

THE FIFTEENTH DAY

CARSON CITY (Monday), February 18, 2013

Assembly called to order at 11:36 a.m.

Madam Speaker presiding.

Roll called.

All present except Assemblymen Brooks, Diaz, and Woodbury, who were excused.

Prayer by the Chaplain, Pastor Norm Milz.

Almighty God, we come to You this day as an Assembly that has been placed together by the citizens of Nevada to represent them in the growth and development of this state. We thank You for the growth that is beginning in finance and sales. We know, however, that the road to a complete recovery is long and hard. We ask for Your guidance that discussions occur and that comments are made to guide decisions for the good of all the citizens of Nevada. May this Assembly's work, along with the Senate, pass legislation that will be beneficial to all residents.

We thank You for making Nevada a vital part of these United States. Help us set the standard of fair legislation for not only Nevada, but the entire nation.

We lift up all these things to You and You alone, for only with You are all things possible. In the name of Your Son, Jesus Christ.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Horne 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.

REPORTS OF COMMITTEES

Madam Speaker:

Your Committee on Taxation, to which was referred Assembly Bill No. 68, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

IRENE BUSTAMANTE ADAMS, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Horne moved that the persons set forth on the Nevada Legislature's Press Accreditation List of February 18, 2013, be accepted as accredited press representatives, assigned space at the press table in the Assembly Chamber and allowed use of appropriate broadcasting facilities, and that the list be included in this day's Journal:

AHORA LATINO-JOURNAL: Mario Delarosa; ASSOCIATED PRESS: Cathleen Allison; GREENSPUN MEDIA: Steven Marcus; KOLO-TV: Samantha Boatman, Ray Kinney, Rebecca Kitchen; LAS VEGAS SUN: Matt Hufman, Steve Marcus.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblywoman Bustamante Adams:

Assembly Bill No. 128—AN ACT relating to watercraft; exempting a person from the payment of a fee for the management of an aquatic invasive species under certain circumstances; and providing other matters properly relating thereto.

Assemblywoman Bustamante Adams moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By Assemblymen Livermore, Hickey, Fiore, Hambrick, Hansen, Oscarson, Stewart, and Wheeler:

Assembly Bill No. 129—AN ACT relating to motor vehicles; requiring the Department of Motor Vehicles to design, prepare and issue special license plates honoring peace officers who have received certain medals; setting forth the requirements for a person to qualify for the issuance of the special license plates; exempting the special license plates from certain provisions otherwise applicable to special license plates; and providing other matters properly relating thereto.

Assemblyman Livermore moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Hardy, Fiore, Ellison, Hickey, Paul Anderson, Grady, Hambrick, Kirner, Oscarson, Stewart and Wheeler; Senators Hardy, Cegavske, Goicoechea, and Settlemeyer:

Assembly Bill No. 130—AN ACT relating to education; expanding the provisions that require the Board of Regents of the University of Nevada to pay certain fees and expenses associated with undergraduate classes taken by certain dependent children to include the children of public safety officers killed in the line of duty; and providing other matters properly relating thereto.

Assemblyman Hardy moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Hardy, Ellison, Paul Anderson, Fiore, Grady, Hambrick, Hickey, Kirkpatrick, Kirner, Livermore, Oscarson, Stewart, and Wheeler; Senators Hardy, Cegavske, Goicoechea, Hammond, and Settlemeyer:

Assembly Bill No. 131—AN ACT relating to the Virgin Valley Water District; requiring each member of the Board of the District to be elected; setting forth the terms of service of the members of the Board; and providing other matters properly relating thereto.

Assemblyman Hardy moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Carrillo, Eisen, Diaz, Cohen, Dondero Loop, Martin, and Wheeler:

Assembly Bill No. 132—AN ACT relating to tort actions; providing certain immunity from tort liability to persons employed by an agency to provide personal care services in the home; and providing other matters properly relating thereto.

Assemblyman Carrillo moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Pierce, Bobzien, Benitez-Thompson, Diaz, Eisen, Hogan, Horne, and Neal; Senator Parks:

Assembly Bill No. 133—AN ACT relating to the administration of justice; restricting the use of strip and visual body cavity searches of persons who are arrested for a misdemeanor and children who are detained in custody; and providing other matters properly relating thereto.

Assemblywoman Pierce moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblywoman Dondero Loop:

Assembly Bill No. 134—AN ACT relating to nonprofit corporations; removing the requirement that a person on the board of directors or trustee of a nonprofit corporation be at least 18 years of age; and providing other matters properly relating thereto.

Assemblywoman Dondero Loop moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Hardy, Fiore, Kirkpatrick, Paul Anderson, Grady, Hambrick, Hickey, Kirner, Livermore, Stewart, and Wheeler; Senators Cegavske, Goicoechea, and Settlemeyer:

Assembly Bill No. 135—AN ACT relating to unincorporated towns; requiring the election of members of certain town advisory boards in a county whose population is 700,000 or more; and providing other matters properly relating thereto.

Assemblyman Hardy moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Stewart, Hickey, Paul Anderson, and Grady; Senator Hardy:

Assembly Bill No. 136—AN ACT relating to public accountants; revising provisions relating to the requirements concerning experience for a certificate of certified public accountant; and providing other matters properly relating thereto.

Assemblyman Stewart moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Neal and Aizley:

Assembly Bill No. 137—AN ACT relating to common-interest communities; prohibiting the executive board and the governing documents of a common-interest community from requiring landscaping within certain areas; and providing other matters properly relating thereto.

Assemblywoman Neal moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Sprinkle, Bustamante Adams, Kirkpatrick, Bobzien, and Neal; Senators Smith and Kihuen:

Assembly Bill No. 138—AN ACT relating to taxation; revising provisions governing the partial abatement of certain taxes; and providing other matters properly relating thereto.

Assemblyman Sprinkle moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Daly, Kirkpatrick, Bobzien, Benitez-Thompson, Horne, Bustamante Adams, Carlton, Diaz, Frierson, Healey, Ohrenschall, Spiegel, and Sprinkle; Senator Smith:

Assembly Bill No. 139—AN ACT relating to business; revising provisions governing the state business portal; requiring certain state and local agencies and health districts to use the state business portal for certain purposes; requiring certain persons who are not required to obtain a state business license to obtain a certificate of exemption from the Secretary of State; requiring the Secretary of State to issue unique business identification numbers under certain circumstances; revising provisions governing the issuance of certain licenses by incorporated cities and counties; providing penalties; and providing other matters properly relating thereto.

Assemblyman Daly moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 140—AN ACT relating to economic development; enacting provisions governing the posting of eligibility requirements for certain abatements and contracts; and providing other matters properly relating thereto.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Hogan, Martin, Munford, and Sprinkle:

Assembly Bill No. 141—AN ACT relating to employment; prohibiting an employer from requiring an employee, as a condition of his or her employment, to enter into an agreement to divide with other employees any tips or gratuities bestowed upon the employee; revising provisions concerning agreements to divide tips and gratuities among employees; and providing other matters properly relating thereto.

Assemblyman Hogan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Munford, Fiore, Duncan, Ellison, Hansen, Hardy, Hogan, Horne, Kirkpatrick, and Martin; Senators Segerblom, Denis, Kihuen, Atkinson, Gustavson, Jones, and Spearman:

Assembly Bill No. 142—AN ACT relating to records; revising provisions governing the sealing and removal of certain records; and providing other matters properly relating thereto.

Assemblyman Munford moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Fiore, Wheeler, Paul Anderson, Hansen, Hickey, Carrillo, Duncan, Ellison, Grady, Hambrick, Hardy, Kirner, Ohrenschall, Oscarson, Stewart, and Woodbury; Senators Gustavson, Settlemeyer, Cegavske, Goicoechea, Hammond, and Hardy:

Assembly Bill No. 143—AN ACT relating to concealed firearms; authorizing a sheriff to provide certain information concerning the availability of certain courses relating to firearm safety; authorizing persons who hold permits to carry concealed firearms to carry concealed firearms on the property of the Nevada System of Higher Education under certain circumstances; authorizing the Police Department for the System to provide certain information concerning the availability of certain courses relating to firearm safety; and providing other matters properly relating thereto.

Assemblywoman Fiore moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Carrillo and Ohrenschall:

Assembly Bill No. 144—AN ACT relating to anatomical gifts; providing that an anatomical gift made by an unemancipated minor who is at least 16 years of age and possesses a driver's license cannot be revoked or amended by the minor's parent; and providing other matters properly relating thereto.

Assemblyman Carrillo moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblymen Carrillo and Ohrenschall:

Assembly Bill No. 145—AN ACT relating to transportation; authorizing certain officials in each county responsible for the maintenance and repair of certain roads to establish a Complete Streets program for retrofitting certain roads to improve access to those roads by all users; allowing a person who is registering or renewing the registration of a vehicle to make a voluntary contribution at that time to the Complete Streets program in his or her county; and providing other matters properly relating thereto.

Assemblyman Carrillo moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Horne and Frierson; Senators Atkinson and Ford:

Assembly Bill No. 146—AN ACT relating to crimes; establishing the crime of involuntary servitude of a minor; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Horne moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Ohrenschall, Pierce, Kirkpatrick, Dondero Loop, Kirner, Aizley, Elliot Anderson, Benitez-Thompson, Bobzien, Bustamante Adams, Carlton, Carrillo, Cohen, Daly, Diaz, Fiore, Frierson, Hambrick, Healey, Hickey, Horne, Martin, Munford, Neal, Spiegel, and Swank; Senators Segerblom, Denis, Manendo, Jones, Spearman, Ford, Kihuen, and Woodhouse:

Assembly Bill No. 147—AN ACT relating to mammography; requiring a notice regarding supplementary mammographic screening tests to be included in a report provided to a patient if the patient is categorized as

having dense breasts; authorizing an administrative fine for failure to provide such notice; and providing other matters properly relating thereto.

Assemblyman Ohrenschall moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 18, 2013

To the Honorable the Assembly:

It is my pleasure to inform your esteemed body that the Senate on this day adopted Senate Concurrent Resolution No. 5.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 5.

Assemblyman Grady moved that the resolution be referred to the Committee of the Whole.

Motion carried.

Assemblyman Home moved that the Assembly resolve itself into a Committee of the Whole for the purpose of considering Senate Concurrent Resolution No. 5.

Motion carried.

IN COMMITTEE OF THE WHOLE

At 11:56 a.m.

Assemblywoman Kirkpatrick presiding.

Quorum present.

Senate Concurrent Resolution No. 5 considered.

ASSEMBLYMAN GRADY:

Thank you, Madam Speaker.

As the resolution states, on October 31, 2014, Nevada will celebrate 150 years of statehood. We certainly have come a long way from our rather humble beginning as the 36th state admitted to the Union.

A brief look back in time might be helpful as we celebrate Nevada's past 150 years. It is not true—an absolute myth—that Nevada was made a state in 1864 because our gold and silver was needed by the Union to finance the Civil War. Actually, Nevada's mineral riches already were locked up by the Union, particularly upon the creation on March 2, 1861, of the Nevada Territory. Nevada was a federal territory and a part of the Union for over three years before we became a state.

The real reasons for Nevada's statehood were political, not economic. We really lacked the specific population to become a state, but our residents were excited about the prospect of statehood, and for very different reasons, President Lincoln was also. With key Union victories on the battlefields in 1863 and the first part of 1864, it became obvious to most in the North that the Civil War was winding down. President Lincoln recognized that an additional state might be

needed for his reelection in what was shaping up as a tough three-way race for the White House. Statehood for Nevada also would provide another state for ratification of the proposed Thirteenth Amendment to abolish slavery. Further, Nevada was expected to support Lincoln's moderate, rather than radical, plans for reconstructing the South.

