

NEVADA LEGISLATURE

Thirty-First Special Session, 2020

ASSEMBLY DAILY JOURNAL

THE TWELFTH DAY

CARSON CITY (Sunday), July 19, 2020

Assembly called to order at 11:29 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Richard Snyder.

Almighty God, we give You thanks for this new day. We give thanks for the efforts of the members of the Nevada Assembly and of the staff in facing the challenges of the Thirty-First Special Session. Renew and refresh them this day in Your Spirit, and may all that is done be guided by Your Spirit.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Yeager moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Yeager moved that the Assembly rescind the action whereby Assembly Bill No. 3 was passed.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 3.

Bill read third time.

The following amendment was proposed by the Committee of the Whole:

Amendment No. 7.

Sec. 117.5. 1. The Chief of the Budget Division of the Office of Finance created by NRS 223.400 shall transfer \$50,000,000 from Budget Account 101-1327 to the Account for Programs for Innovation and the Prevention of Remediation created by NRS 387.1247.

2. There is hereby authorized for expenditure the sum of \$50,000,000 from the Account for Programs for Innovation and the Prevention of Remediation created by NRS 387.1247 by the Department of Education for the establishment of the grant program required by subsection 3. Such money must not be used for administrative expenditures of the Department of Education.

3. The Superintendent of Public Instruction shall establish a grant program for the purpose of awarding grants of the money authorized for expenditure pursuant to subsection 2 to school districts and charter schools in this State to develop and implement the capability to provide alternative intensive instruction, including, without limitation, providing Internet connectivity to pupils and developing and providing programs to mitigate deficits in educational attainment, to the categories of pupils identified by the Superintendent of Public Instruction pursuant to subsection 4 who are likely to develop the largest deficits in educational attainment as a result of the loss of in-person intensive instruction. Grants awarded pursuant to such a program must be allocated on a per pupil basis for the number of pupils in each category of pupils identified by the Superintendent of Public Instruction pursuant to subsection 4 who are enrolled at the public schools in the school district or the charter school. The money awarded from a grant pursuant to this section must not be used for any expense incurred before March 1, 2020, or after December 30, 2020.

4. The Superintendent of Public Instruction shall identify the categories of pupils who are likely to develop the largest deficits in educational attainment as a result of the loss of in-person intensive instruction, which must include, without limitation:

(a) Elementary school pupils who exhibit a deficiency in the subject area of reading, including, without limitation, pupils identified pursuant to NRS 392.750 and pupils who are entitled to receive intervention services and intensive instruction pursuant to NRS 392.760;

(b) Pupils who are English learners, as defined in NRS 385.007;

(c) Pupils who are eligible for a free or reduced-price lunch pursuant to 42 U.S.C. §§ 1751 et seq.;

(d) Pupils who scored at or below the 25th percentile on an assessment of proficiency described in paragraphs (a) to (e), inclusive, of subsection 1 of NRS 387.137 or, for a grade level for which such an assessment does not exist or does not provide sufficient information to identify all such pupils, are projected to be at or below the 25th percentile for proficiency by the Department of Education pursuant to subsection 2 of NRS 387.137;

(e) Pupils who attend a public school which is rated at or below the 10th percentile of lowest performing schools, as determined by the Department of Education pursuant to the statewide system of accountability for public schools; and

(f) Any other category of pupils that the Superintendent of Public Instruction determines to be likely to develop a disproportionate deficit in educational attainment as a result of the loss of in-person intensive instruction.

5. Money awarded under the grant program established pursuant to subsection 3 must not be used to support a pupil participating in a program of special education pursuant to NRS 388.419.

6. All money awarded under the grant program established pursuant to subsection 3 must be expended by the recipient of the money on or before December 30, 2020. Any remaining balance of the money must not be committed for expenditure on or after December 30, 2020, by the Department of Education or any entity to which the money is granted or otherwise transferred in any manner, and any portion of the money remaining must not be spent for any purpose after December 30, 2020, by either the Department of Education or the entity to which the money was subsequently granted or transferred, and must be reverted to Budget Account 101-1327.

7. The money authorized for expenditure pursuant to subsection 2 is not intended to finance ongoing expenditures of the Department of Education or any recipient of an award of money under the grant program established pursuant to subsection 3, and the expenditures financed with that money must not be included as base budget expenditures in the proposed budget for the Executive Department of the State Government for the 2021-2023 biennium.

8. The money awarded under the grant program established pursuant to subsection 3:

(a) Must be accounted for separately from any other money received by the school district or charter school and used only for the purposes specified in subsection 3.

(b) May not be used to settle or arbitrate disputes between a recognized organization representing employees of a school district and the school district, or to settle any negotiations.

(c) May not be used to adjust the district-wide schedules of salaries and benefits of the employees of a school district.

Assemblyman Yeager moved the adoption of the amendment.

Remarks by Assemblymen Frierson, Edwards, and Titus.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Yeager moved that the Assembly dispense with the reprinting of Assembly Bill No. 3

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 3.

Bill read third time.

Remarks by Assemblymen Carrillo and Benitez-Thompson.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Roll call on Assembly Bill No. 3:

YEAS—36.

NAYS—Edwards, Ellison, Hafen, Kramer, Krasner, Wheeler—6.

Assembly Bill No. 3 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 11:55 a.m.

ASSEMBLY IN SESSION

At 6:44 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Pursuant to Special Rule No. 4, the Speaker authorized Assemblyman Edwards to use remote-technology systems to attend, participate, vote, and take any other action in the proceedings of the Assembly and the Assembly Committee of the Whole.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, July 19, 2020

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 3.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 1.

SHERRY RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Frierson, Assefa, Backus, Benitez-Thompson, Bilbray-Axelrod, Carlton, Carrillo, Cohen, Daly, Douglass-Boone, Duran, Edwards, Ellison, Flores, Fumo, Gorelow, Hafen, Hambrick, Hansen, Hardy, Jauregui, Kramer, Krasner, Leavitt, Martinez, McCurdy, Miller, Monroe-Moreno, Munk, Neal, Nguyen, Peters, Roberts, Smith, Spiegel, Swank, Titus, Tolles, Torres, Watts, Wheeler and Yeager:

Assembly Concurrent Resolution No. 2—Expressing appreciation to the staff of the Legislative Counsel Bureau for their service during the 31st Special Session of the Nevada Legislature.

Assemblyman Yeager moved the adoption of the resolution.

Remarks by Assemblymen Carlton and Roberts.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Resolution adopted and ordered to the Senate.

By Assemblymen Frierson, Assefa, Backus, Benitez-Thompson, Bilbray-Axelrod, Carlton, Carrillo, Cohen, Daly, Douglass-Boone, Duran, Edwards, Ellison, Flores, Fumo, Gorelow, Hafen, Hambrick, Hansen, Hardy, Jauregui, Kramer, Krasner, Leavitt, Martinez, McCurdy, Miller, Monroe-Moreno, Munk, Neal, Nguyen, Peters, Roberts, Smith, Spiegel, Swank, Titus, Tolles, Torres, Watts, Wheeler and Yeager:

Assembly Resolution No. 5—Expressing appreciation to the Assembly staff for their service during the 31st Special Session of the Nevada Legislature.

Assemblyman Yeager moved the adoption of the resolution.

Remarks by Assemblywoman Jauregui.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Resolution adopted.

Senate Concurrent Resolution No. 1.

Assemblyman Yeager moved the adoption of the resolution.

Remarks by Assemblywomen Cohen and Titus.

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Resolution adopted.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblyman Watts to wait upon the Senate and inform that honorable body that the Assembly was ready to adjourn *sine die*.

Mr. Speaker called His Excellency, Governor Steve Sisolak, Governor of the State of Nevada, and inform him that the Assembly was ready to adjourn *sine die*.

Senator Parks appeared before the bar of the Assembly and announced that the Senate was ready to adjourn *sine die*.

Assemblyman Watts reported that he had informed the Senate that the Assembly was ready to adjourn *sine die*.

REMARKS FROM THE FLOOR

(REMARKS WILL BE INCLUDED IN THE FINAL JOURNAL.)

Assemblyman Yeager moved that the 31st Special Session of the Assembly of the Legislature of the State of Nevada adjourn *sine die*.

Motion carried.

Assembly adjourned at 7:12 p.m.

Approved:

JASON FRIERSON
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly