

Journal

OF THE

SENATE OF THE STATE

OF NEVADA

SEVENTY-SEVENTH SESSION

THE FIRST DAY

CARSON CITY (Monday), February 4, 2013

Senate called to order at 11:10 a.m.

President Krolicki presiding.

President Krolicki requested that his remarks be entered into the Journal.

It is an absolute pleasure to be with all of you today. We have lots of smiling faces. We have some new faces and familiar faces. From my position here, you are all most welcome. I assure you I will do my utmost in a fair and equitable manner as I preside over this Body. It is a pleasure for me to have the same eyeshot looking at our majority and minority leaders; I appreciate the proximity of leadership in the Chamber. I also want to welcome the temporary Secretary of the Senate, Mr. Byerman, to the Body. It is always a pleasure, and I thank you for sharing your family with me up here.

To the folks who do so much work, every day even after we go home, you continue to work, our Front Desk staff, and to Jerry Pieretti, our Sergeant at Arms, and your crew, welcome.

Prayer by Stake President Keith Jarvis.

Our beloved Heavenly Father, we humbly come before You this beautiful day. We thank Thee for all of the wonderful blessings that Thou has showered upon us. We thank Thee for the great State of Nevada. We thank Thee for the pioneers who helped first settle this area and for their vitality; we pray that vitality will carry over through this Session.

We are thankful to be gathered together for the 2013 Session of the Nevada Legislature. We pray for support to be with the leaders and supporting members of this Session. We ask a blessing upon Governor Sandoval, the Senate, the Assembly and all who will share their talents to make this a very successful year.

We thank Thee for the excellent caliber of our wonderful and precious children and great youth. We ask a protective blessing to be upon them, to help them, to guide and direct them. Please bless our educators and administrators to collectively meet the educational needs of our children and youth.

We ask a blessing upon our armed forces, to protect them, and a blessing upon our wonderful veterans, that Thou will strengthen them. We ask for wisdom, dear Father, to effectively manage the budget this year. We ask that our economic development will improve. Please bless our citizens who are economically challenged, that Thou will provide comfort and strength.

May we proceed in a spirit of love to one another and seek a spirit of compassion toward each other throughout this Session. May we function in the spirit of humility, that our weakness will be a strength. May we regularly call upon Thee for divine guidance and inspiration, for support in all we do, in the sacred Name of our beloved Son Jesus Christ.

AMEN.

REMARKS FROM THE FLOOR

President Krolicki requested that his remarks be entered into the Journal.

We are delighted to have Boy Scout Troop 33 here with us today; they are sponsored by the Rotary Club of Carson City, which was established in 1939. The Scout participants are: Scout Leader, Ken Kruse; Star Scout, Zachary Kruse; Star Scout, Daniel Tooker; and Second Class, Fred Allen.

Presentation of the Colors by Boy Scout Troop 33.

PRESIDENT KROLICKI:

It is my pleasure to introduce Mr. Dallin Denis who will lead us in the Pledge of Allegiance.

Pledge of Allegiance to the Flag.

PRESIDENT KROLICKI:

It is my pleasure to announce the musical performances: the "National Anthem" will be presented by Edina Flaathen, "My Country Tis of Thee" and "God Bless America" will be presented by The Note-Ables and "Home Means Nevada" will be presented by The Note-Ables and Edina Flaathen.

I would like to offer a vote of appreciation to our performers and thank Boy Scout Troop 33, which will now retire the Colors to their appropriate place within the Senate Chamber.

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

Senate in recess at 11:26 a.m.

SENATE IN SESSION

At 11:34 a.m.

President Krolicki presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. President requested Mr. David A. Byerman to serve as temporary Secretary of the Senate and Mr. Jerry S. Pieretti to serve as temporary Sergeant at Arms.

Mr. President instructed the temporary Secretary to call the roll of the holdover Senators.

Roll called.

All holdover Senators present.

Mr. President appointed Senators Parks, Kihuen and Roberson as a temporary Committee on Credentials.

Mr. President announced that if there were no objections the Senate would recess subject to the call of the Chair while the credentials of the Senators-elect are examined by the temporary Committee on Credentials.

Senate in recess at 11:36 a.m.

SENATE IN SESSION

At 11:42 a.m.

President Krolicki presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. President:

Your temporary Committee on Credentials has had the credentials of the respective Senators-elect under consideration and begs leave to report that the following persons have been and are duly elected and qualified members of the Senate of the Seventy-seventh Legislative Session of the State of Nevada: Senators Kelvin Atkinson, Greg Brower, Aaron Ford, Pete Goicoechea, Scott Hammond, Mark Hutchison, Justin Jones, David Parks, Richard Segerblom, Debbie Smith, Patricia Spearman and Joyce Woodhouse.

DAVID R. PARKS
RUBEN J. KIHUEN
MICHAEL ROBERSON

MOTIONS, RESOLUTIONS AND NOTICES

Senator Parks moved that the report of the temporary Committee on Credentials be adopted.

Motion carried.

Mr. President appointed a Committee on Escort consisting of Senators Segerblom, Ford and Brower to escort the Honorable Chief Justice Kristina Pickering of the Nevada Supreme Court to the rostrum to administer the Oath of Office to the newly-elected Senators.

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

Senate in recess at 11:44 a.m.

SENATE IN SESSION

At 11:45 a.m.

President Krolicki presiding.

Quorum present.

Chief Justice Pickering administered the Oath of Office to the newly-elected Senators.

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

Senate in recess at 11:49 a.m.

SENATE IN SESSION

At 11:56 a.m.

President Krolicki presiding.

Quorum present.

Senator Denis moved that the Honorable Chief Justice Kristina Pickering be extended a unanimous vote of thanks for administering the Oath of Office to our new Senators and the Secretary of the Senate.

Motion carried unanimously.

Mr. President instructed the temporary Secretary to call the roll of all Senators.

Roll called.

All Senators present.

Mr. President declared that nominations were in order for President pro Tempore.

Senator Denis nominated Senator David R. Parks for President pro Tempore.

Senator Roberson moved that the nominations be closed.

Motion carried.

Mr. President declared Senator David R. Parks to be President pro Tempore of the Senate.

Mr. President declared that nominations were in order for Secretary of the Senate.

Senator Denis nominated Mr. David A. Byerman to be Secretary of the Senate.

Senator Roberson moved that the nominations be closed.

Motion carried.

Mr. President declared Mr. David A. Byerman to be the Secretary of the Senate.

Mr. President appointed Senators Manendo, Atkinson and Kieckhefer as a committee of three to inform the Assembly that the Senate is organized and ready for business.

Mr. President appointed Senators Smith, Jones and Hardy as a committee of three to inform the Governor that the Senate is organized and ready for business.

Senator Denis moved that the following persons be accepted as accredited press representatives, and that they be assigned space at the press table and allowed the use of appropriate media facilities. FREELANCE EDITOR/PRODUCER: Andrea Engleman; ASSOCIATED PRESS: Sandra Chereb; COVEREDGE, INC.: Tracey Frohn, Mark Materne, Robert Noble, James Parker, Matthew Sherwood, Keith Taylor, Richard Travis; ENTRAVISION COMMUNICATIONS: Anya Arechiga, Raul Delgado, Cesar Perez; FNB ENTERPRISES LLC (VIDEO CONTRACTOR TO COVEREDGE): Rhode Roberts; JUSTASKKIM: Kim Cordy; KLAS-TV: Nathan Baca, Alex Brauer, Richard Czarny; KNPB, CHANNEL 5, PUBLIC BROADCASTING: Ben Asnis, Brent Boynton, Jeremy Dunn, Ande

Engleman, Alex Muench, David Santina, Chris Zangara; KOLO-TV: Sholeh Moll, Ed Pearce; KRNV-TV NEWS 4: Kausik Bhakta, Brooke Boone, Chuck King; KSNV-TV NEWS 3: Elizabeth Donatelli, Brandon Dyer, Richard Gacovino, Scott Pinkerton, Kenny Ramis, George Romero, Jim Snyder, Neb Solomon, Mackenzie Warren, Eric Wiener; KTNV-TV 13: Bradley Driver, Jay Romano, Victoria Spilabotte; KTVN-TV NEWS 2: Arianna Bennett, Michelle Boehler, Erin Breen, Jennifer Burton, Christopher Ciarlo, Wendy Damonte, Byron Ellis, Jeffrey Foss, Brad Horn, Jeff Martinez, Paul Nelson, John Potter, Adam Rasmussen, Gabriela Tafolla, Gene Vance; KUNR-FM: Kate McGee; KVVU-TV FOX 5, Las Vegas: Kevin Bolinger, Justin Grant; LAS VEGAS REVIEW-JOURNAL: Laura Myers, Sean Whaley; LAS VEGAS SUN: Cy Ryan; NEVADA APPEAL: John Barrette, Wheeler Cowperthwaite, Geoff Dorman, James Grant, Shannon Litz, Mark Raymond, Adam Trumble; NEVADA BROADCASTERS ASSOCIATION: Adrienne Abbott; RALSTON REPORTS: Jon Ralston; RECORD-COURIER, THE: Kurt Hildebrand; RENO-GAZETTE JOURNAL: Brian Duggan; RENO SPARKS VIDEO PRODUCTIONS: William Pearce; VEGAS PBS: Mitch Fox.

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 12:05 p.m.

SENATE IN SESSION

At 12:38 p.m.

President Krolicki presiding.

Quorum present.

Senator Manendo reported that his committee had informed the Assembly that the Senate is organized and ready for business.

Senator Smith reported that her committee had informed the Governor that the Senate is organized and ready for business.

REMARKS FROM THE FLOOR

Senator Denis requested that the following remarks be entered in the Journal.

SENATOR DENIS:

We have great work to do to build a better Nevada. I know we will accomplish this if we work together for the best interests of this great State.

I welcome all of our new members. We expect great things from you.

In the early 1950s, a handsome young Cuban immigrant living in New York met a beautiful young Cuban nanny working in the New York City area on a blind date and fell in love. They soon got married and returned to Cuba to be closer to family. Things were not going well in Cuba and after the birth of their first baby, a little girl, they made the decision to leave their home for good, to go to America. America was a land of opportunity where they could raise

their child and future children in peace, provide the necessities of life, good education and a better future for their family.

New York was a gateway to the land of opportunity for many families from many different countries. A few years later, they found work in Las Vegas and moved their family. Two additional children, a boy and a girl, had been born in Brooklyn, New York, and the last child, a daughter, was born in Las Vegas.

This young couple taught their children to be grateful for the great freedoms and opportunities available to them. They gave up a lot to make this possible. This is not so different from any of the immigrants that have come before and will continue to come to this Country, to this great State.

As the second child, and only boy, born to this couple, I am grateful for their sacrifices and for their desire to make things better for their children.

My father was a waiter in room service at the old Sands Hotel in Las Vegas for 30 years. He worked the swing shift and worked very hard. Even though he worked a different schedule, it always seemed that he was there to support me in whatever I did. My mother worked as a room attendant at the old Dunes Hotel.

When it became necessary for her to stay home to raise us kids, my father took on extra work doing banquets. We didn't have a lot of worldly possessions, but they always provided what we needed and saved a little for the future. They taught us to be honest and work hard. They taught us that if we studied hard in school and always did our best, we would be blessed in life. They taught us to dance, to sing and to appreciate each and every day. They left their homeland to provide a better life for their family and they always reminded us of the great opportunities America had given us.

The passing of my father in June was a sad day for my family. Yet, we are grateful that he passed peacefully and that he is now with his sweetheart, my mother. I miss him, and he will be missed. He always loved to come to Session. Many of you knew him. He was proud of all I did. Even though he is not here physically, he is with us in spirit. He left a great legacy, and I am proud to be his son. In his honor, I am wearing his shoes that he once wore here in this very Chamber and in the halls of the Legislature. I can never fill his shoes, but I can live my life in a way that will honor him and my mother for the great sacrifices they made for me. They taught me to always strive to make things better and work for the common good of all.

When the opportunity came to make education better for my child, I joined the Parent Teacher Association and advocated to all who would listen. When the opportunity came to make our libraries better, I became a library trustee. To help our struggling local nonprofits, I joined the Community Development Block Grants Committee. To help make education better through technology, I stepped up and served on the Nevada Educational Technology Commission. Each time I stepped up, I was also asked to step up and lead the organization.

When the opportunity came up to run for elected office, I stepped up again and served six years in the Nevada Assembly and two years in the Nevada Senate. Now, I have been asked to step up again and lead the Nevada Senate. I have accepted this responsibility and will serve with all of my heart, might, mind and strength. I serve not only the members of my Caucus, but all of the members, all of my colleagues across both sides of the aisle. We serve the great people of Nevada and must work to build a better Nevada.

I have three main goals for this Session that I feel will build a better Nevada:

1. Create jobs;
2. Immediately improve our schools; and
3. Make sure we have a fair revenue structure that meets the needs of modern-day Nevada and that doesn't unduly burden the middle-class families; one that is fair and equitable to businesses.

In jobs and economic development, Nevadans are hurting and jobs are not being created quickly enough. We will pass legislation aimed at increasing jobs at a rate competitive with other states in our region.

In education, schools need immediate relief: smaller class sizes, full-day kindergarten, pre-kindergarten, an end to social promotion and a fix to the funding formulas for K-12 and higher education. We must act now.

Revenue and taxes: we will make sure that we have a fair and balanced tax structure that sustains the future of the State and is not dependent on just tourism or sales tax.

In addition to these great goals, I will continue to fight for our immigrant community, to protect the great treasure we have at Lake Tahoe and to fight for the mentally ill and those who cannot fight for themselves.

I am proud to be the son of Cuban immigrants, Armando and Dolores Denis. I am proud to be the first Hispanic Majority Leader in the history of Nevada. I am proud to be a lifelong Nevadan. I am grateful for a loving and supportive wife and family who allow me to serve. I am grateful to all that have been an inspiration to me and have mentored me. I am grateful to a loving Heavenly Father who has so greatly blessed me. I will serve with all my heart, might, mind and strength. I don't take this responsibility lightly. I am grateful for the opportunity.

We have great work to do to build a better Nevada. I know we will accomplish this work if we work together for the best interests of this great State.

Once again, I welcome all of our new members. We really do expect great things from you.

This is the land of opportunity. That we all work together to build a better Nevada is my hope and my prayer.

PRESIDENT KROLICKI:

Thank you, Senator Denis. We will mark your father spiritually present today in the Journal.

SENATOR ROBERSON:

Thank you Mr. President. There is no way I can top the words Senator Denis spoke, but I will make a few brief remarks.

Good morning Lieutenant Governor Krolicki, Secretary Byerman, Senate Majority Leader Denis, Senators and guests. It is a privilege to share the opening day of the 77th Legislative Session with you.

I want to express special recognition and appreciation to our families and friends who endure many sacrifices and hardships to enable us to serve Nevada. Without them, we would not be here today. Thank you to my wife Liberty and my mother-in-law Linda for being here.

I also want to make special mention of the historic election of Senator Mo Denis as the first Hispanic Senate Majority Leader in this State's history. This is a big deal, and his father would be very proud. Senator Denis is a fine man and a good friend, and I look forward to serving with him.

We are all so privileged to be in a position to make decisions which affect the lives of each and every one of the over 2.7 million Nevadans. This responsibility should not be taken lightly. As we embark on the next 120 days, it is important to remember that we are here to work together to ensure all Nevadans have a government in place that will allow for and promote the success of our great State.

On this journey, there will no doubt be disagreements on the best direction for Nevada. While I fully expect and encourage lively and spirited debates on policy issues this Session, I hope the members of this Body will be thoughtful and respectful in actions and words. We all want what is best for Nevada. And, Nevadans have made it clear that they expect statesmen in Carson City, not politicians. We were elected to find solutions to the challenges facing Nevada and forge a path to prosperity. We must manage differences and leverage agreements to the greater benefit of our shared principles.

The 2013 Legislative Session will provide an opportunity for us to come together to plan for the future while being mindful of our current realities. Let us be different than Washington, D.C. Let us give Nevadans a reason not to be so cynical of their government. Life is short, and with term limits, none of us will serve here for very long. Let's accomplish great things now.

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Denis and Roberson:

Senate Resolution No. 1—Adopting the Standing Rules of the Senate for the 77th Session of the Legislature.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the Senate Standing Rules are hereby adopted for the 77th Session of the Legislature as follows:

I. OFFICERS AND EMPLOYEES
DUTIES OF OFFICERS

Rule No. 1. President.

The President shall take the chair and call the Senate to order precisely at the hour appointed for meeting, and if a quorum is present shall cause the Journal of the preceding day to be read. The President shall preserve order and decorum, and in case of any disturbance or disorderly conduct within the Senate Chamber, shall order the Sergeant at Arms to suppress it, and may order the arrest of any person creating any disturbance within the Senate Chamber. The President may speak to points of order in preference to members, rising from the President's seat for that purpose, and shall decide questions of order without debate, subject to an appeal to the Senate by two members, on which appeal no member may speak more than once without leave of the Senate. The President shall sign all acts, addresses and joint resolutions, and all writs, warrants and subpoenas issued by order of the Senate; all of which must be attested by the Secretary. The President has general direction of the Senate Chamber.

Rule No. 2. President pro Tempore and Other Presiding Officers.

1. Except as otherwise provided in subsection 2:

(a) The President pro Tempore has all the power and shall discharge all the duties of the President during his or her absence, inability or unwillingness to discharge the duties of his or her office.

(b) In the absence or inability of the President pro Tempore to discharge the duties of the President's office, the Chair of the Standing Committee on Legislative Operations and Elections shall serve as the presiding officer. In the absence or inability of the Chair, the Vice Chair of the Standing Committee on Legislative Operations and Elections shall serve as the presiding officer. In the absence or inability of the Vice Chair of the Standing Committee on Legislative Operations and Elections, the Senate shall elect one of its members to serve as the presiding officer. A member who is serving as the presiding officer has all the power and shall discharge all the duties of the President until the absence or inability which resulted in the member serving as the presiding officer has ended.

2. When the President pro Tempore or another member is serving as the presiding officer, the President pro Tempore or other member may vote on any question for which he or she is otherwise qualified to vote as a member. If the Senate is equally divided on the question, the President pro Tempore or other member may not give an additional deciding vote or casting vote pursuant to Senate Standing Rule No. 31 or Section 17 of Article 5 of the Nevada Constitution.

Rule No. 3. Secretary.

1. The Secretary of the Senate is elected by the Senate, and shall:

(a) Interview and employ persons to assist the Secretary.

(b) See that these employees perform their respective duties.

(c) Administer the daily business of the Senate, including the provision of secretaries to its committees.

(d) Unless otherwise ordered by the Senate, transmit at the end of each working day those bills and resolutions upon which the next action is to be taken by the Assembly.

2. The Secretary is responsible to the Majority Leader.

Rule No. 4. Sergeant at Arms.

1. The Sergeant at Arms shall attend the Senate during its sittings, and execute its commands and all process issued by its authority. The Sergeant at Arms must be sworn to keep the secrets of the Senate.

2. The Sergeant at Arms shall:

(a) Superintend the upkeep of the Senate's Chamber, private lounge, and meeting rooms for committees.

(b) Interview and recommend to the Standing Committee on Legislative Operations and Elections persons to be considered for employment to assist the Sergeant at Arms.

3. The Sergeant at Arms is responsible to the Majority Leader.

Rule No. 5. Deputy Sergeant at Arms and Assistant Sergeant at Arms.

The Deputy Sergeant at Arms and Assistant Sergeant at Arms shall serve as doorkeepers and shall preserve order in the Senate Chamber and shall assist the Sergeant at Arms. The Deputy Sergeant at Arms and Assistant Sergeant at Arms shall be sworn to keep the secrets of the Senate. In the event that the Sergeant at Arms is incapacitated or absent for any reason, the Deputy Sergeant at Arms shall serve as the Sergeant at Arms until the incapacity or absence has ended.

Rule No. 6. Continuation of Leadership of the Senate During the Interim Between Sessions.

1. Except as otherwise provided in subsections 2, 3 and 4, the tenure of the President pro Tempore, Majority Leader and Minority Leader extends during the Interim between regular sessions of the Legislature.

2. The President pro Tempore, Majority Leader and Minority Leader for the next succeeding regular session shall perform any duty that is required of that officer by the Standing Rules of the Senate and the Nevada Revised Statutes in the period between the time of their designation after the general election and the organization of the next succeeding regular session.

3. The Majority Leader and Minority Leader for the next succeeding regular session shall appoint the regular and alternate members to the Select Committee on Ethics as set forth in Senate Standing Rule No. 23.

4. The Majority Leader shall:

(a) Determine the start time of the Senate's organizational session.

(b) Refer prefiled bills and resolutions to committee, subject to ratification by a majority vote of the members of the Senate once the Senate is organized and ready for business.

(c) Appoint committees during the Interim between regular sessions of the Legislature for any proper purpose, including, without limitation, taking testimony, compelling the attendance of witnesses, punishing persons or entities for contempt and reporting findings to the next session of the Legislature.

5. This Rule shall remain in full force and effect throughout the Interim between regular sessions of the Legislature and until new Standing Rules of the Senate are adopted as part of the organization of a newly-constituted Senate at the commencement of a session.

The next rule is 10.

II. SESSIONS AND MEETINGS

Rule No. 10. Time of Meeting.

1. Except as otherwise provided in subsection 2, the President shall call the Senate to order each day of sitting at 11:00 o'clock a.m., unless the Senate has adjourned to some other hour.

2. In the event an emergency occurs during a regular or special session of the Legislature which requires a meeting of the Senate, the Majority Leader shall call the members back to order before the hour to which the Senate has adjourned.

Rule No. 11. Call of Senate—Moved by Three Members.

A Call of the Senate may be moved by three Senators, and if carried by a majority of all present, the Secretary shall call the roll and note the absentees, after which the names of the absentees shall again be called over. The doors shall then be closed and the Sergeant at Arms directed to take into custody all who may be absent without leave, and all Senators so taken into custody shall be presented at the bar of the Senate for such action as to the Senate may seem proper.

Rule No. 12. Absence—Leave Required.

No Senator shall absent himself or herself from the service of the Senate without leave, except in case of accident or sickness, and if any Senator or officer shall so absent himself or herself, the per diem of the Senator shall not be allowed to him or her.

Rule No. 13. Open Meetings.

1. Except as provided in the Constitution of the State of Nevada and in subsection 2, all meetings of the Senate and its committees must be open to the public.

2. A Senate committee meeting may be closed to consider the character, alleged misconduct, professional competence, or physical or mental health of a person.

The next rule is 20.

III. DECORUM AND DEBATE

Rule No. 20. Points of Order.

1. If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the President shall, or any Senator may, call him or her to order. If a Senator is so called to order, he or she shall not proceed without leave of the Senate. If such leave is granted, it must be upon the motion, "That he or she be allowed to proceed in order," and the Senator shall confine himself or herself to the question under consideration and avoid personality.

2. Every decision of points of order made by the President is subject to appeal, and a discussion of a question of order may be allowed only upon the appeal of two Senators. In all cases of appeal, the question must be, "Shall the decision of the Chair stand as the judgment of the Senate?"

Rule No. 21. Breaches of Decorum.

1. In cases of breaches of decorum or propriety, any Senator, officer or other person is liable to such censure or punishment as the Senate may deem proper.

2. If any Senator is called to order for offensive or indecorous language or conduct, the person calling the Senator to order shall report the offensive or indecorous language or conduct to the presiding officer. No member may be held to answer for any language used on the floor of the Senate if business has intervened before exception to the language was taken.

3. Indecorous conduct or boisterous or unbecoming language is not permitted in the Senate Chamber.

Rule No. 22. Reserved.

Rule No. 23. Committee on Ethics; Legislative Ethics.

1. The Committee on Ethics consists of:

(a) Two members of the Senate appointed by the Majority Leader from the majority political party;

(b) One member of the Senate appointed by the Minority Leader from the minority political party; and

(c) Four qualified electors of the State, two of whom are appointed by the Majority Leader, one who is appointed by the Minority Leader, and one who is appointed by the other members appointed to the Committee, and none of whom is a present member of the Legislature or employed by the State of Nevada.

➤ Not more than four members of the Committee may be members of the same political party.

2. The Majority Leader shall appoint the Chair and Vice Chair of the Committee. The Vice Chair shall serve as the acting Chair if the Chair is unable to serve for any reason during the consideration of a specific question.

3. The Majority Leader shall appoint an alternate member with the qualifications set forth in paragraph (a) of subsection 1 and an alternate member with the qualifications set forth in paragraph (c) of subsection 1. The Minority Leader shall appoint an alternate member with the qualifications set forth in paragraph (b) of subsection 1 and an alternate member with the qualifications set forth in paragraph (c) of subsection 1. The members of the Committee shall appoint an alternate member with the qualifications set forth in paragraph (c) of subsection 1. If a member of the Committee is unable to serve for any reason during the consideration of a specific question, the alternate appointed with the qualifications from the same paragraph in subsection 1 by the same appointing authority shall serve as a member of the Committee during the consideration of the specific question.

4. A member of the Committee is disqualified to serve during the consideration of a specific question if:

(a) The member is the requester of advice concerning the question of ethics or conflict of interest, or the member is the subject of the complaint concerning the specific question; or

(b) A reasonable person in the member's situation could not exercise independent judgment on the matter in question.

5. The members of the Committee shall perform any duty required in the period between the time of their appointment after the general election and the organization of the next succeeding regular session, or until the Majority Leader or the Minority Leader appoint new members to the Committee, whichever occurs first.

6. The tenure of the members of the Committee shall extend during the Interim between regular sessions of the Legislature.

7. *The Committee:*

(a) *May hear requests brought by Senators for advice on specific questions of potential breaches of ethics and conflicts of interest; and*

(b) *Shall hear complaints brought by Senators and others on specific questions of alleged breaches of ethics and conflicts of interest.*

8. *All proceedings held to consider the character, alleged misconduct, professional competence or physical or mental health of any person by the Committee on matters of ethics or conflicts of interest are confidential unless a Legislator:*

(a) *Against whom a complaint is brought requests a public hearing;*

(b) *Discloses the content of an opinion of the Committee at any time after his or her hearing;*

or

(c) *Discloses the content of an advisory opinion issued to him or her by the Committee.*

9. *A complaint which alleges a breach of ethics or a conflict of interest must be:*

(a) *Made in writing on a form provided by the Secretary of the Senate;*

(b) *Signed and verified under penalty of perjury by the person making the allegation; and*

(c) *Filed with the Chair of the Committee or, if the Chair is the subject of the complaint, with the Vice Chair. The Chair or Vice Chair, as appropriate, shall send a copy of the complaint, within 24 hours after receiving it, to the Legislator against whom the complaint is brought.*

10. *In determining whether a Legislator has a conflict of interest, the Legislator should consider whether the independence of judgment of a reasonable person in his or her situation upon the matter in question would be materially affected by the Legislator's:*

(a) *Acceptance of a gift or loan;*

(b) *Private economic interest; or*

(c) *Commitment to a member of his or her household or immediate family.*

↳ *In interpreting and applying the provisions of this subsection, it must be presumed that the independence of judgment of a reasonable person in the Legislator's situation would not be materially affected by the Legislator's private economic interest or the Legislator's commitment to a member of his or her household or immediate family where the resulting benefit or detriment accruing to the Legislator, or if the Legislator has a commitment to a member of his or her household or immediate family, accruing to those other persons, is not greater than that accruing to any other member of the general business, profession, occupation or group that is affected by the matter.*

11. *Except as otherwise provided in subsection 12, if a Legislator knows he or she has a conflict of interest pursuant to subsection 10, the Legislator shall make a disclosure of the conflict of interest on the record in a meeting of a committee or on the floor of the Senate, as applicable. Such a disclosure must be entered:*

(a) *If the Legislator makes the disclosure in a meeting of a committee, in the minutes for that meeting.*

(b) *If the Legislator makes the disclosure on the floor of the Senate, in the Journal.*

12. *If, on one or more prior occasions during the current session of the Legislature, a Legislator has made a general disclosure of a conflict of interest on the record in a meeting of a committee or on the floor of the Senate, the Legislator is not required to make that general disclosure at length again regarding the same conflict of interest if, when the matter in question arises on subsequent occasions, the Legislator makes a reference on the record to the previous disclosure.*

13. *In determining whether to abstain from voting upon, advocating or opposing a matter concerning which a Legislator has a conflict of interest pursuant to subsection 10, the Legislator should consider whether:*

(a) *The conflict impedes his or her independence of judgment; and*

(b) *His or her interest is greater than the interests of an entire class of persons similarly situated.*

14. *The provisions of this Rule do not under any circumstances and regardless of any conflict of interest:*

(a) *Prohibit a Legislator from requesting or introducing a legislative measure; or*

(b) *Require a Legislator to take any particular action before or while requesting or introducing a legislative measure.*

15. If a Legislator who is a member of a committee declares on the record when a vote is to be taken by the committee that he or she will abstain from voting because of the requirements of this Rule, the necessary quorum to act upon and the number of votes necessary to act upon the matter is reduced as though the Legislator abstaining were not a member of the committee.

16. Except as otherwise provided in the Joint Standing Rules, the standards and procedures set forth in this Rule which govern whether and to what extent a Senator has a conflict of interest, should disclose a conflict of interest or should abstain from voting upon, advocating or opposing a matter concerning which the Senator has a conflict of interest pursuant to subsection 10:

(a) Are exclusive and are the only standards and procedures that apply to Senators with regard to such matters; and

(b) Supersede and preempt all other standards and procedures with regard to such matters.

17. For purposes of this Rule, "immediate family" means a person who is related to the Legislator by blood, adoption or marriage within the first degree of consanguinity or affinity.

18. This Rule shall remain in full force and effect throughout the Interim between regular sessions of the Legislature and until new Standing Rules of the Senate are adopted as part of a newly-constituted Senate at the Commencement of a session.

The next rule is 30.

IV. QUORUM, VOTING, ELECTIONS

Rule No. 30. Recorded Vote—Three Required to Call For.

1. A recorded vote must be taken upon final passage of a bill or joint resolution, and in any other case when called for by three members. Every Senator within the bar of the Senate shall vote "yea" or "nay" or record himself or herself as "not voting," unless excused by unanimous vote of the Senate.

2. The votes and names of those absent or recorded as "not voting" and the names of Senators demanding the recorded vote must be entered in the Journal.

Rule No. 31. President to Decide—Tie Vote.

A question is lost by a tie vote, but when the Senate is equally divided on any question except the passage of a bill or joint resolution, the President may give the deciding vote.

Rule No. 32. Manner of Election—Voting.

1. In all cases of election by the Senate, the vote must be taken viva voce. In other cases, if a vote is to be recorded, it may be taken by oral roll-call or by electronic recording.

2. When a recorded vote is taken, no Senator may:

(a) Vote except when at his or her seat;

(b) Explain his or her vote or discuss the question while the voting is in progress; or

(c) Change his or her vote after the result is announced.

3. The announcement of the result of any vote must not be postponed.

The next rule is 40.

V. LEGISLATIVE BODIES

Rule No. 40. Standing and Select Committees.

1. Except as otherwise provided in subsection 2, the standing and select committees of the Senate and their respective jurisdiction for the reference of bills and resolutions are as follows:

(a) Commerce, Labor and Energy, seven members, with jurisdiction over measures affecting primarily titles 52-56 of NRS, and chapters 97-100, 118-119, 119B, 459A, 461, 461A, 489, 679A-693A, 694A-704B, 707, 711 and 712 of NRS, except measures affecting primarily state and local revenue.

(b) Education, five members, with jurisdiction over measures affecting primarily chapters 378-380A, 385, 386 and 388-399 of NRS, except measures affecting primarily state and local revenue.

(c) Finance, seven members, with jurisdiction over measures primarily affecting chapters 1A, 387 and 400 of NRS, appropriations, operating and capital budgets, state and federal budget issues and bonding, except measures affecting primarily state and local revenue, and over any measures carrying or requiring appropriations and favorably reported by any other committee.

(d) Government Affairs, five members, with jurisdiction over measures affecting primarily titles 20-22, 25, 27, 28, 30, 31, 36 and 37 of NRS, and chapters 223-228, 232-237, 238-242, 286-289, 381, 384, 472-474, 477, 693B, 708-710 and 720 of NRS, except measures affecting

primarily the provisions of the Nevada Administrative Procedure Act that govern the adjudication of contested cases, state and local revenue and state and federal budget issues.

(e) Health and Human Services, five members, with jurisdiction over measures primarily affecting titles 38 and 39 of NRS, and chapters 439-444 (NRS 444.003-444.430), 446-458A, 460 and 583-585 of NRS, except measures affecting primarily state and local revenue.

(f) Judiciary, seven members, with jurisdiction over measures affecting primarily the provisions of the Nevada Administrative Procedure Act that govern the adjudication of contested cases, titles 2-7, 9, 11-16 and 41 of NRS, and chapters 1, 2-7, 101-104A, 111-117, 119A, 120, 120A, 458A, 475 and 719 of NRS, except measures affecting primarily state and local revenue.

(g) Legislative Operations and Elections, five members, with jurisdiction over measures affecting primarily titles 17, 24 and 29 of NRS, and chapters 281-285 of NRS, and the operation of the legislative session, except measures affecting primarily state and local revenue.

(h) Natural Resources, five members, with jurisdiction over measures primarily affecting titles 26, 45-50 of NRS, and chapters 383, 407, 444 (NRS 444.435-444.650), 444A-445D, 459, 488, 581, 582 and 586-590 of NRS, except measures affecting primarily state and local revenue.

(i) Revenue and Economic Development, seven members, with jurisdiction over measures affecting primarily title 32 of NRS, and chapters 231 and 237A of NRS, and state and local revenue.

(j) Transportation, five members, with jurisdiction over measures affecting primarily title 44 of NRS, and chapters 403-405, 408, 410, 476, 480-487, 705 and 706 of NRS, except measures affecting primarily state and local revenue.

2. The Chair of the Standing Committee on Finance may assign any portion of a proposed executive budget to any of the other standing or select committees of the Senate for review. Upon receiving such an assignment the standing or select committee shall complete its review expeditiously and report its findings and any recommendations to the Standing Committee on Finance for its independent evaluation.

Rule No. 41. Appointment of Alternates.

If the chair or any member of a committee is temporarily unable to perform his or her duties, the Majority Leader shall appoint an alternate of the same political party to serve in the chair's or the member's place for such time as is determined by the Majority Leader.

Rule No. 42. Committee Expenses.

No committee shall employ assistance or incur any expense, except by permission of the Senate previously obtained.

Rule No. 43. Duties of Committees.

The several committees shall acquaint themselves with the interests of the State specially represented by the committee and shall present such bills and reports as in their judgment will advance the interests and promote the welfare of the people of the State.

Rule No. 44. Reserved.

Rule No. 45. Reserved.

Rule No. 46. Forming Committee of the Whole.

In forming the Committee of the Whole, the Senator who has so moved shall name a Chair to preside. All amendments proposed by the Committee shall be reported by the Chair to the Senate.

Rule No. 47. Rules Applicable to Committee of the Whole.

The Rules of the Senate shall apply to proceedings in Committee of the Whole, except that the previous question shall not be ordered, nor the yeas and nays demanded, but the Committee may limit the number of times that any member may speak, at any stage of proceedings, during its sitting. Messages may be received by the President while the Committee is sitting; in which case the President shall resume the chair and receive the message. After receiving the message, the President shall vacate the chair in favor of the Chair of the Committee.

Rule No. 48. Motion to Rise Committee of the Whole.

A motion that the Committee rise shall always be in order, and shall be decided without debate.

Rule No. 49. Reference to Committee.

When a motion is made to refer any subject, and different committees are proposed, the subject may be referred to the committee with jurisdiction over the subject as set forth in Senate Standing Rule No. 40, or to a different committee, upon a majority vote of the Senate.

Rule No. 50. Return From Committee.

1. Any bill or other matter referred to a committee of the Senate must not be withdrawn or ordered taken from the committee for consideration by the Senate, for re-referral, or for any other reason without a two-thirds vote of the Senate, and at least one day's notice of the motion therefor.

2. No such motion is in order:

(a) If the bill to be withdrawn or ordered taken from the committee may no longer be considered by the Senate; or

(b) On the last day of the session, or on the day preceding the last day of the session.

3. This Rule does not take from any committee the rights and duties of committees provided for in Senate Standing Rule No. 43.

Rule No. 51. Reserved.

Rule No. 52. Reserved.

Rule No. 53. Committee Rules.

1. The rules of the Senate, as far as applicable, are the rules of committees of the Senate. Procedure in committees, where not otherwise provided in this Rule, must follow the procedure of the Senate. For matters not included in the rules of the Senate or these rules, Mason's Manual of Legislative Procedure must be followed.

2. A majority of any committee constitutes a quorum for the transaction of business.

3. A meeting of a committee may not be opened without a quorum present.

4. In addition to regularly scheduled meetings of a committee or those called by the chair of the committee, meetings may be set by a written petition of a majority of the committee and filed with the chair of the committee.

5. A bill may be passed from a committee only by a majority of the committee membership. A simple majority of those present and voting is sufficient to adopt committee amendments.

6. Subcommittees may be appointed by the chair of a committee to consider subjects specified by the committee and shall report back to the committee. If a subcommittee is so appointed, the committee shall determine whether the subcommittee shall keep minutes of its meetings. Any minutes required to be kept pursuant to this subsection must comply with the provisions of subsection 12.

7. A committee shall act only when together, and all votes must be taken in the presence of the committee. A member shall not be recorded as voting unless the member was actually present in the committee at the time of the vote. The chair of the committee must be present when the committee votes to take any final actions on bills or resolutions, but the chair is not required to vote. Upon approval of the Chair, a committee may meet together by video conference. A member who is actually present in the committee at a posted video conference location is present and in attendance at the meeting for all purposes. The provisions of this subsection do not prohibit the prefiling of legislative bills and resolutions on behalf of a committee in the manner prescribed by the Legislative Commission.

8. All committee and subcommittee meetings are open to the public, except as otherwise provided in Senate Standing Rule No. 13.

9. Before reporting a bill or resolution to the Senate, a committee may reconsider its action. A motion to reconsider must be made by any member who voted on the action.

10. The chair of a committee shall determine the agenda of each meeting of the committee except that a member of the committee may request an item for the agenda by communicating with the chair at least 4 days before the meeting. A majority of a committee may, by vote, add an item to the agenda of the next regularly scheduled meeting.

11. Secretaries to committees shall give notices of hearings on bills to anyone requesting notices of particular bills.

12. All committees shall keep minutes of meetings. The minutes must cover members present and absent, subjects under discussion, witnesses who appear, committee members' statements concerning legislative intent, action taken by the committee, as well as the vote of individual members on all matters on which a vote is taken. Any member may submit to the secretary

additional remarks to be included in the minutes and records of committee meetings. At the conclusion of the legislative session, the Secretary of the Senate shall deliver all minutes and records of committee meetings in his or her possession to the Director of the Legislative Counsel Bureau.

13. *In addition to the minutes, the committee secretary shall maintain a record of all bills, including:*

- (a) Date bill referred;*
- (b) Date bill received;*
- (c) Date set for hearing the bill;*
- (d) Date or dates bill heard and voted upon; and*
- (e) Date report prepared.*

14. *Each committee secretary shall file the minutes of each meeting with the Secretary of the Senate as soon as practicable after the meeting.*

15. *All committee minutes and any subcommittee minutes required to be kept pursuant to subsection 6 are open to public inspection upon request and during normal business hours.*

Rule No. 54. Review of State Agency Programs.

In addition to or concurrent with committee action taken on specific bills and resolutions during a regular session of the Legislature, each standing committee of the Senate is encouraged to plan and conduct a general review of selected programs of state agencies or other areas of public interest within the committee's jurisdiction.

The next rule is 60.

VI. RULES GOVERNING MOTIONS

A. MOTIONS GENERALLY

Rule No. 60. Entertaining.

- 1. No motion may be debated until it is announced by the President.*
- 2. By consent of the Senate, a motion may be withdrawn before amendment or decision.*

Rule No. 61. Precedence of Motions.

When a question is under debate no motion shall be received but the following, which shall have precedence in the order named:

- 1. To adjourn.*
- 2. For a call of the Senate.*
- 3. To recess.*
- 4. To lay on the table.*
- 5. For the previous question.*
- 6. To postpone to a day certain.*
- 7. To refer to committee.*
- 8. To amend.*
- 9. To postpone indefinitely.*

↳ The first four shall be decided without debate.

Rule No. 62. When Not Entertained.

1. When a motion to refer to committee, to postpone to a day certain, or to postpone indefinitely has been decided, it must not be again entertained on the same day.

2. When a question has been postponed indefinitely, it must not again be introduced during the session unless this Rule is suspended by a two-thirds vote.

- 3. There must be no reconsideration of a vote on a motion to postpone indefinitely.*

B. PARTICULAR MOTIONS

Rule No. 63. To Adjourn.

A motion to adjourn shall always be in order. The name of the Senator moving to adjourn, and the time when the motion was made, shall be entered in the Journal.

Rule No. 64. Lay on the Table.

A motion to lay on or take from the table shall be carried by a majority vote.

Rule No. 65. Reserved.

Rule No. 66. To Strike Enacting Clause.

A motion to strike out the enacting clause of a bill or resolution has precedence over a motion to refer to committee or to amend. If a motion to strike out the enacting clause of a bill or resolution is carried, the bill or resolution is rejected.

Rule No. 67. Division of Question.

1. Any Senator may call for a division of a question.
2. A question must be divided if it embraces subjects so distinct that if one subject is taken away, a substantive proposition remains for the decision of the Senate.
3. A motion to strike out and insert must not be divided.

Rule No. 68. To Reconsider—Precedence of.

1. A motion to reconsider has precedence over every other motion, including a motion to adjourn if the motion is to reconsider a final vote on a bill or resolution. A motion to reconsider a final vote on a bill or resolution shall be in order only on the day on which the final vote is taken and the vote on such a motion to reconsider must be taken on the same day.

2. If the motion to reconsider is for any other action, the motion has precedence over every other motion, except a motion to adjourn. When the Senate adjourns while a motion to reconsider is pending, or before passing the order of Motions and Resolutions, the right to move for reconsideration continues to the next day of sitting.

Rule No. 69. Explanation of Motion.

Whenever a Senator moves to change the usual disposition of a bill or resolution, he or she shall describe the subject of the bill or resolution and state the reasons for requesting the change in the processing of the bill or resolution.

The next rule is 80.

VII. DEBATE

Rule No. 80. Speaking on Question.

1. Every Senator who speaks shall, standing in his or her place, address "Mr. or Madam President," in a courteous manner, and shall confine himself or herself to the question before the Senate. When the Senator has finished, he or she shall sit down.

2. No Senator may speak:

(a) More than twice during the consideration of any one question on the same day, except for explanation.

(b) A second time without leave when others who have not spoken desire the floor.

3. Incidental and subsidiary questions arising during debate shall not be considered the same question.

Rule No. 81. Previous Question.

The previous question shall not be put unless demanded by three Senators, and it shall be in this form: "Shall the main question be put?" When sustained by a majority of Senators present it shall put an end to all debate and bring the Senate to a vote on the question or questions before it, and all incidental questions arising after the motion was made shall be decided without debate. A person who is speaking on a question shall not while he or she has the floor move to put that question.

The next rule is 90.

VIII. CONDUCT OF BUSINESS

A. GENERALLY

Rule No. 90. Mason's Manual.

The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure shall govern the Senate in all cases in which they are applicable and in which they are not inconsistent with the standing rules and orders of the Senate, and the Joint Standing Rules of the Senate and Assembly.

Rule No. 91. Suspension of Rule.

No standing rule or order of the Senate shall be rescinded or changed without a vote of two-thirds of the Senate and one day's notice of the motion therefor; but a rule or order may be temporarily suspended for a special purpose by a vote of two-thirds of the members present. When the suspension of a rule is called for, and after due notice from the President no objection is offered, the President can announce the rule suspended and the Senate may proceed accordingly; but this shall not apply to that portion of Senate Standing Rule No. 109 relating to the third reading of bills, which cannot be suspended.

Rule No. 92. Notices of Bills, Topics and Public Hearings.

Adequate notice shall be provided to the Legislators and the public by posting information relative to the bills, topics and public hearings which are to come before committees. Notices

shall include the date, time, place and agenda, and shall be posted conspicuously in the Legislative Building, shall appear in the daily history, and shall be made available to the news media. This requirement of notice may be suspended for an emergency by the affirmative vote of two-thirds of the committee members appointed.

Rule No. 93. *Protest.*

Any Senator, or Senators, may protest against the action of the Senate upon any question, and have such protest entered in the Journal.

Rule No. 94. *Privilege of the Floor.*

1. To preserve decorum and facilitate the business of the Senate, only the following persons may be present on the floor of the Senate during formal sessions:

- (a) State officers;
- (b) Officers and members of the Senate;
- (c) Employees of the Legislative Counsel Bureau;
- (d) Staff of the Senate; and
- (e) Members of the Assembly whose presence is required for the transaction of business.

2. Guests of Senators must be seated in a section of the upper or lower gallery of the Senate Chamber to be specially designated by the Sergeant at Arms. The Majority Leader may specify special occasions when guests may be seated on the floor of the Senate with a Senator.

3. A majority of Senators may authorize the President to have the Senate Chamber cleared of all persons except Senators and officers of the Senate.

4. The Senate Chamber may not be used for any business other than legislative business during a legislative session.

Rule No. 95. *Material Placed on Legislators' Desks.*

1. Only the Sergeant at Arms and officers and employees of the Senate may place papers, letters, notes, pamphlets and other written material upon a Senator's desk. Such material must contain the name of the Legislator requesting the placement of the material on the desk or a designation of the origin of the material.

2. This Rule does not apply to books containing the legislative bills and resolutions, the daily histories and daily journals of the Senate or Assembly, or Legislative Counsel Bureau material.

Rule No. 96. *Reserved.*

Rule No. 97. *Petitions and Memorials.*

The contents of any petition or memorial shall be briefly stated by the President or any Senator presenting it. It shall then lie on the table or be referred, as the President or Senate may direct.

Rule No. 98. *Reserved.*

Rule No. 99. *Reserved.*

Rule No. 100. *Reserved.*

Rule No. 101. *Reserved.*

Rule No. 102. *Objection to Reading of Paper.*

Where the reading of any paper is called for, and is objected to by any Senator, it shall be determined by a vote of the Senate, and without debate.

Rule No. 103. *Questions Relating to Priority of Business.*

All questions relating to the priority of business shall be decided without debate.

B. BILLS AND RESOLUTIONS

Rule No. 104. *Reserved.*

Rule No. 105. *Reserved.*

Rule No. 106. *Skeleton Bills.*

Skeleton bills may be introduced after the beginning of a session when, in the opinion of the sponsor and the Legislative Counsel, the full drafting of the bill would entail extensive research or be of considerable length. A skeleton bill will be a presentation of ideas or statements of purpose, sufficient in style and expression to enable the Legislature and the committee to which the bill may be referred to consider the substantive merits of the legislation proposed.

Rule No. 107. *Information Concerning Bills.*

1. Bills introduced may be accompanied by information relative to witnesses and selected persons of departments and agencies who should be considered for committee hearings on the

proposed legislation. At the time of or after introduction of a bill, a list of witnesses who are proponents of the bill together with their addresses and telephone numbers may be given to the secretary of the committee to which the bill is referred. This information may be provided by:

- (a) The Senator introducing the bill;
- (b) The person requesting a committee introduction of the bill; or
- (c) The chair of the committee introducing the bill.

2. The secretary of the committee shall deliver this information to the chair of the committee to which the bill is referred. Members of the committee may suggest additional names for witnesses.

3. The Legislator may provide an analysis which may describe the intent, purpose, justification and effects of the bill, or any of them.

Rule No. 108. Reserved.

Rule No. 109. Reading of Bills.

1. Every bill must receive three readings before its passage, unless, in case of emergency, this rule is suspended by a two-thirds vote of the Senate.

2. The first reading of a bill is for information, and if there is opposition to the bill, the question must be, "Shall this bill be rejected?" If there is no opposition to the bill, or if the question to reject is defeated, the bill must then take the usual course.

3. No bill may be referred to committee until once read, nor amended until twice read.

4. The third reading of every bill must be by sections.

Rule No. 110. Second Reading File—Consent Calendar.

1. All bills or joint resolutions reported by committee must be placed on a Second Reading File unless recommended for placement on the Consent Calendar.

2. A committee shall not recommend a bill or joint resolution for placement on the Consent Calendar if:

- (a) An amendment of the bill or joint resolution is recommended;
- (b) It contains an appropriation;
- (c) It requires a two-thirds vote of the Senate; or
- (d) It is controversial in nature.

3. A bill or joint resolution recommended for placement on the Consent Calendar must be included in the Daily File listed in the Daily History of the Senate at least 1 calendar day before it may be considered.

4. A bill or joint resolution must be removed from the Consent Calendar at the request of any Senator. A bill or joint resolution so removed must be immediately placed on the Second Reading File for consideration in the usual order of business.

5. When the Consent Calendar is called:

(a) The bills remaining on the Consent Calendar must be read by number and summary, and the vote must be taken on their final passage as a group.

(b) No remarks or questions are in order and the bills remaining on the Consent Calendar must be voted upon without debate.

Rule No. 111. Publications.

1. An appropriate number of copies of all bills and resolutions of general interest must be printed for the use of the Senate and Assembly. Such other matter must be printed as may be ordered by the Senate.

2. Bill books will not be prepared for legislators unless they qualify for and request the service. The service, if approved, will be limited to the provision of one full set of bills, journals, histories and indexes for the Senator's desk in the Senate chamber. Bill books will not be prepared for a Senator for individual committees.

3. A Senator may request the provision of bill book service pursuant to subsection 1 if either:

- (a) The Senator has served in the Senate for 10 or more years; or
- (b) A physical or medical condition requires the Senator to use the bill books rather than viewing bills on a laptop computer.

4. A request for bill book service must be made to the Majority Leader of the Senate. If the Majority Leader determines that the Senator qualifies for the service, the Majority Leader shall direct the Legislative Counsel Bureau to provide the service.

Rule No. 112. Sponsorship.

1. A Senator may rise and request that his or her name be added as a sponsor of a bill or resolution that is introduced in the Senate if the Senator has submitted to the Secretary of the Senate a statement approving the request signed by the Senator who introduced the bill or resolution. A Senator may make a request to have his or her name added as a sponsor of:

(a) A resolution of the Senate, at any time after the resolution is introduced in the Senate and before the resolution is passed by the Senate.

(b) A bill or a joint or concurrent resolution:

(1) At any time after the bill or resolution is introduced in the Senate and before the bill or resolution is passed out of the Senate to the Assembly; and

(2) At any time after the bill or resolution is returned to the Senate following passage by the Assembly and before the bill or resolution is enrolled.

2. A Senator who is a sponsor of a bill or resolution that is introduced in the Senate may rise and request that his or her name be removed as a sponsor of the bill or resolution. A Senator may make a request to have his or her name removed as a sponsor of:

(a) A resolution of the Senate, at any time after the resolution is introduced in the Senate and before the resolution is passed by the Senate.

(b) A bill or a joint or concurrent resolution:

(1) At any time after the bill or resolution is introduced in the Senate and before the bill or resolution is passed out of the Senate to the Assembly; and

(2) At any time after the bill or resolution is returned to the Senate following passage by the Assembly and before the bill or resolution is enrolled.

Rule No. 113. Reading of Bills—General File.

1. Upon reading of bills on the Second Reading File, Senate and Assembly bills reported without amendments must be ordered to the General File. Committee amendments reported with bills must be considered upon their second reading and such amendments may be adopted by a majority vote of the members present. Bills so amended must be reprinted, engrossed or reengrossed, and ordered to the General File. The File must be made available to members of the public each day by the Secretary.

2. Any member may move to amend a bill during its reading on the Second Reading File or during its third reading and the motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading must be treated the same as bills with committee amendments. Any bill so amended upon the General File must be reprinted and engrossed or reengrossed.

3. An appropriate number of copies of all amended bills must be printed.

Rule No. 114. Referral of Bill With Special Instructions.

A bill may be referred to committee with special instructions to amend at any time before taking the final vote.

Rule No. 115. Reconsideration of Vote on Bill.

1. A vote may be reconsidered on motion of any member.

2. Motions to reconsider a vote upon amendments to any pending question and upon a final vote on a bill or resolution may be made and decided at once.

*Rule No. 116. Reserved.**Rule No. 117. Different Subject Not Admitted as Amendment.*

No subject different from that under consideration shall be admitted as an amendment; and no bill or resolution shall be amended by incorporating any irrelevant subject matter or by association or annexing any other bill or resolution pending in the Senate, but a substitute may be offered at any time so long as the original is open to amendment.

Rule No. 118. Certain Resolutions Treated as Bills.

1. Resolutions addressed to Congress, or to either House thereof, or to the President of the United States, or the heads of any of the national departments, or proposing amendments to the State Constitution are subject, in all respects, to the foregoing rules governing the course of bills.

2. A joint resolution proposing an amendment to the Constitution must be entered in the Journal in its entirety.

Rule No. 118.2. Memorial Resolutions.

Once the sponsor has moved for the adoption of a memorial resolution, not more than one member from each caucus, and, upon request of a member of the body and the approval of the Majority Leader, one additional member may speak on the resolution.

Rule No. 119. *Certain Resolutions Treated as Motions.*

Except as otherwise provided in Senate Standing Rules Nos. 118 and 118.2, resolutions must be treated as motions in all proceedings of the Senate.

Rule No. 119.2. *Return From the Secretary of State.*

A Senate resolution may be used to request the return from the Secretary of State of an enrolled Senate resolution for further consideration.

C. ORDER OF BUSINESS, SPECIAL ORDERS AND OTHER MATTERS

Rule No. 120. *Order of Business.*

1. *Roll Call.*
2. *Prayer and Pledge of Allegiance to the Flag.*
3. *Reading and Approval of the Journal.*
4. *Reports of Committees.*
5. *Messages from the Governor.*
6. *Messages from the Assembly.*
7. *Communications.*
8. *Waivers and Exemptions.*
9. *Motions, Resolutions and Notices.*
10. *Introduction, First Reading and Reference.*
11. *Consent Calendar.*
12. *Second Reading and Amendment.*
13. *General File and Third Reading.*
14. *Unfinished Business.*
15. *Special Orders of the Day.*
16. *Remarks from the Floor; Introduction of Guests. A Senator may speak under this order of business for a period of not more than 10 minutes.*

Rule No. 121. *Privilege.*

Any Senator may rise and explain a matter personal to himself or herself by leave of the President, but the Senator shall not discuss any pending question in such explanation.

Rule No. 122. *Reserved.*

Rule No. 123. *Reserved.*

Rule No. 124. *Preference to Speak.*

When two or more Senators rise at the same time the President shall name the one who may first speak—giving preference, when practicable, to the mover or introducer of the subject under consideration.

Rule No. 125. *Special Order.*

The President shall call the Senate to order on the arrival of the time fixed for the consideration of a special order, and announce that the special order is before the Senate, which shall be considered, unless it be postponed by a two-thirds vote, and any business before the Senate at the time of the announcement of the special order shall go to Unfinished Business.

Rule No. 126. *Reserved.*

Rule No. 127. *Reserved.*

Rule No. 128. *Seniority Among Senators.*

1. *The Senate shall determine seniority among the Senators as follows:*
 - (a) *Credit total continuous service in the Senate first;*
 - (b) *Credit total noncontinuous service in the Senate second;*
 - (c) *Credit total continuous service in the Assembly third; and*
 - (d) *Credit total noncontinuous service in the Assembly fourth.*
2. *In every case where there are ties, those ties are broken by alphabetical order.*

Rule No. 129. *Reserved.*

D. CONTESTS OF ELECTIONS

Rule No. 130. *Procedure.*

1. *The Senate shall not dismiss a statement of contest for want of form if any ground of contest is alleged with sufficient certainty to inform the defendant of the charges he or she is required to meet. The following grounds are sufficient, but are not exclusive:*

(a) *That the election board or any member thereof was guilty of malfeasance.*

(b) *That a person who has been declared elected to an office was not at the time of election eligible to that office.*

(c) *That illegal votes were cast and counted for the defendant, which, if taken from the defendant, will reduce the number of legal votes below the number necessary to elect him or her.*

(d) *That the election board, in conducting the election or in canvassing the returns, made errors sufficient to change the result of the election as to any person who has been declared elected.*

(e) *That the defendant has given, or offered to give, to any person a bribe for the purpose of procuring his or her election.*

(f) *That there was a possible malfunction of any voting or counting device.*

2. *The contest must be submitted so far as may be possible upon depositions or by written or oral arguments as the Senate may order. Any party to a contest may take the deposition of any witness at any time after the statement of contest is filed with the Secretary of State and before the contest is finally decided. At least 5 days' notice must be given to the prospective deponent and to the other party. If oral statements are made at any hearing before the Senate or a committee thereof which purport to establish matters of fact, they must be made under oath. Strict rules of evidence do not apply.*

3. *The contestant has the burden of proving that any irregularities shown were of such nature as to establish the probability that the result of the election was changed thereby. After consideration of all the evidence, the Senate shall declare the defendant elected unless the Senate finds from the evidence that a person other than the defendant received the greatest number of legal votes, in which case the Senate shall declare that person elected.*

The next rule is 140.

IX. LEGISLATIVE INVESTIGATIONS

Rule No. 140. *Compensation of Witnesses.*

Witnesses summoned to appear before the Senate, or any of its committees, shall be compensated as provided by law for witnesses required to attend in the courts of the State of Nevada.

Senator Denis moved the adoption of the resolution.

Resolution adopted unanimously.

By Senators Denis and Roberson:

Senate Resolution No. 2—Providing allowances to the leadership and other members of the Senate for periodicals, stamps, stationery and communications.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the sum to be allowed, as provided by law, for each member of the Senate for periodicals, stamps and stationery is \$60 and for the use of telephones is \$2,800, and the sum to be allowed, as provided by law, for the President and President pro Tempore of the Senate, the Majority and Minority Leaders of the Senate, and the chair of each standing committee of the Senate for postage, telephone tolls and other communication charges is \$900; and be it further

RESOLVED, That these amounts be certified by the President and the Secretary to the State Controller, who is authorized to draw warrants therefor on the Legislative Fund, and the State Treasurer is thereafter authorized to pay these warrants.

Senator Denis moved the adoption of the resolution.

Resolution adopted unanimously.

By Senators Denis and Roberson:

Senate Resolution No. 3—Recognizing the appointment of the Senate session staff.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the following persons are recognized as the duly-appointed session staff of the Senate for the 77th Session of the Legislature of the State of Nevada: Sherry L. Rodriguez, Lydia J. Lee, Leah L. Jones, Lora R. Robb, Susan S. Whitford, Timothy K. Taycher, Alysia K. Peters, Jerry S. Pieretti, Karen Baggett, Judith Anker-Nissen, Gary Derks, Rebecca Lawson-Harris, Steve Pozzi, Shelle Grim-Brooks, Ardys Canon, Cynthia Cook, Sherwood Howard, Janet Meredith, Ruth B. Pierini, Marion Sandoval, Juliet Newman, Julie Mogensen, Todd Westergard, Joyce Hess, Emily McIlveene, Lauren Brooks, Paula M. Saponaro, Jodi Poley, Judy C. Jackson, Jan Brase, Blayne Osborn, Sheri Carlsen, Michael Archer, Wayne Archer, Martha Barnes, Gwendolyn Barrett, Jennie F. Bear, Lynn Berry, Stella Blood, Caitlin Brady, Maureen Brower, Jackie Cheney, Cindy Clampitt, Ruth Condray, Patricia Devereux, Lona Domenici, Suzanne Efford, Linda Fehr, Sheri Fletcher, Susan Gaither, Lauren Garcia, Linda Gentry, John Griffin, Lynn Hendricks, Gail Herstead, Linda Hiller, Joyce Hinton, Joyce Hollister, Barbara Honey, Thomas Hutton-Potts, Diana Jones, Betty Kaminski, RJ Keetch, Kaci Kerfeld, Berdine Leuwer, Toshiko McIntosh, Lezlie Mayville, Wynona Majied-Martinez, Terri Miller, Leslie Mix, Mary Moak, Arzella Moots, Gena Plummer, Dee Ramsey, Gayle Rankin, Stephanie Robbins, Leslie Sexton, Jerry Stacy, Riley Sutton, Kathleen Swain, Melodie Swan-Fisher, Annette Teixeira, Judy Toscano, Adrian Viesca, Sara Weaver, Norm Wessel, Lindsay Wheeler, Michelle White and Mike Wiley.

Senator Denis moved the adoption of the resolution.

Resolution adopted unanimously.

A committee from the Assembly composed of Assemblyman Frierson, Assemblywoman Benitez-Thompson and Assemblyman Grady appeared before the bar of the Senate and announced that the Assembly was organized and ready for business.

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

Senate in recess at 1:26 p.m.

SENATE IN SESSION

At 2:48 p.m.

President Krolicki presiding.

Quorum present.

INTRODUCTION FIRST READING AND REFERENCE

By Senator Denis and Roberson; Assemblymen Kirkpatrick and Hickey:

Senate Bill No. 1—AN ACT making an appropriation to the Legislative Fund for the costs of the 77th Legislative Session; and providing other matters properly relating thereto.

Senator Denis moved that all necessary rules be suspended, reading so far had considered first reading, rules further suspended, and that Senate Bill No. 1 be declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Senator Denis

This bill is the general appropriations bill for the cost of the Seventy-seventh Legislative Session.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 1.

Bill read third time.

Roll call on Senate Bill No. 1:

YEAS—21.

NAYS—None.

Senate Bill No. 1 having received a constitutional majority, Mr. President declared it passed.

Senator Denis moved that all necessary rules be suspended and that Senate Bill No. 1 be immediately transmitted to the Assembly.

Motion carried unanimously.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE GOVERNOR

STATE OF NEVADA

EXECUTIVE CHAMBER

CARSON CITY, NEVADA 89701

January 28, 2013

THE HONORABLE SENATOR MOISES A. DENIS

THE HONORABLE ASSEMBLYWOMAN MARILYN KIRKPATRICK, Nevada Legislature,
Legislative Building, Nevada 89701

DEAR MAJORITY LEADER DENIS AND SPEAKER KIRKPATRICK:

Enclosed please find my message to the 77th Session of the Nevada Legislature, delivered pursuant to Article 5, Section 10 of the *Nevada Constitution*. As you know, I delivered the message on Wednesday, January 16, 2013, to a special committee of the Legislature and other guests in the Assembly Chamber in Carson City.

Thank you in advance for lodging my message in the record of the 77th Legislative Session. My staff and I look forward to working with all of you in the months ahead.

Sincere regards,

BRIAN SANDOVAL

Governor of Nevada

MOTIONS, RESOLUTIONS AND NOTICES

Senator Denis moved that in accordance with the provisions of Article 5, Section 10 of the Nevada Constitution, that Governor Sandoval's State of the State Address to the Nevada Legislature, as presented to the special committee to receive the Governor's State of the State Address on January 16, 2013, be entered on the Senate Journal for this legislative day.

Motion carried.

STATE OF THE STATE ADDRESS TO THE NEVADA LEGISLATURE

Madam Speaker, Mr. President, distinguished members of the Legislature, Honorable Justices of the Nevada Supreme Court, Constitutional Officers, Senator Heller, honored guests and my fellow Nevadans:

For nearly 150 years governors before me have stood in front of this Body and delivered their State of the State Address. The personal delivery of a biennial message has become one of our most honored traditions. I am proud to be here tonight to continue this tradition, along with my

wife, First Lady Kathleen, and my three children: Maris, Madeline and James. Thank you for your love and support.

I want to take a moment and pause to remember two extraordinary Nevadans, both of whom I had the honor of serving with in the Nevada Legislature. First, Gene Segerblom, who devoted her entire life to the service of this State as a mother, schoolteacher and State Legislator. Her son, Senator Tick Segerblom, is with us tonight. Tick, Nevada will not soon forget your mother or her service. Our friend Senator William (Bill) J. Raggio lived a legendary Nevada life and served in this building with honor and distinction for over four decades. His legacy is a stirring reminder for those of us in public service; there are no barriers to what can be accomplished if we summon the will to work together. I am particularly pleased that Bill's wife Dale could be with us tonight.

Two years ago, we gathered in a different time, under different circumstances. As I stood before you on that evening, our State was reeling from the ravages of the Great Recession. Nevada led the Nation in unemployment, housing foreclosures and personal bankruptcies. State revenue projections had dropped dramatically, and we faced budget cuts in every category. That evening, I asked the Nevada family to embrace a fundamental course correction, to leave behind the limits of the past and consider the case of our State's future anew. The challenges of the moment were too complex to resort to tired partisanship. Rather, they demanded that we resolve to work together to meet the challenges of the 21st century. And we rose to the occasion.

In the final days of the 76th Legislative Session, we were able to work together to craft a bipartisan compromise that led to a balanced budget, important education reforms and a transformed economic development effort. These elements created the foundation of the progress of the last two years; progress that every Nevadan can be proud of. And while my last appearance before you was preceded by a period of decline, my appearance before you tonight has been preceded by a period of growth—yes, growth.

We are emerging from the worst economic crisis of our generation. Though it remains unacceptably high, our unemployment rate is lower than it has been in over three years, and it is falling faster than almost every other state in the Nation. State revenues are growing again because our economy is growing again. In the last 24 months Nevada businesses have created almost 30,000 new jobs. Yes, the last two years have been a success story, not fully realized, but undeniably on track. Tonight, ladies and gentlemen, I can confidently report to the people of Nevada that the state of our State grows stronger every day.

Now we stand at the threshold of another Legislative Session, another 120 days of decisions that will shape the future of our great State. We must make some immediate decisions: a budget and other pressing issues of the day; that is only part of the task before us. Our greater challenge is helping a Nevada that is still on the horizon; it awaits us in the future. Not too far off, but far enough that we must consider what we can be. I want us, tonight, to contemplate a journey that takes us to that other Nevada. And I want us to agree that what we find there must be the best that it can be.

Traveling with us on that journey will be the children whose faces you see on the screens behind me. These children are all members of the graduating class of 2023; they are second graders today. It is my hope that the faces of these children will inspire us as we consider both the short- and long-term realities of our State.

Two years ago we began laying the foundation for improved education in Nevada, to win a critical victory for Nevada's children. And we did. We passed laws requiring performance-based evaluations for teachers, ending teacher tenure as we know it and reinvigorating the State Board of Education. These historic reforms were essential changes necessary to ensure success for our children. But structural reforms alone will not fix our problems. Responsibility for Nevada's students does not rest with one single group. It is borne by each and every one of us: parents, educators, school board members, Legislators and Governors.

To advance the cause of students we must now turn our eye to the classroom. I continue to believe that literacy is the key to long-term success. And so tonight, I again ask you to take the necessary steps to ensure that every Nevada child can read by grade three. If children cannot read by third grade, their chances of graduating from high school become remote. For pre-three students, I will propose increased funding for early education in the State's most at-risk schools. And I will ask the Legislature to act quickly, because Nevada's students cannot wait another

two years. My budget therefore includes an aggressive expansion of all-day kindergarten among the State's most at-risk schools. Twenty-million dollars is allocated over the Biennium for this purpose. This means that by 2015, almost half of our elementary schools would have an all-day kindergarten option. If we expect children to read by grade three, we cannot continue to ignore all of the data that tells us all-day kindergarten is a critical foundation for a child's success.

My budget matches this focus on young learners with two initiatives targeting older students. Of course, we all want the graduation rate to improve, and we want students to have skills for work or college after they graduate. One of the most successful programs in the country today is Teach for America—a unique corps of brilliant young leaders from America's top universities — who give their time and talent as teachers in schools that need them most. These teachers help spur innovation and creativity in instruction that makes the entire system better. Teach for America has helped make a difference in the lives of hundreds of Nevada's students. But we can do more. I am proposing a new investment in Teach for America to help recruit, train, develop and place top teacher and leadership talent in Nevada.

I am also asking that Nevada make a firm commitment to another national program with proven results. In the last year, I used available funding to pilot the Jobs for America's Graduates (JAG) initiative in seven Nevada schools. JAG helps prevent dropouts by putting a specialist in the school to work with the most at-risk students. The work continues even after the students graduate, and transitions students from high school to college or a career. It works in over 30 states and it has worked here in Nevada. With me tonight is Dayton High School JAG student Joey Doyle and his JAG advisor Nancy Gardner.

My budget includes sufficient resources to fund the JAG program to include up to 50 additional high schools by 2014 and to serve nearly 2,000 additional high school students. To all our current JAG students and specialists, thank you for setting an example across the State.

As we make these investments, we must also recognize how Nevada has changed: our schools are more diverse. More than 15 percent of Nevada's students are English-language learners. The Clark County School District alone is responsible for more than 50,000 English-language learners, representing more than 150 languages.

The challenges these students confront are wholly different from those faced by their peers, yet our obligation to them is no less important. Reality dictates that we acknowledge that reading levels, graduation rates and college readiness will not improve until we appropriately focus on these students. To lay the first plank in building a stronger foundation for these students, my budget proposes \$14 million for an English-Language Learners initiative.

I will continue to fight for more school choice. Many students attend schools that are not meeting their needs. We owe them, and their parents, additional choice as well as individualized instruction. I will introduce an opportunity scholarship bill giving businesses a tax credit for making contributions to a scholarship fund. These dollars will be distributed, on a means-tested basis, to students at low-performing schools for use in attending the school of their choice.

All in, the proposed budget includes \$135 million in new investment in Nevada's school children. As parents and taxpayers, we have a right to expect a return on that investment. While Nevada's teachers will be supported through the most effective professional development, elevated student performance requires an outstanding teacher in every classroom and an outstanding principal in every building. Nevada is on the cusp of implementing a system that will transform the way we evaluate our State's teachers and administrators. But we need to take the next step.

My budget includes an appropriation for a data system that links student performance to teacher effectiveness. This system is a long-term investment in what will be the backbone of our approach to teacher evaluation. It will ensure that parents and students have the teachers they deserve, and that teachers are evaluated fairly.

I believe the future of Nevada's students is bright. We've already seen progress, not just in passing reforms, but in improving outcomes for students. Thanks to our educators, graduation rates in Clark County rose last year, third graders in Washoe County posted their highest reading scores ever and high school math and science performance across the State increased. Many of our State superintendents are in attendance tonight; I recognize you for the hard work that you do.

These are small steps, but they're steps to build on. And we will. What we can never do, though, is fall backwards. My pledge to parents, students and educators is to always move ahead.

Of course, our efforts to improve education cannot focus only on the very young. The Nevada System of Higher Education has been an important part of our State's success since its founding. It has become an even more important player in our economic development efforts. I am pleased and honored to have the Chancellor both as a member of my Cabinet and as an active member of the State Economic Development Board. With the Chancellor's support, we are creating new courses of study at the University of Nevada, Reno (UNR), and University of Nevada, Las Vegas (UNLV), focused specifically on the sectors we are targeting for economic growth.

UNLV is working with my office of Economic Development to establish UNLV as the global intellectual hub for gaming, hospitality and entertainment. I am also proud to announce that funding is included in my proposed budget to begin the planning and construction of a new Hotel Administration School at UNLV and a student achievement center at UNR.

Our community colleges are also meeting the challenges of today and tomorrow. We are pairing the community colleges more closely with our workforce needs so they deliver students into jobs that will be waiting for them in the new economy. And, perhaps most importantly for the lives of thousands of current Nevada high school students, my budget again contains an appropriation to support and extend the Kenny C. Guinn Millennium Scholarship through 2017.

I would like to take a moment to introduce former First Lady Dema Guinn who is with us tonight. Dema, I give you my solemn promise, that as long as I am Governor, there will always be a Kenny C. Guinn Millennium Scholarship for Nevada students.

A quality education is the foundation of economic growth, the key to improving quality of life in our State. However, the modern economy requires more than investment in education to broaden economic opportunity. Economic development—getting Nevadans working again—has been my greatest priority over the last two years. We've completely overhauled the way Nevada approaches economic development. We have worked as one—Democrat, Republican, Independent; north and south; urban and rural—to improve the economic conditions facing Nevada families.

Two years ago, I promised that with a renewed focus, and with your help, Nevada businesses would create 50,000 new jobs across Nevada in four years' time. As I stated earlier, we are more than halfway there. Nevada's employers have created nearly 30,000 new jobs in the last two years. And in October-November of 2012, Nevada's job growth was the second strongest in the Nation. In addition to companies like Zappos, we are now seeing dozens of other companies coming to Nevada like Apple, Urban Outfitters, NOW Foods, Xtreme Green, Romotive and Ameriprise Financial. They bring with them capital investment and good paying jobs with benefits.

Many other businesses are in the pipeline to start up or expand in Nevada, thanks to the work of our State and regional economic development teams, and the business environment we have all created right here in the great State of Nevada.

We have made great progress, but our task is far from over. While we aggressively pursue new businesses outside our borders, we cannot forget the businesses that are right here in Nevada. We all know Nevada employers continue to struggle with the aftermath of the Great Recession. To assist their recovery, my budget provides \$25 million in further tax relief from the Modified Business Tax for an additional 2,700 businesses. That means that since 2011, we will have eliminated the burden of this tax on almost three-quarters of Nevada's small businesses.

Let me be clear: Nevada's employers cannot afford higher taxes, and I will not support them.

You and I know that we must continue to address the unemployment in our State, and we must deal with the economic realities thrust upon us. Too many of our friends and neighbors are still out of work—and at 10.8 percent—unemployment is still much too high.

Against this backdrop, many programs have required modernization, and even the job description of Governor has changed. I have led trade missions to China, Korea and Canada. Missions to Mexico and Israel are planned to expand Nevada's global footprint. I am committed to leaving no stone unturned, no road not taken.

We must also invest in our Nevada's innovators and entrepreneurs. Tonight, I am proud to announce that we will commit \$10 million to Nevada's Knowledge Fund to do just that. For rural Nevada, we have also placed an item in the budget to support the University Cooperative

Extension program and we are moving forward on “Nevada Grown,” to provide Nevada farm products for Nevadans. Funds to market rural Nevada tourism are also increased.

We are moving forward with our Sage Grouse Management Plan to show the federal government that we can manage our own lands and limit further federal intrusion into our lives.

To help Nevada businesses even more, we will also restructure the nearly \$703 million Nevada owes to the federal government used to pay unemployment benefits to Nevadans who are out of work. This step will save employers \$9 million, stabilize the rate paid by businesses and ensure that the entire amount is paid off by 2016.

We will also work on Project Neon, a major new highway that will meet the most critical transportation needs of Southern Nevada. Project Neon is perhaps the largest public works project in Nevada since the construction of Hoover Dam. It will completely modernize the infrastructure of Southern Nevada’s transportation grid and ensure that our commute is safer and more efficient for decades to come.

Nevada must continue to lead in other ways; no opportunity is as rich with promise as our primary industry, gaming. Nevada was the first State to legalize and regulate online gaming. In the absence of federal action on this issue, Nevada must continue to lead. The Nevada Gaming Control Board will bring legislation to eliminate Nevada’s statutory barriers to interstate online poker and ask for authority to enter into interstate agreements. Nevada has always been the gold standard of both gaming regulation and operation. I intend to see to it that our State will lead the world into this new frontier. Other states are moving quickly on this issue, and I respectfully ask the Legislature to pass a bill within 30 days. The promise of these ideas is real. The chance to innovate is exciting.

But even as we work to modernize our economy and set a new course toward a brighter economic future, we must address the consequences of the prolonged economic downturn.

Last month, I announced that Nevada would comply with the provisions of the Affordable Care Act as they related to the expansion of Medicaid services. As a result, some 78,000 more Nevadans will now have coverage, without facing the new tax penalties imposed by the Affordable Care Act.

The federal law allows us to shift mental health and other State spending to Medicaid sources, saving the General Fund nearly \$25 million over the Biennium. Over the next six years, this comprehensive approach will create up to 8,000 new health care jobs and inject over half a billion dollars into our State’s economy. As I have noted before, we must reduce taxes on businesses to help them bear the increased costs of the Affordable Care Act.

The issue of long-term health care costs remain. As such, I believe we must ask certain Medicaid patients to make a modest contribution toward the cost of their own care. I will insist that Nevada be able to opt-out of the Medicaid expansion program in future years should circumstances change.

Beyond Medicaid, my budget provides additional funding for our State’s most vulnerable citizens. It includes more support for autism and early intervention services, piloting 24 hours a day, 7 days a week mental health care in Southern Nevada and increased community-based services for Nevada’s disabled and senior citizens.

We have all been touched by the housing crisis over these last few years and Nevadans continue to struggle with home foreclosures. Last year, thousands of Nevadans attended a free housing assistance event in Las Vegas, sponsored by our own Department of Business and Industry, called “Home Means Nevada.” At the comprehensive event, over 250 representatives from banks met with homeowners and provided help on the spot. While many Nevadans received assistance at the event, we must continue to do more. Working with Attorney General Catherine Cortez Masto, my administration will use multistate settlement funds to assist Nevadans who have been hardest hit by the housing crisis. We are obligated as leaders to find ways to keep people in their homes and families together. I will use every available means at my disposal to protect and help the people who fight every day to stay in their most important possession, their home.

The recession has hurt the entire Nevada family. State employees have seen their pay cut and have been required to take unpaid furlough days. Tonight, I am announcing that we will be able to provide some relief to them as well. Merit pay will be restored for State employees beginning

on July 1, 2014, and the number of required furlough days will be cut in half as of July 1 of this year. Thank you to all State employees.

There is another group that deserves our attention and respect: our veterans. The men and women who have served our Nation in two wars are coming home. Tonight, I ask you to join me in remembering those who have made the ultimate sacrifice and those who have not yet returned.

Over 300 Nevadans remain deployed with our Army and Air National Guard, and many more of Nevada's finest are serving in uniform at home and abroad. With us tonight is one Marine recently returned home, a reminder of all those who remain deployed: Gunnery Sergeant Ben Stryffeler.

I had the privilege of meeting Ben two years ago. Since then, we have twice chatted over breakfast about his life and military service. Ben graduated from Carson High School 17 years ago and immediately enlisted in the Marine Corps. Since then, he has served his country with dignity and honor, being deployed four times to Iraq and Afghanistan. Ben returned home from Afghanistan over a month ago, after serving alongside a weapons company that engaged in heavy combat. Gunnery Sergeant Stryffeler represents the best that we can be. Ben and all the men and women of the military deserve our heartfelt gratitude and respect. Thank you again, Ben.

In honor of those who serve in the Armed Forces, my budget contains funding for additional veterans service officers. And it also includes money to begin the first phase to build a new, stand-alone veterans home in Northern Nevada, to complement the veterans home in Boulder City. These resources will help ensure that our service members receive the benefits they deserve. We owe the men and women who serve our country nothing less than total victory.

Ladies and gentlemen, by doing all of these things, we are laying the groundwork for the future of our children and their families. They are the foundation of my budget and will continue to be the primary focus of my administration.

My Executive Budget that will be transmitted to the Legislature tonight represents General Fund spending of approximately \$6.5 billion for the next two years, a modest increase over my last budget. Caseload growth in Health and Human Services drives much of this increase. My commitment to K-12 education has also increased spending for our schools. But we must only allow for growth that our fragile economic recovery can bear.

In this budget, we've reduced the tax burden on local businesses, we've addressed increasing caseloads and we've begun to diversify our economy. The social service net is stronger. Support for education is increased. Nevadans will continue to benefit from the over-arching policy of this administration throughout this economic downturn: that is, we cannot cut our way out, we cannot tax our way out; we can only grow our way out.

As Nevada prepares to celebrate 150 years of statehood, we must consider how far we have come and prepare for what lies ahead; 2014 is not just the anniversary of Nevada's statehood. It also marks the centennial year of the approval of women's suffrage in our State. Nevada gave women the right to vote in 1914, five years before the rest of the Nation adopted the 19th Amendment in 1919. It is my hope that the celebration of women's suffrage and the commemoration of Nevada's 150th birthday will provide a joint platform for examining who we are and who we can be. Nevadans are rightfully proud of their history. We are also cognizant of the world around us. We are ever mindful of those students whose faces inspire us to plan big for a bright future.

Tonight, we can take pride in our progress. The table has been set by economic improvements, and we can now see a light at the end of the tunnel. But problems persist, and they demand our attention. Such is the current context in which I have come before you tonight to describe the budget and the policy agenda placed before the 77th Session of the Legislature. It is a context of improvement, realism and optimism. It is a context in which we are cast again in the role of problem-solvers. My plan represents the next phase of recovery and rebuilding.

Tonight, we prepare to embark on a Legislative Session that I hope will set an example of bipartisanship. Two years ago we gathered in difficulty and confronted a time of triage. Then, we were consumed by the effort simply to stop the free fall. Tonight, we come together to further stabilize our State and lay a stronger foundation for its future. From the vantage point of this new foundation, from the watershed moment of our 150th birthday, we can cast our gaze to the horizon: to the world we want for the graduating class of 2023; an educated and healthy

citizenry; a vibrant and sustainable economy; safe and livable communities; and an efficient and responsive State government.

Each step we will take—indeed each of the many steps taken over the last two years—is coming together to reveal a map of promise and opportunity. I know in my heart it will guide us, not just where we want to go, but where we must.

I am proud to be your Governor, and I am proud to call Nevada my home.

God bless all of you, God bless the great State of Nevada and God bless the United States of America, the greatest Nation on Earth.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, February 4, 2013

To the Honorable the Senate:

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

MATTHEW BAKER

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 1—Adopting the Joint Standing Rules of the Senate and Assembly for the 77th Session of the Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Joint Rules of the Senate and Assembly for the 77th Session of the Legislature are hereby adopted as follows:

CONFERENCE COMMITTEES

Rule No. 1. Procedure Concerning.

1. *In every case of an amendment of a bill, or joint or concurrent resolution, agreed to in one House, dissented from in the other, and not receded from by the one making the amendment, each House shall appoint a committee to confer with a like committee to be appointed by the other; and the committee so appointed shall meet publicly at a convenient hour to be agreed upon by their respective chairs and announced publicly, and shall confer upon the differences between the two Houses as indicated by the amendments made in one and rejected in the other and report as early as convenient the result of their conference to their respective Houses.*

2. *The report shall be made available to all members of both Houses. The whole subject matter embraced in the bill or resolution shall be considered by the committee, and it may recommend recession by either House, new amendments, a new bill or resolution, or other changes as it sees fit. A new bill or resolution so reported shall be treated as amendments unless the bill or resolution is composed entirely of original matter, in which case it shall receive the treatment required in the respective Houses for original bills, or resolutions, as the case may be. A conference committee shall not recommend any action which would cause the creation of more than one reprint or more than one bill or resolution.*

3. *The report of a conference committee may be adopted by acclamation, and such action may be considered equivalent to the adoption of amendments embodied therein. The report is not subject to amendment.*

4. *There shall be but one conference committee on any bill or resolution. A majority of the members of a conference committee from each House must be members who voted for the passage of the bill or resolution.*

MESSAGES

Rule No. 2. Biennial Message of the Governor.

Upon motion, the biennial message of the Governor must be received and read and entered in full in the Journal of proceedings.

Rule No. 2.2. Other Messages From the Governor.

Whenever a message from the Governor is received, it shall be read and entered in full in the Journal of proceedings.

Rule No. 2.4. Proclamation by the Governor Convening Special Session.

Proclamations by the Governor convening the Legislature in special session must, by direction of the presiding officer of each House, be read immediately after the convening of the special session, and must be filed and entered in the Journal of proceedings.

Rule No. 2.6. Messages Between Houses.

Messages from the Senate to the Assembly shall be delivered by the Secretary or a person designated by the Secretary and messages from the Assembly to the Senate shall be delivered by the Chief Clerk or a person designated by the Chief Clerk.

NOTICE OF FINAL ACTION

Rule No. 3. Communications.

Each House shall communicate its final action on any bill or resolution, or matter in which the other may be interested, by written notice. Each such notice sent by the Senate must be signed by the Secretary of the Senate, or a person designated by the Secretary. Each such notice sent by the Assembly must be signed by the Chief Clerk of the Assembly, or a person designated by the Chief Clerk.

BILLS AND JOINT RESOLUTIONS

Rule No. 4. Signature.

Each enrolled bill or joint resolution shall be presented to the presiding officers of both Houses for signature. They shall, after an announcement of their intention to do so is made in open session, sign the bill or joint resolution and their signatures shall be followed by those of the Secretary of the Senate and Chief Clerk of the Assembly.

Rule No. 5. Joint Sponsorship.

1. A bill or resolution introduced by a standing committee of the Senate or Assembly may, at the direction of the chair of the committee, set forth the name of a standing committee of the other House as a joint sponsor, if a majority of all members appointed to the committee of the other House votes in favor of becoming a joint sponsor of the bill or resolution. The name of the committee joint sponsor must be set forth on the face of the bill or resolution immediately below the date on which the bill or resolution is introduced.

2. A bill or resolution introduced by one or more Legislators elected to one House may, at the direction of the Legislator who brings the bill or resolution forward for introduction, set forth the names of one or more Legislators who are members elected to the other House and who wish to be primary joint sponsors or non-primary joint sponsors of the bill or resolution. Not more than five Legislators from each House may be set forth on the face of a bill or resolution as primary joint sponsors. The names of each primary joint sponsor and non-primary joint sponsor must be set forth on the face of the bill or resolution in the following order immediately below the date on which the bill or resolution is introduced:

(a) The name of each primary joint sponsor, in the order indicated on the colored back of the introductory copy of the bill or resolution; and

(b) The name of each non-primary joint sponsor, in alphabetical order.

3. The Legislative Counsel shall not cause to be printed the name of a standing committee as a joint sponsor on the face of a bill or resolution unless the chair of the committee has signed his or her name next to the name of the committee on the colored back of the introductory copy of the bill or resolution that was submitted to the front desk of the House of origin or the statement required by subsection 5. The Legislative Counsel shall not cause to be printed the name of a Legislator as a primary joint sponsor or non-primary joint sponsor on the face of a bill or resolution unless the Legislator has signed the colored back of the introductory copy of the bill or resolution that was submitted to the front desk of the House of origin or the statement required by subsection 5.

4. Upon introduction, any bill or resolution that sets forth the names of primary joint sponsors or non-primary joint sponsors, or both, must be numbered in the same numerical sequence as other bills and resolutions of the same House of origin are numbered.

5. Once a bill or resolution has been introduced, a primary joint sponsor or non-primary joint sponsor may only be added or removed by amendment of the bill or resolution. An amendment which proposes to add or remove a primary joint sponsor or non-primary joint sponsor must not be considered by the House of origin of the amendment unless a statement requesting the addition or removal is attached to the copy of the amendment submitted to the front desk of the House of origin of the amendment. If the amendment proposes to add or remove

a Legislator as a primary joint sponsor or non-primary joint sponsor, the statement must be signed by that Legislator. If the amendment proposes to add or remove a standing committee as a joint sponsor, the statement must be signed by the chair of the committee. A copy of the statement must be transmitted to the Legislative Counsel if the amendment is adopted.

6. An amendment that proposes to add or remove a primary joint sponsor or non-primary joint sponsor may include additional proposals to change the substantive provisions of the bill or resolution or may be limited only to the proposal to add or remove a primary joint sponsor or non-primary joint sponsor.

PUBLICATIONS

Rule No. 6. *Ordering and Distribution.*

1. The bills, resolutions, journals and histories will be provided electronically to the officers and members of the Senate and Assembly, staff of the Legislative Counsel Bureau, the press and the general public on the Nevada Legislature's website.

2. Each House may order the printing of bills introduced, reports of its own committees, and other matter pertaining to that House only; but no other printing may be ordered except by a concurrent resolution passed by both Houses. Each Senator is entitled to the free distribution of four copies of each bill introduced in each House, and each Assemblyman and Assemblywoman to such a distribution of two copies. Additional copies of such bills may be distributed at a charge to the person to whom they are addressed. The amount charged for distribution of the additional copies must be determined by the Director of the Legislative Counsel Bureau to approximate the cost of handling and postage for the entire session.

RESOLUTIONS

Rule No. 7. *Types, Usage and Approval.*

1. A joint resolution must be used to:

- (a) Propose an amendment to the Nevada Constitution.
- (b) Ratify a proposed amendment to the United States Constitution.
- (c) Address the President of the United States, Congress, either House or any committee or member of Congress, any department or agency of the Federal Government, or any other state of the Union.

2. A concurrent resolution must be used to:

- (a) Amend these Joint Standing Rules, which requires a majority vote of each House for adoption.
- (b) Request the return from the Governor of an enrolled bill for further consideration.
- (c) Request the return from the Secretary of State of an enrolled joint or concurrent resolution for further consideration.
- (d) Resolve that the return of a bill from one House to the other House is necessary and appropriate.
- (e) Express facts, principles, opinion and purposes of the Senate and Assembly.
- (f) Establish a joint committee of the two Houses.
- (g) Direct the Legislative Commission to conduct an interim study.

3. A concurrent resolution or a resolution of one House may be used to memorialize a former member of the Legislature or other notable or distinguished person upon his or her death.

4. A resolution of one House may be used to request the return from the Secretary of State of an enrolled resolution of the same House for further consideration.

5. A resolution of one House may be used for any additional purpose determined appropriate by the Majority Leader of the Senate or the Speaker of the Assembly, respectively.

6. A concurrent resolution used for the purposes expressed in paragraph (e) of subsection 2 may only be requested by a statutory, interim or standing committee.

VETOES

Rule No. 8. *Special Order.*

1. Bills which have passed the Legislature, and which are returned after the Governor's disapproval, or veto of the same, shall:

- (a) Be taken up and considered immediately upon the coming in of the message transmitting the same; or
- (b) Become the subject of a special order.

2. When the message is received or, if made a special order, when the special order for their consideration is reached and called, the said message or statement shall be read, together with the bill or bills so disposed or vetoed; and the Secretary of the Senate and the Chief Clerk of the Assembly shall, without interruption, read the message and the bill consecutively, the bill following the message; and the message and the bill must not be read upon separate occasions; and no such bill or message shall be referred to any committee, or otherwise acted upon, save as provided by law and custom; that is to say, that immediately following such reading the only question (except as hereinafter stated) which shall be put by the Chair is, "Shall the bill pass, notwithstanding the objections of the Governor?"

3. It shall not be in order, at any time, to vote upon such vetoed bill without the same shall have first been read; and no motion shall be entertained after the Chair has stated the question save a motion for "The previous question," but the merits of the bill itself may be debated.

ADJOURNMENT

Rule No. 9. Limitations and Calculation of Duration.

1. In calculating the permissible duration of an adjournment for 3 days or less, Sunday must not be counted.

2. The Legislature may adjourn for more than 3 days by motion based on mutual consent of the Houses or by concurrent resolution. One or more such adjournments, for a total of not more than 20 days during any regular session, may be taken to permit standing committees, select committees or the Legislative Counsel Bureau to prepare the matters respectively entrusted to them for the consideration of the Legislature as a whole.

Rule No. 9.5. Adjournment Sine Die.

1. The Legislature shall not take any action on a bill or resolution after midnight Pacific time at the end of the 120th consecutive calendar day of session, inclusive of the day on which the session commences. Any legislative action taken after midnight Pacific time at the end of the 120th consecutive calendar day of session is void, unless the legislative action is conducted during a special session.

2. A Legislator shall not take any action to impede the progress of the Legislature in completing its business by the time specified in subsection 1.

3. The Legislature and its members, officers and employees shall not employ any device, pretense or fiction that adjusts, evades or ignores the measure of time specified in subsection 1 for the purpose of extending the duration of the session.

4. Any action taken in violation of subsection 2 or 3 shall be deemed out of order.

5. As used in this Rule, "midnight Pacific time" must be determined based on the actual measure of time that, on the final calendar day of the session, is being used and observed by the general population as the uniform time for the portion of Nevada which lies within the Pacific time zone, or any legal successor to the Pacific time zone, and which includes the seat of government of this State as designated by Section 1 of Article 15 of the Nevada Constitution.

EXPENDITURES FROM THE LEGISLATIVE FUND

Rule No. 10. Manner of Authorization.

Except for routine salary, travel, equipment and operating expenses, no expenditures shall be made from the Legislative Fund without the authority of a concurrent resolution regularly adopted by the Senate and Assembly.

LEGISLATIVE COMMISSION

Rule No. 11. Membership and Organization.

1. When members of the minority party in the Senate or in the Assembly comprise one-third or less of the total number elected to that House, minority party membership for that House on the Legislative Commission must be:

(a) One, if such membership is less than one-fifth of the total number elected to that House.

(b) Two, if such membership is at least one-fifth but not more than one-third of the total number elected to that House. If the members of the minority party in the Senate or in the Assembly comprise more than one-third of the total number elected to that House, minority party membership for that House on the Commission must be three, being equal to the membership of the majority party.

2. Each House shall select one or more alternate members for each member from that House, designating them according to party or according to the individual member whom the alternate would replace.

3. A vacancy in the regular Senate or Assembly membership created by death or by resignation or by the Legislator's ceasing to be a member of the Legislature shall be filled by the proper alternate member as designated by that House. If there is no proper alternate member, the Legislative Commission shall fill the vacancy by appointing a Senator or Assemblyman or Assemblywoman of the same party.

4. If for any reason a member is or will be absent from a meeting and there are no alternates available, the Chair of the Commission may appoint a member of the same House and political party to attend the meeting as an alternate.

5. The members shall serve until their successors are appointed by resolution as provided in NRS 218E.150, except that the membership of any member who does not become a candidate for reelection or who is defeated for reelection shall terminate on the day next after the election and the vacancy shall be filled as provided in this Rule.

6. The Chair shall be selected at the first meeting of the newly formed Legislative Commission and shall serve until his or her successor is appointed following the formation of the next Legislative Commission.

RECORDS OF COMMITTEE PROCEEDINGS

Rule No. 12. Duties of Secretary of Committee and Director.

1. Each standing committee of the Legislature shall cause a record to be made of the proceedings of its meetings.

2. The secretary of a standing committee shall:

(a) Label each record with the date, time and place of the meeting and also indicate on the label the numerical sequence in which the record was made;

(b) Keep the records in chronological order; and

(c) Deposit the records upon completion with the Director of the Legislative Counsel Bureau.

3. The Director of the Legislative Counsel Bureau shall:

(a) Make the records available for accessing by any person during office hours under such reasonable conditions as the Director may deem necessary; and

(b) Retain the records for two bienniums and at the end of that period keep some form or copy of the record in any manner the Director deems reasonable to ensure access to the record in the foreseeable future.

Rule No. 13. Reserved.

LIMITATIONS ON INTRODUCTION AND REQUESTS FOR DRAFTING OF LEGISLATIVE MEASURES

Rule No. 14. Limitations on Drafting and Requirements for Introduction; Duplicative Measures; Indication of Requester on Committee Introductions.

1. Except as otherwise provided in Joint Standing Rules Nos. 14.4, 14.5 and 14.6, after a regular legislative session has convened, the Legislative Counsel shall honor, if submitted before 5 p.m. on the 8th calendar day of the legislative session, not more than:

(a) Two requests from each Assemblyman and Assemblywoman; and

(b) Four requests from each Senator;

↳ for the drafting of a bill or resolution.

2. Except as otherwise provided in subsection 4 and Joint Standing Rules Nos. 14.4, 14.5 and 14.6, after a regular legislative session has convened, the Legislative Counsel shall honor, if submitted before 5 p.m. on the 15th calendar day of the legislative session, not more than 50 requests, in total, from the standing committees of each House for the drafting of a bill or joint resolution. The Majority Leader of the Senate and the Speaker of the Assembly shall, not later than the 1st calendar day of the legislative session, determine and provide the Legislative Counsel with a written list of the number of requests for the drafting of a bill that may be submitted by each standing committee of their respective Houses, within the limit provided by this subsection. The lists may be revised any time before the 15th calendar day of the legislative session to reallocate any unused requests or requests which were withdrawn before drafting began on the request.

3. A request for the drafting of a bill or resolution that is submitted by a standing committee pursuant to this section must be approved by a majority of all of the members appointed to the committee before the request is submitted to the Legislative Counsel.

4. A standing committee may only request the drafting of a bill or resolution or introduce a bill or resolution that is within the jurisdiction of the standing committee.

5. A measure introduced by a standing committee at the request of a Legislator or organization must indicate the Legislator or organization at whose request the measure was drafted.

6. The following measures must be introduced by a standing committee:

(a) Measures drafted at the request of agencies and officers of the Executive Branch of State Government, local governments, the courts and other authorized nonlegislative requesters.

(b) Measures requested by statutory committees and interim legislative studies.

(c) Bills requested by a standing committee, or by persons designated to request measures on behalf of a standing committee during the Interim. Bills requested by or on behalf of a standing committee must be introduced by that committee.

7. Resolutions requested by or on behalf of a standing committee may be introduced by an individual member.

8. If two or more measures are being considered in the same House which are substantively duplicative, only the measure which has been assigned the lowest number for the purpose of establishing its priority in drafting may be considered, unless the measure with the lowest number is not introduced within 5 days after introduction of a measure with a higher number.

9. A Legislator may not change the subject matter of a request for a legislative measure after it has been submitted for drafting.

Rule No. 14.1. Secondary Deadlines for Submission of Details to the Legislative Counsel.

1. If a request for the drafting of a bill or resolution is submitted to the Legislative Counsel by a Legislator on or before the 8th calendar day of the legislative session pursuant to subsection 1 of Joint Standing Rule No. 14, the Legislator who submitted the request shall, by the 15th calendar day of the legislative session, provide the Legislative Counsel with information to draft the request which is sufficient in detail to allow for complete drafting of the request.

2. If a request for the drafting of a bill or resolution is submitted to the Legislative Counsel by a standing committee of the Assembly or Senate on or before the 15th calendar day of the legislative session pursuant to subsection 2 of Joint Standing Rule No. 14, the chair of the standing committee or his or her designee shall, by the 22nd calendar day of the legislative session, provide the Legislative Counsel with information to draft the request which is sufficient in detail to allow for complete drafting of the request.

3. The Legislative Counsel shall give priority to the drafting of bills and resolutions for which sufficient detail to allow complete drafting of the request was submitted within the period required by this Rule.

4. The provisions of this Rule apply to a request submitted by a Legislator who is not returning to the Legislature for the legislative session if the request was claimed by another Legislator, either individually or as the chair of a standing committee, who is or will be serving during the legislative session.

5. The provisions of this Rule do not apply to:

(a) Emergency requests submitted pursuant to Joint Standing Rule No. 14.4.

(b) Requests for which a waiver is granted pursuant to Joint Standing Rule No. 14.5.

Rule No. 14.2. Limitations on Time for Introduction of Legislation.

1. Except as otherwise provided in Joint Standing Rules Nos. 14.4, 14.5 and 14.6:

(a) Unless the provisions of paragraph (b) or (c) are applicable, a bill or joint resolution may only be introduced on or before:

(1) The 10th calendar day following delivery of the introductory copy of the bill or joint resolution; or

(2) The last day for introduction of the bill or joint resolution as required by paragraph (d),

↳ whichever is earlier.

(b) If a bill or joint resolution requires revision after the introductory copy has been delivered, such information as is required to draft the revision must be submitted to the Legislative Counsel before the 10th calendar day following delivery of the introductory copy of the bill or joint resolution. The revised bill or joint resolution may only be introduced on or before:

(1) The 15th calendar day following delivery of the original introductory copy of the bill or joint resolution; or

(2) The last day for introduction of the bill or joint resolution as required by paragraph (d).

↳ whichever is earlier.

(c) If the bill or joint resolution requires a second or subsequent revision, such information as is required to draft the revision must be submitted to the Legislative Counsel before the 15th calendar day following delivery of the original introductory copy of the bill or joint resolution. A bill or joint resolution revised pursuant to this subsection may only be introduced on or before:

(1) The 20th calendar day following delivery of the original introductory copy of the bill or joint resolution; or

(2) The last day for introduction of the bill or joint resolution as required by paragraph (d).

↳ whichever is earlier.

(d) Except as otherwise provided in subsection 3, the last day for introduction of a bill or joint resolution that was requested by:

(1) A Legislator is the 43rd calendar day of the legislative session.

(2) A standing or interim committee or other requester is the 50th calendar day of the legislative session.

2. The Legislative Counsel shall indicate on the face of the introductory copy of each bill or joint resolution the final date on which the bill or joint resolution may be introduced.

3. If the final date on which the bill or joint resolution may be introduced falls upon a day on which the House in which the bill or joint resolution is to be introduced is not in session, the bill or joint resolution may be introduced on the next day that the House is in session.

SCHEDULE FOR ENACTMENT OF BILLS

Rule No. 14.3. Final Dates for Action by Standing Committees and Houses.

Except as otherwise provided in Joint Standing Rules Nos. 14.4, 14.5 and 14.6:

1. The final standing committee to which a bill or joint resolution is referred in its House of origin may only take action on the bill or joint resolution on or before the 68th calendar day of the legislative session. A bill may be re-referred after that date only to the Committee on Finance or the Committee on Ways and Means and only if the bill is exempt pursuant to subsection 1 of Joint Standing Rule No. 14.6.

2. Final action on a bill or joint resolution may only be taken by the House of origin on or before the 79th calendar day of the legislative session.

3. The final standing committee to which a bill or joint resolution is referred in the second House may only take action on the bill or joint resolution on or before the 103rd calendar day of the legislative session. A bill may be re-referred after that date only to the Committee on Finance or the Committee on Ways and Means and only if the bill is exempt pursuant to subsection 1 of Joint Standing Rule No. 14.6.

4. Final action on a bill or joint resolution may only be taken by the second House on or before the 110th calendar day of the legislative session.

Rule No. 14.4. Emergency Requests.

1. After a legislative session has convened:

(a) The Majority Leader of the Senate and the Speaker of the Assembly may each submit to the Legislative Counsel, on his or her own behalf or on the behalf of another Legislator or a standing committee of the Senate or Assembly, not more than five requests for the drafting of a bill or resolution.

(b) The Minority Leader of the Senate and the Minority Leader of the Assembly may each submit to the Legislative Counsel, on his or her own behalf or on the behalf of another

Legislator or a standing committee of the Senate or Assembly, not more than two requests for the drafting of a bill or resolution.

2. A request submitted pursuant to subsection 1:

(a) May be submitted at any time during the legislative session and is not subject to any of the provisions of subsections 1 and 2 of Joint Standing Rule No. 14, Joint Standing Rule No. 14.1, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3.

(b) Is in addition to, and not in lieu of, any other requests for the drafting of a bill or resolution that are authorized to be submitted to the Legislative Counsel by the Majority Leader of the Senate, Speaker of the Assembly, Minority Leader of the Senate or Minority Leader of the Assembly.

3. The list of requests for the preparation of legislative measures prepared pursuant to NRS 218D.130 must include the phrase "EMERGENCY REQUEST OF" and state the title of the person who requested each bill or resolution pursuant to this Rule. If the request was made on behalf of another Legislator or a standing committee, the list must also include the name of the Legislator or standing committee on whose behalf the bill or resolution was requested.

4. The Legislative Counsel shall cause to be printed on the face of the introductory copy of all reprints of each bill or resolution requested pursuant to this Rule the phrase "EMERGENCY REQUEST OF" and state the title of the person who requested the bill or resolution.

Rule No. 14.5. Waivers.

1. At the request of a Legislator or a standing or select committee of the Senate or Assembly, subsection 1 or 2 of Joint Standing Rule No. 14, subsection 1 of Joint Standing Rule No. 14.2 or any of the provisions of Joint Standing Rules Nos. 14.1 and 14.3, or any combination thereof, may be waived by the Majority Leader of the Senate and the Speaker of the Assembly, acting jointly, at any time during a legislative session. A request for a waiver submitted by a committee must be approved by a majority of all members appointed to the committee before the request is submitted to the Majority Leader and the Speaker.

2. A waiver granted pursuant to subsection 1:

(a) Must be in writing, executed on a form provided by the Legislative Counsel, and signed by the Majority Leader and the Speaker.

(b) Must indicate the date on which the waiver is granted.

(c) Must indicate the Legislator or committee on whose behalf the waiver is being granted.

(d) Must include the bill number for which the waiver is granted or indicate that the Legislative Counsel is authorized to accept and honor a request for a new bill or resolution.

(e) Must indicate the provisions to which the waiver applies.

(f) May include the conditions under which the bill for which the waiver is being granted must be introduced and processed.

3. The Legislative Counsel shall not honor a request for the drafting of a new bill or resolution for which a waiver is granted pursuant to this Rule unless information which is sufficient in detail to allow for complete drafting of the bill or resolution is submitted to the Legislative Counsel within 2 calendar days after the date on which the waiver is granted.

4. Upon the receipt of a written waiver granted pursuant to this Rule, the Legislative Counsel shall transmit a copy of the waiver to the Secretary of the Senate and the Chief Clerk of the Assembly. The notice that a waiver has been granted for an existing bill must be read on the floor and entered in the Journal, and a notation that the waiver was granted must be included as a part of the history of the bill on the next practicable legislative day. A notation that a waiver was granted authorizing a new bill or resolution must be included as a part of the history of the bill or resolution after introduction.

5. The Legislative Counsel shall secure the original copy of the waiver to the official cover of the bill or resolution.

Rule No. 14.6. Exemptions.

1. Upon request of the draft by or referral to the Senate Finance Committee or the Assembly Committee on Ways and Means, a bill which:

(a) Contains an appropriation; or

(b) Has been determined by the Fiscal Analysis Division to:

(1) Authorize the expenditure by a state agency of sums not appropriated from the State General Fund or the State Highway Fund;

- (2) Create or increase any significant fiscal liability of the State;
- (3) Implement a budget decision; or
- (4) Significantly decrease any revenue of the State.

↪ is exempt from the provisions of subsections 1 and 2 of Joint Standing Rule No. 14, Joint Standing Rule No. 14.1, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3. The Fiscal Analysis Division shall give notice to the Legislative Counsel to cause to be printed on the face of the bill the term "exempt" for any bills requested by the Senate Finance Committee or Assembly Committee on Ways and Means that have been determined to be exempt and shall give written notice to the Legislative Counsel, Secretary of the Senate and Chief Clerk of the Assembly of any bill which is determined to be exempt or eligible for exemption after it is printed. When a bill is determined to be exempt or eligible for an exemption after the bill was printed a notation must be included as a part of the history of the bill on the next practicable legislative day. The term "exempt" must be printed on the face of all reprints of the bill after the bill becomes exempt.

2. Unless exempt pursuant to paragraph (a) of subsection 1, all of the provisions of Joint Standing Rules Nos. 14, 14.1, 14.2 and 14.3 apply to a bill until the bill becomes exempt pursuant to subsection 1. A bill that has become exempt does not lose the exemption regardless of subsequent actions taken by the Legislature.

3. A cumulative list of all bills determined by the Fiscal Analysis Division pursuant to subsection 1 to be exempt or eligible for exemption after being printed must be maintained and printed in the back of the list of requests for the preparation of legislative measures prepared pursuant to NRS 218D.130.

4. The provisions of subsections 1 and 2 of Joint Standing Rule No. 14, Joint Standing Rule No. 14.1, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3 do not apply to:

- (a) A measure that primarily relates to carrying out the business of the Legislature.
- (b) A bill returned from enrollment for a technical correction.

(c) A bill that was previously enrolled but, upon request of the Legislature, has been returned from the Governor for further consideration.

Rule No. 14.7. Amendments.

1. The Legislative Counsel shall not honor a request for the drafting of an amendment to a bill or resolution if the subject matter of the amendment is independent of, and not specifically related and properly connected to, the subject that is expressed in the title of the bill or resolution.

2. For the purposes of this Rule, an amendment is independent of, and not specifically related and properly connected to, the subject that is expressed in the title of a bill or resolution if the amendment relates only to the general, single subject that is expressed in that title and not to the specific whole subject matter embraced in the bill or resolution.

3. This Rule must be narrowly construed to carry out the purposes for which it was adopted which is to ensure the effectiveness of the limitations set forth in Joint Standing Rules Nos. 14, 14.1, 14.2 and 14.3.

Rule No. 15. Reserved.

Rule No. 16. Reserved.

DATE OF FIRST JOINT BUDGET HEARING

Rule No. 17. Requirement.

The first joint meeting of the Senate Standing Committee on Finance and the Assembly Standing Committee on Ways and Means to consider the budgets of the agencies of the State must be held on or before the 92nd calendar day of the regular session.

CRITERIA FOR REVIEWING BILLS THAT REQUIRE POLICIES OF HEALTH INSURANCE TO PROVIDE COVERAGE FOR CERTAIN TREATMENT OR SERVICES

Rule No. 18. Topics of Consideration.

Any standing committee of the Senate or Assembly to which a bill is referred requiring a policy of health insurance delivered or issued for delivery in this State to provide coverage for any treatment or service shall review the bill giving consideration to:

1. The level of public demand for the treatment or service for which coverage is required and the extent to which such coverage is needed in this State;

2. *The extent to which coverage for the treatment or service is currently available;*
3. *The extent to which the required coverage may increase or decrease the cost of the treatment or service;*
4. *The effect the required coverage will have on the cost of obtaining policies of health insurance in this State;*
5. *The effect the required coverage will have on the cost of health care provided in this State; and*
6. *Such other considerations as are necessary to determine the fiscal and social impact of requiring coverage for the treatment or service.*

INTERIM FINDINGS AND RECOMMENDATIONS OF LEGISLATIVE COMMITTEES

Rule No. 19. Date for Reporting.

Each legislative committee that adopted any findings or recommendations during the Interim since the last regular session of the Legislature shall, no later than the 14th calendar day of the regular session, inform interested members of the Senate and Assembly of those findings and recommendations.

ANTI-HARASSMENT POLICY

Rule No. 20. Maintenance of Working Environment; Procedure for Filing, Investigating and Taking Remedial Action on Complaints.

1. *The Legislature hereby declares that it is the policy of the Legislature to prohibit any conduct, whether intentional or unintentional, which results in sexual harassment or other unlawful harassment based upon any other protected category. The Legislature intends to maintain a working environment which is free from sexual harassment and other unlawful harassment. Each Legislator is responsible to conduct himself or herself in a manner which will ensure that others are able to work in such an environment.*

2. *In accordance with Title VII of the Civil Rights Act, for the purposes of this Rule, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:*

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment;

(b) Submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting the person; or

(c) Such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive working environment.

3. *Each Legislator must exercise his or her own good judgment to avoid engaging in conduct that may be perceived by others as sexual harassment. The following noninclusive list provides illustrations of conduct that the Legislature deems to be inappropriate:*

(a) Verbal conduct such as epithets, derogatory comments, slurs or unwanted sexual advances, invitations or comments;

(b) Visual conduct such as derogatory posters, photography, cartoons, drawings or gestures;

(c) Physical conduct such as unwanted touching, blocking normal movement or interfering with the work directed at a person because of his or her sex; and

(d) Threats and demands to submit to sexual requests to keep a person's job or avoid some other loss, and offers of employment benefits in return for sexual favors.

4. *Retaliation against a person for engaging in protected activity is prohibited. Retaliation occurs when an adverse action is taken against a person which is reasonably likely to deter the person from engaging in the protected activity. Protected activity includes, without limitation:*

(a) Opposing conduct that the person reasonably believes constitutes sexual harassment or other unlawful harassment;

(b) Filing a complaint about the conduct; or

(c) Testifying, assisting or participating in any manner in an investigation or other proceeding related to a complaint of sexual harassment or other unlawful harassment.

5. *A Legislator who encounters conduct that the Legislator believes is sexual harassment, other unlawful harassment, retaliation or otherwise inconsistent with this policy may file a written complaint with:*

(a) The Speaker of the Assembly;

(b) The Majority Leader of the Senate; or

(c) *The Director of the Legislative Counsel Bureau, if the complaint involves the conduct of the Speaker of the Assembly or the Majority Leader of the Senate.*

➤ *The complaint must include the details of the incident or incidents, the names of the persons involved and the names of any witnesses.*

6. *The Speaker of the Assembly, the Majority Leader of the Senate or the Director of the Legislative Counsel Bureau, as appropriate, shall cause a discreet and impartial investigation to be conducted and may, when deemed necessary and appropriate, assign the complaint to a committee consisting of Legislators of the appropriate House.*

7. *If the investigation reveals that sexual harassment, other unlawful harassment, retaliation or other conduct in violation of this policy has occurred, appropriate disciplinary or remedial action, or both will be taken. The appropriate persons will be informed when any such action is taken. The Legislature will also take any action necessary to deter any future harassment.*

8. *The Legislature encourages a Legislator to report any incident of sexual harassment, other unlawful harassment, retaliation or other conduct inconsistent with this policy immediately so that the complaint can be quickly and fairly resolved.*

9. *All Legislators are responsible for adhering to the provisions of this policy. The prohibitions against engaging in sexual harassment and other unlawful harassment which are set forth in this Rule apply to employees, Legislators, lobbyists, vendors, contractors, customers and any other visitors to the Legislature.*

10. *This policy does not create any enforceable legal rights in any person.*

VOTE ON GENERAL APPROPRIATION BILL

Rule No. 21. *Waiting Period Between Introduction and Final Passage.*

A period of at least 24 hours must elapse between the introduction of the general appropriation bill and a vote on its final passage by its House of origin.

USE OF LOCK BOXES BY STATE AGENCIES

Rule No. 22. *Duties of Senate Standing Committee on Finance and Assembly Standing Committee on Ways and Means.*

To expedite the deposit of state revenue, the Senate Standing Committee on Finance and the Assembly Standing Committee on Ways and Means shall, when reviewing the proposed budget of a state agency which collects state revenue, require if practicable, the agency to deposit revenue that it has received within 24 hours after receipt. The Committees shall allow such agencies to deposit the revenue directly or contract with a service to deposit the revenue within the specified period.