Following statehood, Nevada would ride a roller coaster ranging from prosperity to hard times, cycles of "boom and bust," all based on the fortunes of mining. However, even during the good times, Nevada's population remained very small; it was under 100,000 until the late '30s. For over 94 years following our statehood, Nevada was the smallest state in the nation based on population. It wasn't until Alaska's admission as the 49th state on January 3, 1959, that Nevada became the second smallest state.

That was all to change for Nevada. From 1960 through 2010, Nevada was the fastest growing state in the nation. We were to grow from just over 285,000 in 1960 to 2.7 million in 2010, an increase of over 800 percent. Today we are ranked 35th among the states in population and currently have four members in the U.S. House of Representatives.

We have many reasons to be optimistic about the future. We have, hopefully, turned the corner on recovery from the recession. Gaming revenues are looking up, retail sales are up, the value of our homes are increasing over the past years, and visitation to the state continues to grow. Our traditional industry of mining has remained strong in recent years, and construction, again hopefully, is on the rebound. Believe it or not, Nevada's population grew some 58,000 people over the last two years, a reflection of our continued appeal as a state in which to move businesses or individual households.

Nevada is a special and unique state, a place that we call home. Our first 150 years must be remembered, reflected on, and celebrated as we prepare to move forward over the next 150 years. I ask for your support of this important resolution.

Thank you , Madam Speaker.

CHAIR KIRKPATRICK:

Thank you, Assemblyman Grady.

Any other remarks? The Committee will bring it to a vote.

ASSEMBLYMAN GRADY:

I move that the Committee recommend the adoption of Senate Concurrent Resolution No. 5.

CHAIR KIRKPATRICK:

All those in favor, please signify by saying aye. Any opposed? Motion carries.

On motion of Assemblyman Horne, the committee did rise and report back to the Assembly.

ASSEMBLY IN SESSION

At 12:02 p.m.

Madam Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Madam Speaker:

Your Committee of the Whole, to which was referred Senate Concurrent Resolution No. 5, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

MARILYN K. KIRKPATRICK, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Horne moved that Senate Concurrent Resolution No. 5, just reported out of committee, be placed on the Resolution File.

Motion carried.

Senate Concurrent Resolution No. 5.

Assemblyman Grady moved the adoption of the resolution.

Resolution adopted and ordered transmitted to the Senate.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Resolution No. 5.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Jeff Thompson, Lily Thompson, Eli Thompson, and Dennis Roy.

On request of Assemblyman Bobzien, the privilege of the floor of the Assembly Chamber for this day was extended to Addison Clark and Shane Hogan.

On request of Assemblyman Ellison, the privilege of the floor of the Assembly Chamber for this day was extended to Bud Hicks.

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to Melinda Brown, Bob Brown, and Neena Laxalt.

On request of Assemblyman Hansen, the privilege of the floor of the Assembly Chamber for this day was extended to Lori Nelson and Ted Olivas.

On request of Assemblyman Hickey, the privilege of the floor of the Assembly Chamber for this day was extended to Greg Stevens and Cassie Stevens.

On request of Assemblyman Hogan, the privilege of the floor of the Assembly Chamber for this day was extended to Greg Martin.

On request of Assemblyman Kirner, the privilege of the floor of the Assembly Chamber for this day was extended to Daniela Carrillo.

On request of Assemblyman Ohrenschall, the privilege of the floor of the Assembly Chamber for this day was extended to Scott L. Coffee.

Assemblyman Horne moved that the Assembly adjourn until Wednesday, February 20, 2013, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:15 p.m.

Approved:

MARILYN K. KIRKPATRICK
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly