

**THE EIGHTY-EIGHTH DAY**

---

CARSON CITY (Thursday), May 2, 2013

Assembly called to order at 11:45 a.m.

Madam Speaker presiding.

Roll called.

All present except Assemblywoman Pierce, who was excused.

Prayer by the Chaplain, Rajan Zed.

Om

bhur bhuvah svah

tat Savitur varenyam

bhargo devasya dhimahi

dhiyo you nah prachodayat

We meditate on the transcendental Glory of the Deity Supreme, who is inside the heart of the Earth, inside the life of the sky and inside the soul of the Heaven. May He stimulate and illuminate our minds.

Asato ma sad gamaya

Tamaso ma jyotir gamaya

Mrityor mamrtam gamaya

Lead me from the unreal to the Real.

Lead me from darkness to Light.

Lead me from death to Immortality.

niyatam kuru karma tvam karma jyayo hyakarmanah

sarirayatrapa ca te na prasiddhyedakamanah

yajnarthatkarmano'nyatra loko'yam karmabandhanah

tadartham karma kaunteya muktasangah samacara

Fulfill all your duties; action is better than inaction. Even to maintain your body, you are obliged to act. Selfish action imprisons the world. Act selflessly, without any thought of personal profit.

tasmadasaktah satatam karyam karma samacara

asakto hyacarankarma paramapnoti purusah

karmanaiiva hi samsiddhimasthita janakadayah

lokasangrahavevapi sampasyankartumarhasi

Strive constantly to serve the welfare of the world; by devotion to selflessness, one attains the supreme goal of life. Do your work with the welfare of others always in mind.

Om saha naavavatu

Saha nau bhunaktu

Saha viiryan karavaavahai

Tejasvi naavadhiitamastu

Maa vidhivishhaavahai

May we be protected together.  
 May we be nourished together.  
 May we work together with great vigor.  
 May our study be enlightening.  
 May no obstacle arise between us.

samani va akutih  
 samana hridayani vah  
 samanam astu vo mano  
 yatha vah susahasti

United your resolve, united your hearts,  
 may your spirits be at one,  
 that you may long together dwell  
 in unity and concord!

Om Shanti, Shanti, Shanti.

Peace, Peace, Peace be unto all.

Om.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Home 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.

#### MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 30, 2013

*To the Honorable the Assembly:*

It is my pleasure to inform your esteemed body that the Senate on this day passed Assembly Bill No. 175.

Also, it is my pleasure to inform your esteemed body that the Senate on this day concurred in the Assembly Amendment No. 587 to Senate Bill No. 510.

SHERRY L. RODRIGUEZ  
*Assistant Secretary of the Senate*

SENATE CHAMBER, Carson City, May 1, 2013

*To the Honorable the Assembly:*

It is my pleasure to inform your esteemed body that the Senate on this day passed Assembly Bills Nos. 43, 115, 127, 192.

Also, it is my pleasure to inform your esteemed body that the Senate on this day passed, as amended, Senate Bill No. 404.

SHERRY L. RODRIGUEZ  
*Assistant Secretary of the Senate*

## INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 404.

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

Motion carried.

## SECOND READING AND AMENDMENT

Assembly Bill No. 449.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 585.

AN ACT relating to vital statistics; providing that certain proceeds accruing to this State may be used by the Health Division of the Department of Health and Human Services for certain purposes; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law requires the Administrator of the Health Division of the Department of Health and Human Services, who serves as the State Registrar of Vital Statistics, to keep a true and correct account of all fees received under chapter 440 of NRS. Money collected pursuant to certain specific provisions of chapter 440 of NRS must be used for certain purposes, but any other proceeds accruing to this State under the provisions of the chapter must be forwarded to the State Treasurer for deposit in the State General Fund. (NRS 440.690) This bill provides that such proceeds accruing to this State under the provisions of chapter 440 of NRS may instead be used by the Health Division of the Department of Health and Human Services to administer and carry out the provisions of the chapter and any regulations adopted pursuant thereto.

This bill also removes the provision which authorizes the Health Division, upon the approval of the State Board of Examiners and pursuant to its regulations, to maintain an account in a bank or credit union for the purpose of refunding overpayments of fees for vital statistics.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** NRS 440.690 is hereby amended to read as follows:

440.690 1. The State Registrar shall keep a true and correct account of all fees received under this chapter.

2. The money collected pursuant to subsection 2 of NRS 440.700 must be remitted by the State Registrar to the State Treasurer for credit to the

Children's Trust Account created by NRS 432.131. The money collected pursuant to subsection 3 of NRS 440.700 must be remitted by the State Registrar to the State Treasurer for credit to the Review of Death of Children Account created by NRS 432B.409. Any money collected pursuant to subsection 5 of NRS 440.700 must be remitted by the State Registrar to the county treasurers of the various participating counties for credit to their accounts for the support of the offices of the county coroners created pursuant to NRS 259.025. Any other proceeds accruing to the State of Nevada under the provisions of this chapter ~~must be forwarded to the State Treasurer for deposit in the State General Fund.~~

~~3. Upon the approval of the State Board of Examiners and pursuant to its regulations,] may be used by the Health Division of the Department of Health and Human Services [may maintain an account in a bank or credit union for the purpose of refunding overpayments of fees for vital statistics.] to administer and carry out the provisions of this chapter and any regulations adopted pursuant thereto.~~

**Sec. 2.** This act becomes effective ~~upon passage and approval.] on July 1, 2013.~~

Assemblywoman Carlton moved the adoption of the amendment.

Remarks by Assemblywoman Carlton.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 471.

Bill read second time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 586.

SUMMARY—Makes ~~fa supplemental] an~~ appropriation to the **Health Division of the** Department of Health and Human Services for ~~fa unanticipated shortfall relating to] the~~ operation of the vital records and statistics program in Fiscal Year 2012-2013. (BDR S-1191)

AN ACT making ~~fa supplemental] an~~ appropriation to the **Health Division of the** Department of Health and Human Services for ~~fa unanticipated shortfall relating to] the~~ operation of the vital records and statistics program in Fiscal Year 2012-2013; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

**Section 1.** There is hereby appropriated from the State General Fund to the **Health Division of the** Department of Health and Human Services the

sum of \$519,243 for ~~[an unanticipated shortfall relating to]~~ the operation of the vital records and statistics program in Fiscal Year 2012-2013. ~~[This appropriation is supplemental to that made in section 18 of chapter 371, Statutes of Nevada 2011, at page 2159.]~~

**Sec. 2. Any remaining balance of the appropriation made by section 1 of this act must not be committed for expenditure after June 30, 2013, by the Health Division of the Department of Health and Human Services or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 20, 2013, by either the Health Division of the Department of Health and Human Services or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 20, 2013.**

~~[Sec. 2.]~~ **Sec. 3.** This act becomes effective upon passage and approval.

Assemblywoman Carlton moved the adoption of the amendment.

Remarks by Assemblywoman Carlton.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

#### REMARKS FROM THE FLOOR

Assemblyman Horne requested that the following proclamation be entered in the Journal.

#### PROCLAMATION OF THE ASSEMBLY OF THE NEVADA LEGISLATURE

Commemorating the Annual Nevada Law Enforcement Officers Memorial Ceremony

WHEREAS, Law enforcement officers bravely place their lives on the line for the safety and protection of the residents of Nevada every time they put on their uniforms; and

WHEREAS, On November 18, 1861, Sheriff John L. Blackburn was stabbed and killed during an arrest of a suspect in Carson City, Nevada, making him the first officer in this State to be killed in the line of duty; and

WHEREAS, Since that first tragic fall of an officer in 1861, 123 law enforcement officers have died in the line of duty in this State; and

WHEREAS, In 1989, the Nevada Legislature unanimously voted to enact Assembly Bill No. 493 (Ch. 450, Statutes of Nevada 1989, at p. 962) to provide for the construction of a memorial to law enforcement officers on the Capitol Complex; and

WHEREAS, A statewide fund raising campaign ensued and by 1996 all of the funds to complete the memorial had been raised; and

WHEREAS, In 1997, a site was selected for the memorial on the Capitol Mall and on May 13, 1998, the memorial was completed and dedicated; and

WHEREAS, On May 2, 2013, the 16th Annual Nevada Law Enforcement Officers Memorial ceremony will be held on the Capitol grounds to honor the peace officers in this State who have been killed in the line of duty; and

