these problems. We have stories but I saw no proof, so I did not feel it is was substantial. But if you did, you would then go to the third prong: determine whether the regulation directly advances the governmental interest asserted. I do not believe this is this case; if you look at the bill, it now has so many loopholes for noncommercial solicitation—whether it is solicitation of a gift for a nonprofit, the sale or service of a good or a ware, the proceeds would go to a nonprofit—there are six loopholes. Therefore, I don’t feel the regulation would directly advance that governmental interest. The last prong: whether or not it is more extensive than necessary to serve the interest. I say there is not. You can put up a “no trespassing” sign, and then call law enforcement to remove people from your property if they are not welcome. With the knowledge from a discussion that happened with one of my colleagues, this issue is vague. So if you go out and you knock for a week, have you committed one crime that is a simple misdemeanor, or during those several days of knocking did you somehow progress from a misdemeanor to a gross misdemeanor and are now under deceptive trade practices a felon. For those reasons I oppose the bill. Thank you.

SENATOR GUSTAVSON:
Thank you, Mr. President. I have a question for my colleague from Senate District No. 9: on section 9 of the Senate Bill No. 261, it states that it is a requirement to have a color photograph
taken not more than six months preceding the current date—how often does one have to have their photograph taken? Is it once every six months, or once before the license is issued? Thank you.

**Senator Jones:**
Thank you, Mr. President. To my colleague from Senate District No. 14: I read six months from the date of going around and soliciting. I do not think it is unreasonable to have a photo taken every six months. We all have photos taken of us on a regular, often daily, basis. It should not be a big deal. Thank you.

**Senator Gustavson:**
Thank you, Mr. President. I understand my colleague’s badge may have been inexpensive to prepare, but I am concerned about badges produced by a company for their employees. It will probably cost them more than six or eight cents each to have them made. If they have to go to the expense and bother every six months or so, I think it’s unnecessary.

Many different businesses were mentioned—a lot of those agents are wearing badges when they are going door-to-door. As you said, anyone can make a badge, there is no way to ensure the authenticity of the badge necessarily. The homeowner doesn’t really know who is at their door. For businesses like Schwan’s, the trucks with a driver, who can come to your door: I don’t recall seeing them wearing badges. I think this is a blatant infringement on constitutional rights to engage in the free market system that has made our great country what it is today. In my opinion, this is just another example of big government interfering with the right to earn a living. I urge you all to vote no on Senate Bill No. 261. Thank you.

**Senator Smith:**
Thank you, Mr. President. I rise in support of Senate Bill No. 261. I think the bill is much more than big government interfering; it is about protecting our citizens. It is also about protecting those who are vulnerable who end up going door-to-door—that is what first caught my attention about this legislation. I know in my neighborhood we have occasions where businesses come through: a van drops a bunch of young people off who have absolutely no idea what they are doing or what the rules and the laws are. They knock on doors after dark, and they are trying to convince folks they are selling things to raise money for some needy child in Africa when in fact they are going door-to-door making a lot of money for some business person. It scares me for the people who are vulnerable, people like my mother-in-law who may feel uncomfortable with someone knocking on her door at night. I believe the employees of the big businesses that are concerned about this more than likely wear badges, or can afford one, to do their work. We want to protect our citizens, and especially the young people who are being taken advantage of in our neighborhoods over the idea of whether they should have a badge or not. I urge your support of this. Thank you.

**Senator Denis:**
Thank you, Mr. President. I also rise in support of Senate Bill No. 261. Over the last few years I have worked on consumer fraud in the minority communities. A lot of times individuals will take advantage of minorities. This type of a bill helps to protect those individuals. There are trusting people in the community—I believe we need to have something in place that can help protect vulnerable populations. I urge your support. Thank you.

**Senator Denis:**
Thank you, Mr. President. I also rise in support of Senate Bill No. 261. We have a “graying” population who is vulnerable. We have made other laws in favor of our vulnerable populations. As we try to balance the entrepreneurial spirit and the protection of people, this is one of those bill that, in my opinion, gets to some of that. In reading the bill I recognize there needs to be a business license, and if business licenses are appropriate, they have to have some way of identifying the license holder. The van scenario described by my colleagues happened at my house; we had very persuasive people come into our neighborhood. If there wasn’t some confidence that one could usher them out, I am certain one would feel very uncomfortable. I am in support. I think it will get us to a place where we have an opportunity to see how well it works. Thank you.
Roll call on Senate Bill No. 261:
YEAS—16.
NAYS—Cegavske, Gustavson, Settelmeyer—3.
EXCUSED—Brower, Woodhouse.

Senate Bill No. 261 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 500.
Bill read third time.
Remarks by Senators Smith, Ford, Denis, Jones and Cegavske.

SENATOR SMITH:
Thank you, Mr. President. I am here pinch hitting in support of Senate Bill No. 500 for my colleague from Senate District No. 5 today.

Senate Bill No. 500 creates the Task Force on K-12 Public Education Funding to recommend a plan for funding public schools based upon a weighted formula that takes into account the individual educational needs and demographic characteristic of pupils. Section 2 of the bill establishes the membership of the Task Force; it is broadly representative of the geography and the various groups related to education in this State. In appointing members of the Task Force, the bill requires that the appointing authorities shall coordinate to the extent practicable, so that Task Force members represent the geographic and ethnic diversity of the State. They may have subcommittees appointed within the Task Force to have them carry out their work. As required by the bill, the Chair shall appoint a technical advisory committee of people who are specialists at school funding.

The legislation requires the Task Force to meet on or after July 1, 2013, upon the call of the Governor, and limits the number of meetings to no more than six times each year. The bill requires the Task Force to review the report published by the American Institutes for Research on September 25, 2012, entitled “Study of a New Method of Funding for Public Schools in Nevada.” Lastly, the bill requires the Task Force to prepare a written report to the Governor and the Director of the Legislative Counsel Bureau for transmittal to the 78th Session of the Nevada Legislature. The bill becomes effective upon passage and approval for the purpose of appointing members to the Task Force on K-12 Public Education Funding and on July 1, 2013, for all other purposes.

To clarify for the Body, this is the group that will hopefully recommend a new formula for K-12 funding that will provide some suggestions for weighted funding, and more appropriately distribute the educational funding in our State. I urge your support. Thank you.

SENATOR FORD:
Thank you, Mr. President. It will probably come as no surprise to anyone that notwithstanding her current circumstances, our colleague from Senate District No. 5 remains engaged. She sent me an email at 12:31 p.m. and asked that I read a statement from her on Senate Bill No. 500. I would like to do that now. My remarks on Senate Bill No. 500 are exactly the same as my colleague’s which are as follows, “I urge your support of Senate Bill No. 500. I had high hopes that during the current Legislative Session we would have a new K-12 funding formula. Unfortunately that was not to be. However, we do have Senate Bill No. 500 which will require a task force to research, develop and fine tune a recommendation for a K-12 funding formula that will come back to us in the 2015 Legislative Session. We must fund our schools. Thus, the education of our children in a fair and equitable manner. This measure will start us down that path.” Thank you.

SENATOR DENIS:
Thank you, Mr. President. I, too, had hopes—coming from the interim study we did that looked at weighted funding for our education system, we came up with some great data that said
we need to do it. We are one of the few states in the country that don’t do weighted funding. It was my hope that during this Session we would actually find a way to do that. When I initially went to the Department of Education, they said it would take eight or nine months to do it—I didn’t believe them. I thought I could do it having worked in the past with the school districts. I thought we could come up with something. We did come up with something, but we realized that there were a lot of nuances that have to do with our funding that really need to have discussion. So, Senate Bill No. 500 will allow us to do that. In 120 days, we did not have the ability to bring all of that together; this now gives us the interim. It will be similar to what we do with the Nevada System of Higher Education system over the last interim where we were able to get buy-in from all of the folks who will be affected by it. I urge support. It is something that is needed. It will help all of our kids as we move into the future. It will ensure we can get the help we need to the places that really need it. Thank you.

SENATOR JONES:
Thank you, Mr. President. I rise in support of Senate Bill No. 500, albeit a bit reluctantly. I had hoped we would get this done this time so we can get the funding formula right. I think everyone agrees the Nevada plan is old, outdated and doesn’t properly serve the needs of our State. If I am back here in two years and we don’t get it done then, I would not support hold-harmless funding going forward. In my mind, this is hold-harmless funding for the next two years for those that might be affected next time. Thank you.

SENATOR SMITH:
Thank you, Mr. President. Having spent the last 25 years or so working on education funding, I know that this funding formula is very complicated. The Legislative Session is not the time or place that you can really revise something like it. We know this from the experience we had with the higher education funding formula that was developed last Session. I know it seems things move slowly here, but it is the reality when you have a compressed meeting time and one large, looming issue that takes an extraordinarily significant amount of time and energy to change.

I want to point out to my colleagues from Clark County is with much of the new funding that is being provided through this budget, that money will exponentially go to Clark County. In some ways, the intent of that is accomplished with the English Language Learner funding. If we are able to reduce class sizes in Kindergarten as we have been working on, you will see the intent of that idea implemented in this new funding. So there should be some reassurances there. Thank you.

SENATOR CEGAVSKE:
Thank you, Mr. President. I have a question on Senate Bill No. 500: in looking at sub-section 8 which indicates the Chair of the Task Force will appoint the Advisory Committee. I see Clark and Washoe, and then I see one representative of a district other than that. I am wondering what the thought process was for the rural areas, the other 15 counties. Is there a person or a representative for this entire area? Thank you.

SENATOR SMITH:
Thank you, Mr. President. There are a couple of thoughts. One is there are numerous places in the membership of the Task Force that a rural representative can be appointed. On the technical aspects, the discussion was that the big districts are the ones who clearly have the expertise on the Distributive School Account—that is what was clearly needed here, people who know this so well they can help on the technical side of implementing a new formula. Thank you.

SENATOR CEGAVSKE:
Thank you, Mr. President. Thank you very much to my colleague from Senate District No. 13. I appreciate that. Our technology in the rural areas is so much different; we are trying to go with wireless technology in these areas. I wanted to make sure we are talking about and looking at the rural area. Thank you.

SENATOR SMITH:
Thank you, Mr. President. I want to clarify that this is really about people who have expertise with the funding formula, and who can help devise the new formula. I think the rural representation is considered. Thank you.

Roll call on Senate Bill No. 500:
YEAS—19.
NAYS—None.
EXCUSED—Brower, Woodhouse.

Senate Bill No. 500 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Senate Bill No. 516.
Bill read third time.
Remarks by Senator Kieckhefer.

Thank you, Mr. President. Senate Bill No. 516 revises and expands the procedures and licensing requirements of wholesale dealers, nonparticipating manufacturer’s and the Office of the Attorney General, related to the statutory enforcement of the tobacco Master Settlement Agreement. Specifically, the bill requires the Department of Taxation to notify wholesale dealers when a manufacture or brand of cigarettes is added to or removed from the directory of cigarette manufacturers and stipulates that a wholesale dealer shall not purchases cigarettes for resale from a manufacture not listed in the directory. It expands the provisions governing the importation of cigarettes and provides that an importer is jointly and severally liable for certain escrow deposits. It authorizes the State to enter into an agreement with an Indian tribe to enforce and administer provisions related to the licensing, taxing and manufacturing of tobacco products. The bill defines qualified tribal land and requires that each cigarette package sold on qualified tribal land bear a tribal stamp issued by the Department of Taxation. It authorizes the State to release to an Indian tribe, pursuant to a compact with that tribe, not more than 50 percent of the amounts deposited in a qualified escrow fund in accordance with the Master Settlement Agreement for cigarettes sold on or after January 1, 2015, from a retailer on the qualified tribal land for the purposes of public safety and social services. Finally, the bill authorizes the Department of Taxation to temporarily suspend or permanently revoke a license of a wholesale dealer if the dealer fails or inaccurately files its monthly report to the Department of Taxation, pay certain taxes, cure certain liabilities, sell unauthorized cigarettes or import or export any unauthorized cigarettes. Sections 17, 31, 33 and 34 of Senate Bill No. 516 become effective on January 1, 2014. The remaining sections become effective July 1, 2013.

Senate Bill No. 516 is an important piece of legislation to ensure we are diligently enforcing our requirements under the tobacco Master Settlement Agreement and protect our ongoing revenue streams from that settlement. Thank you.

Roll call on Senate Bill No. 516:
YEAS—19.
NAYS—None.
EXCUSED—Brower, Woodhouse.

Senate Bill No. 516 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Smith moved to immediately transmit Senate Bill Nos. 261, 500 and 516 to the Assembly.
Motion carried.

UNFINISHED BUSINESS
CONSIDERATION OF ASSEMBLY AMENDMENTS

Senator Atkinson moved that the Senate concur in the Assembly Amendment Nos. 648 and 797 to Senate Bill No. 252.
Motion carried.
Bill ordered enrolled.

RECEDE FROM SENATE AMENDMENTS

Senator Segerblom moved that the Senate do not recede from its action on Assembly Bill No. 202, that a conference be requested, and that Mr. President appoint a Conference Committee consisting of three members to meet with a like committee of the Assembly.
Motion carried.
Bill ordered transmitted to the Assembly.

APPOINTMENT OF CONFERENCE COMMITTEES

President Krolicki appointed Senators Segerblom, Ford and Brower as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 202.

RECEDE FROM SENATE AMENDMENTS

Senator Segerblom moved that the Senate do not recede from its action on Assembly Bill No. 262, that a conference be requested, and that Mr. President appoint a Conference Committee consisting of three members to meet with a like committee of the Assembly.
Motion carried.
Bill ordered transmitted to the Assembly.

APPOINTMENT OF CONFERENCE COMMITTEES

President Krolicki appointed Senators Ford, Jones and Hutchison as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 262.

RECEDE FROM SENATE AMENDMENTS

Senator Segerblom moved that the Senate do not recede from its action on Assembly Bill No. 313, that a conference be requested, and that Mr. President appoint a Conference Committee consisting of three members to meet with a like committee of the Assembly.
Motion carried.
Bill ordered transmitted to the Assembly.

APPOINTMENT OF CONFERENCE COMMITTEES

President Krolicki appointed Senators Segerblom, Kihuen and Brower as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 313.

RECEDE FROM SENATE AMENDMENTS

Senator Segerblom moved that the Senate do not recede from its action on Assembly Bill No. 378, that a conference be requested, and that
Mr. President appoint a Conference Committee consisting of three members to meet with a like committee of the Assembly.

Motion carried.

Bill ordered transmitted to the Assembly.

### APPOINTMENT OF CONFERENCE COMMITTEES

President Krolicki appointed Senators Segerblom, Kihuen and Hutchison as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 378.

### RECede FROM SENATE AMENDMENTS

Senator Segerblom moved that the Senate do not recede from its action on Assembly Bill No. 415, that a conference be requested, and that Mr. President appoint a Conference Committee consisting of three members to meet with a like committee of the Assembly.

Motion carried.

Bill ordered transmitted to the Assembly.

### APPOINTMENT OF CONFERENCE COMMITTEES

President Krolicki appointed Senators Ford, Jones and Hammond as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 415.

President Krolicki appointed Senators Jones, Ford and Hutchison as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 38.

President Krolicki appointed Senators Atkinson, Jones and Hardy as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 49.

President Krolicki appointed Senators Jones, Smith and Kieckhefer as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 176.

President Krolicki appointed Senators Smith, Parks and Kieckhefer as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 185.

President Krolicki appointed Senators Segerblom, Kihuen and Hammond as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 389.

President Krolicki appointed Senators Segerblom, Ford and Brower as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 425.

President Krolicki appointed Senators Jones, Segerblom and Hardy as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 450.
MOTIONS, RESOLUTIONS AND NOTICES

Senator Smith moved that Assembly Bill Nos. 58, 125, 139, 151, 153, 213, 226, 294, 309, 336, 412, 435, 454 and 464 be taken from the General File and placed on the General File for the next agenda.

Motion carried.

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

Motion carried.

Senate in recess at 1:32 p.m.

SENATE IN SESSION

At 3:55 p.m.

President Krolicki presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. President:

Your Committee on Transportation, to which was referred Assembly Bill No. 145, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARK A. MANENDO, Chair

MESSAGES FROM THE GOVERNOR

OFFICE OF THE GOVERNOR

CARSON CITY, NEVADA, May 31, 2013

THE HONORABLE ROSS MILLER, Secretary of State, Capitol Building, Carson City, Nevada 89710

RE: Senate Bill No. 198 of the 77th Legislative Session

DEAR SECRETARY MILLER:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Senate Bill No. 198, which is entitled:

AN ACT relating to the practice of chiropractic; revising provisions relating to the practice of chiropractic; providing that a chiropractor’s assistant may perform certain ancillary services under indirect supervision in certain circumstances; providing that chiropractor’s assistant is subject to disciplinary action under certain circumstances; providing administrative penalties; and providing others matters properly relating thereto.

This bill allows chiropractic assistants to provide certain ancillary services to patients under the indirect supervision of a licensed chiropractic physician. The bill requires such services to be performed on established patients in the primary practice of an insured, chiropractic physician or a hospital. It does not, however, require the physician to be on site. Instead, the physician must be “reasonably accessible” by telephone, facsimile or other electronic means.

Senate Bill No. 198 is well intentioned. However, many medical professional, licensing boards and even some chiropractic assistants have indicated that the current qualifications do not warrant allowing assistants to provide care to patients without the direct supervision of a physician. Currently, to qualify as a chiropractic assistant, a person must be at least 18 years of age, have a high school diploma or equivalent, complete six months of “on the job” training and must pass a written test. These qualifications are not sufficient to allow the indirect supervision of chiropractic assistants who treat patients. Because of these concerns, I veto this bill and return it to you without my signature and without my approval.

Sincere regards,

BRIAN SANDOVAL
Governor of Nevada

THE HONORABLE ROSS MILLER, Secretary of State, Capitol Building, Carson City, Nevada
89710

RE: Senate Bill No. 421 of the 77th Legislative Session

DEAR SECRETARY MILLER:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Senate Bill No. 421, which is entitled:

AN ACT relating to juries; requiring a court to excuse a juror for cause under certain circumstances; and providing other matters properly relating thereto.

The bill modifies the grounds on which challenges for cause may be taken in civil actions. The bill establishes grounds for such challenges if a juror has any interest, financial or otherwise, in the action and if a juror’s state of mind is biased for or against any party to the proceeding.

Senate Bill No. 421 requires a court to excuse a challenged juror who the court determines is “more likely than not” to be biased for or against a party. It is not clear how this new standard will affect a trial court’s ability to rehabilitate a potential juror who has been challenged under these new grounds. However, it is clear that this bill will unnecessarily restrict the discretionary power of the court and burden the jury selection process. Based on these concerns, I veto this bill and return it to you without my signature and without my approval.

Sincere regards,

BRIAN SANDOVAL
Governor of Nevada

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, June 1, 2013

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 502; Senate Bill No. 430.

Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bills Nos. 423, 428.

Also, I have the honor to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 421; Amendment No. 915; Senate Bill No. 164, Amendments Nos. 899, 910, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Assembly on this day appointed Assemblymen Aizley, Elliot Anderson and Fiore as a Conference Committee concerning Assembly Bill No. 98.

Also, I have the honor to inform your honorable body that the Assembly on this day appointed Assemblymen Bustamante Adams, Healey and Ellison as a Conference Committee concerning Assembly Bill No. 349.

MATTHEW BAKER
Assistant Chief Clerk of the Assembly

INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 423.

Senator Smith moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Assembly Bill No. 428.
Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.
Motion carried.

Assembly Bill No. 502.
Senator Smith moved that the bill be referred to the Committee on Finance.
Motion carried.

Senator Smith moved that Assembly Bill Nos. 423, 428 and 502 be referred en bloc to the committees set for above.
Motion carried.

SECOND READING AND AMENDMENT
Assembly Bill No. 145.
Bill read second time.
The following amendment was proposed by the Committee on Transportation.
Amendment No. 932.
Senator Manendo moved the adoption of the amendment.
Remarks by Senator Manendo.
Thank you, Mr. President. Amendment No. 932 to Assembly Bill No. 145 authorizes the Department of Motor Vehicles to retain a one percent commission to cover the cost of collecting and allocating donations to each county for the Complete Streets program. It also provides that the $2 voluntary contributions are non-refundable. The bill provides for the option to opt in or out of the voluntary donation. Thank you.
Amendment adopted.
Bill ordered reprinted, re-engrossed and to third reading.

GENERAL FILE AND THIRD READING
Assembly Bill No. 58.
Bill read third time.
Remarks by Senator Spearman.
Thank you, Mr. President. Assembly Bill No. 58 makes the Office of Veterans Services a State department and makes corresponding changes to facilitate that restructuring. The Interagency Council on Veterans Affairs is created, and it must meet at least once every three months. The Interagency Council on Veterans Affairs must identify and prioritize the needs of veterans, servicemen, servicewomen and their families in this State and study the coordination of efforts of various entities to meet those needs. The Interagency Council on Veterans Affairs shall submit a report of its findings and recommendations to the Governor and the Director of the Legislative Counsel Bureau on or before February 15 of each year.
The measure authorizes the Department of Veterans Services to purchase, construct, lease, renovate or acquire by lease-purchase a veterans home in Northern Nevada. Accordingly, the Gift Account for Veterans Homes becomes the Gift Account for the Veterans Home in Southern Nevada, and a second account, the Gift Account for the Veterans Home in Northern Nevada, is created. The Division of State Parks, State Department of Conservation and Natural Resources, must upon application, issue an annual permit for the free use of certain recreational areas to a veteran who is a State resident and has a permanent service connected disability of 10 percent or more and has been honorably discharged from the Armed Forces of the United States. This measure is effective on October 1, 2013. Thank you.
Roll call on Assembly Bill No. 58:
YEAS—20.
NAYS—None.
EXCUSED—Woodhouse.

Assembly Bill No. 58 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 No. 125 be taken from the
General File and placed on the General File for the next legislative day.
Motion carried.

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

Senate in recess at 4:07 p.m.
SENATE IN SESSION

At 4:11 p.m.
President Krolicki presiding.
Quorum present.

UNFINISHED BUSINESS
RECEDE FROM SENATE AMENDMENTS
Senator Atkinson moved that the Senate recede from its action on Assembly Bill No. 95.
Motion carried.
Bill ordered transmitted to the Assembly.

Senator Parks moved that the Senate do not recede from its action on Assembly Bill No. 223, that a conference be requested, and that Mr. President appoint a Conference Committee consisting of three members to meet with a like committee of the Assembly.
Motion carried.
Bill ordered transmitted to the Assembly.

APPOINTMENT OF CONFERENCE COMMITTEES
President Krolicki appointed Senators Parks, Spearman and Hammond as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 223.

President Krolicki appointed Senators Spearman, Parks and Hammond as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 364.

President Krolicki appointed Senators Manendo, Jones and Hardy as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 179.

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

Senate in recess at 4:15 p.m.

SENATE IN SESSION

At 4:21 p.m.
President Krolicki presiding.
Quorum present.

Senator Denis moved that the Senate recess subject to the call of the Chair.
Motion carried.
Senate in recess at 4:23 p.m.

SENATE IN SESSION

At 6:03 p.m.
President Krolicki presiding.
Quorum present.

GENERAL FILE AND THIRD READING

**Assembly Bill No. 139**

Bill read third time.
Remarks by Senator Parks.

Thank you, Mr. President. Assembly Bill No. 139 makes changes to the State business portal. The measure requires the Secretary of State to: (1) establish common business registration information that must be collected from businesses by State and local agencies and health districts to conduct necessary transactions with businesses in this state; and (2) cause the State business portal to provide common business registration information to those same entities. State and local agencies and health districts are required to use the State business portal to integrate their electronic application processes and use the State business portal to accept and disseminate common business registration information needed for certain authorizations. Certain information regarding industrial insurance must be provided through the State business portal. A person who is not required to obtain a State business license must obtain a certificate of exemption from the Secretary of State each year. A person who is required to obtain a certificate of exemption or a State business license must post the certificate or license in a conspicuous location at his or her place of business and is subject to a penalty of up to $50 to be imposed by the Secretary of State for failure to comply. The Secretary of State must assign a unique business identification number to each business entity organized in this state and to each person issued a State business license or a certificate of exemption, and must cause the State business portal to interface with the system used to assign the business identification numbers. This is a good bill. It got wide support from local governments. Thank you.

**Roll call on Assembly Bill No. 139:**

YEAS—20.
NAYS—None.
EXCUSED—Woodhouse.

Assembly Bill No. 139 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

**Assembly Bill No. 151**

Bill read third time.
Remarks by Senators Hardy and Hutchison.

**Senator Hardy:**

Thank you, Mr. President. Assembly Bill No. 151 requires that the Nevada Department of Transportation establish goals for the participation of disadvantaged business enterprises and local emerging small businesses in certain contracts for transportation projects. Included are contracts for the construction, reconstruction, improvement or maintenance of highways estimated to cost $250,000 or more that do not receive federal funding, and contracts for architectural, engineering and planning services. The participation goals must be consistent with the goals required for similar projects that receive federal funding, and they must be based on information about the market for which the goals are set. Finally, the bill requires Nevada Department of Transportation to prepare a biennial report for the Governor and the Legislature explaining the establishment and achievement level of these goals. Thank you.

**Senator Hutchison:**

Thank you, Mr. President. I rise in support of Assembly Bill No. 151. This is a practical and reasoned bill that will help small businesses. I support extending the federal requirements to the
State funded programs to help disadvantaged business enterprises and local merchant small businesses to have an opportunity to secure Nevada Department of Transportation contracts for construction, professional and technical services. The bill does not set any quotas or set-asides or preferential treatment, but it does seek to create a level playing field in which disadvantaged business enterprises can compete fairly for Nevada Department of Transportation contracts. I urge your support. Thank you.

Roll call on Assembly Bill No. 151:
YEAS—20.
NAYS—None.
EXCUSED—Woodhouse.

Assembly Bill No. 151 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 153.
Bill read third time.
Remarks by Senator Settelmeyer.
Thank you, Mr. President. Assembly Bill No. 153 authorizes the operation of craft distilleries in Nevada. The bill sets forth the scope of operation for craft distilleries, creates a new license category for craft distilleries, and imposes a new licensing fee. The measure also prohibits the sharing or leasing of facilities among manufacturers, wholesalers, distributors and retailers, unless they are engaged in the same business and makes changes to exceptions for terminating a franchise with a wholesaler. The bill provides that an operator of one or more brew pubs in any county may manufacture not more than 15,000 barrels of malt beverages in a calendar year. Additionally, a retailer of intoxicating liquors is required to provide advance notice to certain wholesalers of a bulk sale or transfer of liquor that is not in the ordinary course of the retailer’s business. This bill is effective on July 1, 2013. I urge your passage of this bill. Thank you.

Roll call on Assembly Bill No. 153:
YEAS—20.
NAYS—None.
EXCUSED—Woodhouse.

Assembly Bill No. 153 having received a two-thirds majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 213.
Bill read third time.
Remarks by Senator Hardy.
Thank you, Mr. President. Assembly Bill No. 213 allows a service contract provider to qualify for the issuance of a certificate of registration by maintaining a reserve account that meets minimum requirements and by depositing security with the Commissioner of Insurance. Thank you.

Roll call on Assembly Bill No. 213:
YEAS—20.
NAYS—None.
EXCUSED—Woodhouse.
Assembly Bill No. 213 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 226.
Bill read third time.
Remarks by Senator Denis.

Thank you, Mr. President. Assembly Bill No. 226 requires an issuer of policies of life insurance, annuities, benefit contracts and retained asset accounts to perform a comparison, on at least a semiannual basis, of the names on the Death Master File of the Social Security Administration with the names of its insured’s to identify potential matches. If a match is identified, the insurer is required to make a reasonable effort to confirm the death of the insured, annuity holder or retained asset account holder and determine whether death benefits are due under the terms of the policy or contract. The bill requires an insurer to make a reasonable effort to locate each beneficiary and provide that individual with the appropriate claim forms and instructions for making a claim. Thank you.

Roll call on Assembly Bill No. 226:
YEAS—20.
NAYS—None.
EXCUSED—Woodhouse.

Assembly Bill No. 226 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 294.
Bill read third time.
Remarks by Senators Manendo and Spearman.

SENATOR MANENDO:
Thank you, Mr. President. Assembly Bill No. 294 provides for the certification of local emerging small businesses by the Office of Economic Development and sets forth certain criteria for that certification. The measure further requires the Office of Economic Development to post a list of the certified local emerging small businesses on its website and to adopt certain regulations relevant to the certification procedure. The Office of Economic Development must establish: (1) an outreach program for local emerging small businesses and State agencies seeking State purchasing contracts and contracts for public works of this state; and (2) goals concerning the participation of local emerging small businesses in those contracts. The Office of Economic Development, in cooperation with the Office of the Governor, shall establish an annual recognition program for the State agencies that meet certain goals related to local emerging small businesses. Thank you.

SENATOR SPEARMAN:
Thank you, Mr. President. I rise in strong support of Assembly Bill No. 294. As our State is recovering from the economic abyss of the last few years, it is imperative that we empower our small and emerging businesses because I believe they are an intricate engine and an important part of our economic recovery. I urge your support. Thank you.

Roll call on Assembly Bill No. 294:
YEAS—20.
NAYS—None.
EXCUSED—Woodhouse.
Assembly Bill No. 294 having received a constitutional majority, Mr. President declared it passed. Bill ordered transmitted to Assembly.

Assembly Bill No. 309.
Bill read third time.
Remarks by Senator Spearman.

Thank you, Mr. President. Assembly Bill No. 309 requires the Department of Motor Vehicles to enter into contracts with one or more suppliers interested in furnishing electronic lien services. They must establish conditions and requirements for any contracts, ensure that contracts include provisions that specifically prohibit the contractors from using information concerning vehicle titles for marketing or solicitation purposes and ensure that a service provider not be required to provide confidential or proprietary information to any other service provider. Finally, the Department of Motor Vehicles must submit to the 78th Session of the Nevada Legislature a report concerning the implementation of the electronic lien system. This bill is effective upon passage and approval. When preparing for another piece of legislation, I discovered that in 13 months-time we used more than $700,000 in paper. So anytime we can cut down on that, I am for it. I urge your support. Thank you.

Roll call on Assembly Bill No. 309:
YEAS—20.
NAYS—None.
EXCUSED—Woodhouse.

Assembly Bill No. 309 having received a constitutional majority, Mr. President declared it passed. Bill ordered transmitted to Assembly.

Assembly Bill No. 336.
Bill read third time.
Remarks by Senator Manendo.

Thank you, Mr. President. Assembly Bill No. 336 provides for an extended term of vehicle registration for certain trailers. The bill allows for an optional three-year registration period for certain trailers, other than commercial trailers and semitrailers. The person who registers the trailer for a three-year period must pay upon registration all applicable fees and taxes that would have been due if the trailer was registered for one year and then renewed for two consecutive years. Thank you.

Roll call on Assembly Bill No. 336:
YEAS—20.
NAYS—None.
EXCUSED—Woodhouse.

Assembly Bill No. 336 having received a constitutional majority, Mr. President declared it passed. Bill ordered transmitted to Assembly.

Assembly Bill No. 412.
Bill read third time.
The following amendment was proposed by Senator Smith.
Amendment No. 942.
Senator Smith moved the adoption of the amendment.

Remarks by Senator Smith.
Thank you, Mr. President. Amendment No. 942 to Assembly Bill No. 412 changes, in section 8, the number of bill drafts the Governor may have; it increases that number. It also changes the request date to August. The Governor’s Office has agreed to this. It helps the agencies out and it helps the Legal Division of the Legislative Counsel Bureau with drafting. Thank you.

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

Assembly Bill No. 435.
Bill read third time.
Remarks by Senator Hutchison
Thank you, Mr. President. Assembly Bill No. 435 makes changes to the assessment to fund the Special Investigative Account and revises requirements related to assuming reinsurance. The bill allows the Commissioner of Insurance to exempt certain domestic insurers and prepaid limited health service organizations from risk-based capital reports. It also makes changes to the Nevada Life and Health Insurance Guaranty Association by specifying that the Association is not required to cover certain policies and contracts related to Medicare or to revise the amounts of certain benefits. The bill removes the State’s prospective opt-out from uniform standards related to the regulation of long-term care insurance products. The measure also enacts provisions related to the corporate governance and investments of domestic insurers and makes changes to how insurers can be acquired. It modifies the information required to be submitted to the Commissioner related to an insurer’s financial condition and corporate governance. The measure authorizes the Commissioner to approve a person who is not an insurer, a reinsurer, or a captive insurer as a sponsor of a captive insurer. Finally, the bill authorizes the Commissioner to convene a forum for communication and cooperation between regulators. Thank you.

Roll call on Assembly Bill No. 435:
YEAS—20.
NAYS—None.
EXCUSED—Woodhouse.

Assembly Bill No. 435 having received a constitutional majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

Assembly Bill No. 454.
Bill read third time.
Remarks by Senator Spearman.
Thank you, Mr. President. Assembly Bill No. 454 requires that a report of sale or a report of lease required to be submitted to the Department of Motor Vehicles by a seller of new vehicles, a long-term lessor of new vehicles, a seller of used or rebuilt vehicles, or a long-term lessor of used or rebuilt vehicles be submitted by way of electronic transmission. This bill also provides that failure of a seller or lessor to submit the original of those documents to the Department of Motor Vehicles within a certain time period is no longer a crime. This bill is effective on July 1, 2014. I urge your support. Thank you.

Roll call on Assembly Bill No. 454:
YEAS—20.
NAYS—None.
EXCUSED—Woodhouse.
Assembly Bill No. 454 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

Assembly Bill No. 464.
Bill read third time.
Remarks by Senator Goicoechea.

Thank you, Mr. President. Assembly Bill No. 464 authorizes the Department of Motor Vehicles to establish by regulation, a fee for the issuance of an identifying device required by the International Fuel Tax Agreement for special fuel users in a motor vehicle that is operated or intended to operate interstate, in an amount not to exceed the estimated administrative costs of issuing the device. The new fee will offset Highway Fund Appropriations in the Department’s Motor Carrier account in the amount of $44,556 for fiscal year 2014 and $45,312 for fiscal year 2015. The new fee of $6 per International Fuel Tax Agreement decal set is included in the Executive Budget and was approved by the money committees. The bill removes the specific percentage charged for interest on delinquent filing of tax returns for the International Fuel Tax Agreement program and changes the amount of interest charged on delinquent tax return filings to be established in accordance to the provisions in the International Fuel Tax Agreement. The bill is effective on July 1, 2013. Thank you.

Roll call on Assembly Bill No. 464:
YEAS—20.
NAYS—None.
EXCUSED—Woodhouse.

Assembly Bill No. 464 having received a two-thirds majority, Mr. President declared it passed.
Bill ordered transmitted to Assembly.

UNFINISHED BUSINESS
CONSIDERATION OF ASSEMBLY AMENDMENTS
Senator Ford moved that the Senate concur in the Assembly Amendment Nos. 899 and 910 to Senate Bill No. 164.
Motion carried.
Bill ordered enrolled.

Senator Manendo moved that the Senate concur in the Assembly Amendment Nos. 629 and 784 to Senate Bill No. 262.
Motion carried.
Bill ordered enrolled.

Senator Manendo moved that the Senate concur in the Assembly Amendment No. 703 to Senate Bill No. 428.
Motion carried.
Bill ordered enrolled.

Senator Manendo moved that the Senate concur in the Assembly Amendment No. 702 to Senate Bill No. 429.
Motion carried.
Bill ordered enrolled.
RECEDE FROM SENATE AMENDMENTS

Senator Atkinson moved that the Senate do not recede from its action on Assembly Bill No. 339, that a conference be requested, and that Mr. President appoint a Conference Committee consisting of three members to meet with a like committee of the Assembly.

Motion carried.

Bill ordered transmitted to the Assembly.

APPOINTMENT OF CONFERENCE COMMITTEES

President Krolicki appointed Senators Atkinson, Jones and Hutchison as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Assembly Bill No. 339.

President Krolicki appointed Senators Kihuen, Hammond and Jones as a Conference Committee to meet with a like committee of the Assembly for the further consideration of Senate Bill No. 280.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Bill Nos. 83, 92, 142, 362, 416, 493; Senate Resolution No. 9; Assembly Bill No. 465 and Assembly Concurrent Resolution No. 7.

REMARKS FROM THE FLOOR

SENATOR BROWER:

Thank you, Mr. President. Before we adjourn, I want to mention to the Body the passing of United States District Court Judge Edward C. Reed, Jr. Judge Reed was 88 years old and passed away this morning. He was a very interesting and dedicated public servant. A brief floor statement is not going to do his career and his life justice, so I will mention a couple of highlights.

Judge Reed was a World War II veteran, United States Army. He had been a Prisoner of War in Germany during the War. He graduated from the University of Nevada in 1949 and Harvard Law School in 1952. He practiced law in Reno, and dedicated his life to public service in many different ways including service on the Washoe County School Board. If you have hear of Reed High School in Sparks, it is named for Judge Reed. Judge Reed was appointed to the bench by former President Carter in 1979, and must have been one of the last remaining Carter-appointees on the bench when he passed away. He took senior status a few years ago but continued to work very hard. He will be missed by everyone who knew him. When we adjourn this evening, I ask that we please adjourn in the memory of the Honorable Edward C. Reed, Jr. Thank you.

MR. PRESIDENT:

I would like to confirm what it is that we learned today.

First of all, our thoughts continue to be with the Woodhouse family. Hopefully we will see Senator Woodhouse back here swiftly because her husband’s health will be fine.

To clarify, it is the opinion of legal counsel that the Senate’s presiding officer—the Lieutenant Governor—does have the ability to vote, not just on procedural matters, but on actions of final cause—on bills. I think the only appeal to that is through the courts. That is the interpretation that we have. I am delighted today all of our votes were 20 to zero, preventing the issue from coming into play. For those who are watching or who may be confused by media accounts, that is how I understand the case to be. I wanted to be clear. Thank you.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR
On request of Senator Denis, the privilege of the floor of the Senate Chamber for this day was extended to Mike Koon, Aden Medley, Aren Medley, Kathleen Medley and Richard Medley.

On request of Senator Kihuen, the privilege of the floor of the Senate Chamber for this day was extended to Silvia Lopez.

Senator Denis moved that the Senate adjourn until Sunday, June 2, 2013, at 12:00 noon and it do so in the memory of the Honorable Edward C. Reed, Jr. and with thoughts for the Woodhouse family.

Motion carried.

Senate adjourned at 6:40 p.m.

Approved: BRIAN K. KROLICKI  
President of the Senate

Attest: DAVID A. BYERMAN  
Secretary of the Senate