WHEREAS, The name of Officer Vernon B. Carvin, who died on Nevada Day in 1949 after being kicked in the chest by a violent prisoner who was being placed in a cell at the local jail,

will be enshrined on the memorial by the Nevada Law Enforcement Officers Memorial Commission during the ceremony; and

WHEREAS, The names of Lt. Glenn Barnes from the Washoe County Sheriffs' Office who died in the line of duty in 1991 and Deputy Denny Van Lawrence from the Elko County Sheriff's Office who died in the line of duty in 2012 will also be added to the memorial; and

WHEREAS, During the ceremony a tree and memorial plaque will be dedicated to former Senator William "Bill" Raggio who was Nevada's longest serving State Senator and a strong supporter of law enforcement in Nevada; now, therefore, be it

PROCLAIMED, By the Assembly of the 77th Session of the Nevada Legislature that the Assembly hereby expresses its support for the Annual Law Enforcement Officers Memorial Ceremony; and be it further

PROCLAIMED, That the Assembly on this day also pays tribute to and honors all of the officers who have lost their lives in the line of duty in hopes that those officers and their sacrifice may never be forgotten; and be it further

PROCLAIMED, that the Chief Clerk of the Assembly prepare and transmit a copy of this proclamation to Kirk Hooten on behalf of all men and women who serve Nevada Law Enforcement.

MARILYN K. KIRKPATRICK  
*Speaker of the Assembly*

WILLIAM C. HORNE  
*Nevada State Assemblyman*

#### UNFINISHED BUSINESS

##### SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Concurrent Resolution No. 6; Assembly Resolutions Nos. 10, 11.

##### GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Paul Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Michael Chamberlain and Grace Chamberlain.

On request of Assemblyman Daly, the privilege of the floor of the Assembly Chamber for this day was extended to Sean Stewart.

On request of Assemblywoman Fiore, the privilege of the floor of the Assembly Chamber for this day was extended to Jennifer Barrier.

On request of Assemblyman Frierson, the privilege of the floor of the Assembly Chamber for this day was extended to Chris Caluya.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Billy Wellman, Wendy Mulcock, and Lindsay Dalley.

On request of Assemblyman Hickey, the privilege of the floor of the Assembly Chamber for this day was extended to Steve Brooke.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Leon Mead.

On request of Assemblyman Livermore, the privilege of the floor of the Assembly Chamber for this day was extended to Denton Thom and Gabriel Fanning.

On request of Assemblywoman Spiegel, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, teachers, and chaperones from Saint Viator Catholic Middle School: Jacob Bieszczat, Emerson Wieczorek, Dustyn Weber, Jake Espinoza, Connor Burgess, Julien Calabreses, Jensen Cheney, Kyle Melatti, John Martin, Jacob Reid, Dylan Sanglay, Madison Hall, Jensen Drewes, Mikayla Kelly, Allison Em, Skylar Minden, Olivia McEvoy, Elizabeth Horning, Amanda Paez, Madison Ryan, Madison Layne, Kandace Lau, Kristopher Acuna, Alvin Jordan Dela Llana, Cameron Nagy, Patrick Ballinger, Taylor Darden, Jason Lewandowski, Nathan Harrington, Andrew Yager, Justin Lewandowski, Christopher Hernandez, Christian Ron, Caden Farley, Cole Samson, Christopher Dornak, Christopher Jones, Brianna Burns, Juanita Dominguez, Chiamaka Amadi, Rosalia Sedano, Nikita Gilvarry, Kayla Rose Unkelbach, Paige Arredondo, Elena Conti, Riley Watson, Kristina Tucky, Nick Wieczorek, Chad Layne, Tami Espinoza, Melissa Kelly, Tiffany Drewes, Magdiel Paez, Judy Marco, Jo Ann Dela Llana, Chris Darden, Eric Dornak, Christopher Jones, Elizabeth Burns, Shelley Unkelbach, and Kirsten Arredondo.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Boyde Martin, Julisa Saenz, and Ivan Ramirez.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Ruth Johnson and Jade Johnson.

On request of Assemblyman Wheeler, the privilege of the floor of the Assembly Chamber for this day was extended to Boone Cutler and Steve Sanson.

Assemblyman Horne moved that the Assembly adjourn until Monday, May 6, 2013, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:06 p.m.

Approved:

MARILYN K. KIRKPATRICK  
*Speaker of the Assembly*

Attest: SUSAN FURLONG

*Chief Clerk of the Assembly*