Senator Denis moved the adoption of the resolution.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

COMMUNICATIONS
MESSAGES FROM THE SECRETARY OF STATE
STATE OF NEVADA
CARSON CITY, NEVADA 89701

January 3, 2013

DAVID BYERMAN, *Secretary of the Senate*, 401 S. Carson Street, Suite 1206, Carson City, Nevada 89701-4747

DEAR MR. BYERMAN:

This letter is in acknowledgment of the transfer of Senate Joint Resolution Nos. 14 and 15 of the 76th Legislative Session pursuant to NRS 218.390(2). SJR 14 is from the 76th Legislative Session and was assigned file number 26. SJR 15 is from the 76th Legislative Session and was assigned file number 44. Pursuant to your request, these joint resolutions' engrossed and enrolled originals were transferred from the Elections Division to your office on Thursday, January 3, 2013.

In addition, this is also a transmittal letter of Senate Bill Nos. 115, 188, 207, 208, 254, 304, 360 and 418 of the 76th Legislative Session, which were vetoed by the Governor after the end of the 76th Legislative Session. The enclosed, engrossed and enrolled copies of Senate Bill

Nos. 115, 188, 207, 208, 254, 304, 360 and 418 are being transferred to the 77th Legislative Session pursuant to NRS 218.430(2) from the Elections Division to your office on Thursday, January 3, 2013.

Respectfully,
ROSS MILLER
Secretary of State

MESSAGES FROM THE GOVERNOR
STATE OF NEVADA
EXECUTIVE CHAMBER
CARSON CITY, NEVADA

June 17, 2011

THE HONORABLE ROSS MILLER, *Secretary of State*, Capitol Building, Carson City, Nevada
89701

DEAR SECRETARY MILLER:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Senate Bill 115, which is entitled:

AN ACT relating to health care; requiring certain hospitals and physicians to accept certain amounts as payments in full for the provision of certain services and care to certain patients; providing an exception under certain circumstances; requiring the submission of certain reports by certain policies of health insurance and similar contractual agreements by certain third parties who issue those policies and agreements; requiring the Administrator of the Health Division of the Department of Health and Human Services to study issues relating to policies of health insurance and similar contractual agreements and providing other matters properly relating thereto.

This bill regulates the payments that certain physicians and hospitals are required to accept from third party insurers for the provision of certain emergency services and care to patients who arrive at an out-of-network hospital through an emergency transport. The bill requires certain out-of-network hospitals to accept, under certain circumstances, a limited discounted rate as payment in full for the provision of medical screening and emergency services and care to stabilize such patients. The bill similarly requires an out-of-network physician at certain out-of-network hospitals to accept an amount based on a schedule of fees and charges established by the Division of Industrial Relations (DIR). An out-of-network physician providing emergency services and care will receive an amount equal to 115 percent of the amount set forth in the DIR schedule for treatment of a non-trauma and 120 percent for treatment of a trauma patient and anesthesiology. Senate Bill 115 also attempts to address the adequacy of networks maintained by third party payers that wish to pay the amounts prescribed in the bill by requiring these third parties to submit certain reports.

The targets of the bill are hospitals and health care providers that are obligated to provide emergency services and care to certain patients, regardless of the patient's financial status. This bill assumes that current billing practices in certain emergency situations are a large problem, and that the contracts negotiated between third party payers, hospitals, and health care providers are inadequate. However, the bill overreaches in its attempt to address billing issues and network inadequacy by statutorily dictating how facilities and providers of health care are paid for the provision of their services, despite the reimbursement rates established through contractual agreements with third party payers.

Because this bill is overreaching and interferes with contracting between third party payers, hospitals and health care providers, I veto it and return it to you without my signature and without my approval.

Sincere regards,
BRIAN SANDOVAL
Governor of Nevada

June 16, 2011

THE HONORABLE ROSS MILLER, *Secretary of State*, Capitol Building, Carson City, Nevada
89701

DEAR SECRETARY MILLER:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Senate Bill 188, which is entitled:

AN ACT relating to the Department of Corrections; requiring certain employees of institutions and facilities of the Department to work a nontraditional workweek under certain circumstances; revising the calculation of overtime for such employees to account for nontraditional workweeks; and providing other matters properly relating thereto.

This bill revises existing State law related to alternative work schedules for certain security personnel in corrections institutions. The bill authorizes wardens and managers of correctional institutions or facilities to allow certain employees to work an 84-hour work schedule within a 14-day pay period composed of 12-hour shifts. The bill also requires the Department of Corrections to conduct a feasibility study of implementing 12-hour shifts for all employees of the department who are involved in law enforcement activities.

Under existing law, wardens and managers of correctional institutions possess authority to experiment with variable workweeks for certain employees. Additionally, the Department of Corrections has already investigated the operational feasibility of implementing 12-hour shifts at some facilities. Senate Bill 188 unnecessarily encroaches upon managerial authority in an agency facing unique employment challenges and severe budgetary restraints. Therefore, I cannot support the bill and will veto it and return it to you without my signature and without my approval.

Sincere regards,
BRIAN SANDOVAL
Governor of Nevada

June 13, 2011

THE HONORABLE ROSS MILLER, *Secretary of State*, Capitol Building, Carson City, Nevada
89701

DEAR SECRETARY MILLER:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Senate Bill 207, which is entitled:

AN ACT relating to employment; authorizing the imposition of an administrative penalty against an employer who misclassifies and employee as an independent contractor or otherwise fails to properly classify a person as an employee of the employer under certain circumstances; and providing other matters properly relating thereto.

This bill provides the Labor Commissioner with authority to impose additional penalties against employers that misclassify employees as independent contractors or otherwise fail to properly classify persons as employees. For each unintentionally misclassified or improperly classified person, the Commissioner may impose a penalty up to \$1,000. For each person who is willfully misclassified or improperly classified, the penalty must be between \$5,000 and \$15,000. For the second offense, the penalty must be between \$15,000 and \$25,000 for each person that is misclassified or improperly classified. For the third or subsequent offense, the penalty must be at least \$25,000 for each misclassified or improperly classified employee. Under the bill, the Commissioner also has, in the case of a third or subsequent offense, the authority to submit notice to the Secretary of State of the suspension of the employer's business license for not more than three years. The bill also subjects those who knowingly advise an employer to misrepresent the classification of duties of an employee to civil liability actions brought by the Attorney General.

The efficient administration of the State's labor laws is essential to achieving fair and equitable labor markets. Towards that end, the Commissioner and the Attorney General should be adequately empowered to deter and punish those who violate our labor laws. The authority provided for in this bill, however, is not clearly aimed towards that end. Instead, it creates

duplicative and unnecessary authority which serves to complicate an already intricate regulatory scheme.

The targets of the bill are employers who fail to comply with statutory provisions requiring the payment of unemployment and business taxes, along with workers compensation taxes. However, the bill tasks the Commissioner, who traditionally enforces the State's labor laws, with determining whether persons are independent contractors for purposes of these other applicable laws. Indeed, the definition of "independent contractor" to be applied by the Commissioner is found in Chapter 616A, which relates, in part, to the enforcement of the State's industrial insurance policy, not the State's labor laws. This mechanism is awkward. The agencies charged with enforcing these provisions should make the factual determinations as to whether an employer illegally misclassifies an employee for purposes of the statutes enforced by those agencies. The cross-enforcement by the Commissioner provided for in this bill makes the regulatory picture vague.

Moreover, the penalties provided for in the bill are duplicative. The Commissioner, today, has authority under NRS 608.195(2) to impose a penalty of up to \$5,000 on an employer that misclassifies an employee. Similarly, the Administrator of the Employment Security Division can levy various forfeitures, interest payments, and civil penalties of up to \$5,000 for every violation founded on the failure to properly pay unemployment compensation taxes. The Administrator of the Industrial Relations Division may fine non-compliant employers as well. Taken together, these penalties provide a sufficient foundation from which we can effectively enforce the State's labor laws, tax laws and workers compensation laws. With improved communications between State agencies with existing enforcement authority, we can build upon that foundation.

Finally, the penalties provided for in this bill are extreme. They threaten to deter employers from efficiently managing their labor force by encouraging them to over-classify persons as employees in order to avoid the potentially devastating imposition of excessive financial penalties. In the end, this overregulation will increase labor costs to the detriment of the State's economic recovery.

Therefore, because this bill would create unnecessarily duplicative regulatory scheme, and because the enforcement mechanisms it provides threaten to undermine the economic recovery of our state, I veto it and return it to you without my signature and without my approval.

Sincere regards,
BRIAN SANDOVAL
Governor of Nevada

June 14, 2011

THE HONORABLE ROSS MILLER, *Secretary of State*, Capitol Building, Carson City, Nevada
89701

DEAR SECRETARY MILLER:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Senate Bill 208, which is entitled:

AN ACT relating to employee misclassification; requiring certain state agencies to share information relating to suspected employee misclassification under certain circumstances; creating the task Force on Employee Misclassification; providing its duties; making various other changes relating to employee misclassification; and providing other matters properly relating hereto.

This bill relates to the misclassification of employees. Like Senate Bill 207, which I have already vetoed, Senate Bill 208 unnecessarily complicates an already intricate regulatory scheme. The bill requires the office of five different State agencies to share information relating to suspected employee misclassification received in the performance of their duties under various statutory provisions. The bill also establishes a ten-member Task Force on Employee Misclassification to evaluate the policies and practices of these State agencies relating to misclassification in the areas of labor law, workers' compensation, unemployment insurance, rehabilitation, taxation, and law enforcement. The Task Force is charged with developing recommendations that will reduce the occurrence of employee misclassification.

Of course, it is imperative that employers properly classify their employees and comply with laws governing minimum wage, overtime, unemployment insurance, workers' compensation insurance, temporary disability insurance, wage payment and payroll taxes. It is also important for the State to aggressively and proactively identify and penalize non-compliant employers. However, the bill incorrectly implies that existing enforcement efforts related to employee misclassification are inadequate, and that the agencies tasked with identifying misclassification do not have the tools they need to evaluate and improve their methods. Neither is the case.

Because this bill unnecessarily complicates an existing regulatory scheme, I exercise my constitutional grant of authority to veto SB 208 and return it to you without my signature and without my approval.

Sincere regards,
BRIAN SANDOVAL
Governor of Nevada

June 17, 2011

THE HONORABLE ROSS MILLER, *Secretary of State*, Capitol Building, Carson City, Nevada
89701

DEAR SECRETARY MILLER:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Senate Bill 254, which is entitled:

AN ACT relating to common-interest communities; revising procedures for alternative dispute resolution of certain claims relating to common-interest communities; revising provisions governing the review of certain books, papers and record of an association; revising provisions governing the confidentiality of certain documents and information obtained by the Real Estate Division of the Department of Business and Industry; revising the penalties for filing frivolous, false or fraudulent claims; and providing other matters properly relating thereto.

This bill modifies several procedures related to common-interest communities. Some procedures include alternative dispute resolution of civil actions, conditions or restrictions applicable to residential property; and administrative proceedings which relate to a violation of existing law governing common-interest communities and condominium hotels. All written claims submitted to the Real Estate Division must be referred to a mediator and the Commission for Common-Interest Communities must adopt regulations governing the maximum amount of fees and costs of mediation. If the mediation does not result in a settlement, the bill requires the mediator to refer the claim either to arbitration or the Real Estate Division. From there the claim must proceed through another review. This bill also requires that procedures be created for those claims in which there is no resolution. Included in this bill are revisions of penalties imposed against a person who files a frivolous, false, or fraudulent claim, or files a claim for the purposes of delay or harassment.

Although Senate Bill 254 may have merits in concept, there are several areas of the bill that require interpretation and further analysis. For example, the mediation process as outlined is unclear as to actual costs and fees to the homeowner filing the complaint. The bill seems to create several layers of process to an already complicated system which may inadvertently result in unresolved matters, an apprehension on the part of the homeowner to file complaints, or delayed enforcement. 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

June 17, 2011

THE HONORABLE ROSS MILLER, *Secretary of State*, Capitol Building, Carson City, Nevada
89701

DEAR SECRETARY MILLER:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Senate Bill 304, which is entitled:

AN ACT relating to redistricting; creating, contingent upon voter approval, a sixth ward for the City of Reno; requiring, contingent upon voter approval, that the candidates for Supervisor in Carson City and for Council Member in the City of Henderson, the City of Reno and the City of Sparks be voted upon in a primary or general election only by the registered voters in the ward that a candidate seeks to represent; and providing other matters properly relating thereto.

This bill revises the Charter of the City of Reno by replacing the office of Councilman at large with a sixth Council member elected from a designated ward. The bill also requires Carson City and the Cities of Henderson, Reno and Sparks to place on the ballot for the 2012 general election the question of whether to amend their respective charters to provide for a ward system for the election of Supervisors or Council Members (as appropriate), such that they must be elected by only the registered voters of the ward they seek to represent.

I do not veto this bill on the merits of ward elections. Rather, the bill contains what appears to be a technical error with regard to the change from electing a Reno Councilman at large to electing a Council Member solely from a ward. Specifically, the person elected in 2012 will serve for a term of four years, yet – if the proposed ward election changes are approved by the voters at that same election – another person must be elected to the same seat in 2014. Under Section 14 of the bill, the incumbent Council Member at large who holds office on July 1, 2013 will be deemed to represent only the new ward for the remainder of his or her term of office, which could result in double representation in that ward when a new person is elected in 2014. The bill drafters made attempts to reconcile these conflicts, as well as unclear language concerning residency, but I find the provisions of Sections 8, 9 and 14 of the bill remain too much in conflict. On these grounds, the bill appears to be confusing and inoperable.

Because Senate Bill 304 poses too many challenges for election officials, candidates, and the voters themselves, I exercise my constitutional grant of authority to veto the bill and return it to you without my signature and without my approval.

Sincere regards,
BRIAN SANDOVAL
Governor of Nevada

June 15, 2011

THE HONORABLE ROSS MILLER, *Secretary of State*, Capitol Building, Carson City, Nevada
89701

DEAR SECRETARY MILLER:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Senate Bill 360, which is entitled:

AN ACT relating to redevelopment of communities; revising requirements for the submission of an employment plan; requiring a redevelopment agency to withhold a portion of any incentive provided to a developer unless the developer satisfies certain conditions; requiring the reporting of certain information relating to the redevelopment project by certain developers; extending the duration of certain redevelopment plans; requiring an employment plan to include information relating to preferences for hiring persons from the redevelopment area; authorizing a redevelopment agency to loan money to finance certain improvements under certain circumstances; requiring certain redevelopment agencies to set aside certain revenue from property taxes for additional purposes; and providing other matters properly relating thereto.

This bill relates to the payment of financial incentives available to a developer who performs a public work in a redevelopment area within an enterprise community. The bill requires a redevelopment agency that proposes to provide an incentive to such a developer to withhold payment of 10 percent of the incentive unless several factors apply. First, 15 percent of the employees of the developer's contractors, subcontractors, vendors and supplier must be residents of the redevelopment area. Second, 15 percent of the jobs created by employers as a result of the redevelopment project must be filled by residents of the redevelopment area. Third, the developer or build-to-suit owner or lessee must comply with the requirements in the employment

plan submitted by the developer. Fourth, the developer must satisfy certain reporting requirements relating to the project. The bill requires that the employment plan filed by the developer must include information regarding the preference for hiring persons living within the redevelopment areas used by the developer and each employer who will be relocating a business into the area as a result of the redevelopment.

Senate Bill 360 is commendable as a job creation bill that can provide new employment opportunities for Nevadans and keep more redevelopment dollars in the local Nevada economy. However, the bill is overly restrictive with regard to the class of Nevadans who benefit from its incentives. The bill creates preferential hiring only for Nevadans who reside in certain redevelopment areas, thereby excluding many Nevadans, including those who may live within very close proximity to the redevelopment area.

On April 27, 2011, I signed Assembly Bill 144, which gives preference to contractors who hire local workers. Known as the Nevada Jobs First Initiative, AB 144 aims to create more jobs for all Nevadans, regardless of where they reside. Because Senate Bill 360 unnecessarily excludes a large percentage of Nevadans who need to return to the workforce, I exercise my constitutional grant of authority to veto SB 360 and return it to you without my approval.

Sincere regards,
BRIAN SANDOVAL
Governor of Nevada

June 17, 2011

THE HONORABLE ROSS MILLER, *Secretary of State*, Capitol Building, Carson City, Nevada
89701

DEAR SECRETARY MILLER:

I am herewith forwarding to you, for filing within the constitutional time limit and without my approval, Senate Bill 418, which is entitled:

AN ACT relating to health care; creating a subcommittee of the Legislative Committee on Health Care to oversee the implementation of federal health care reform in this State; prescribing the composition, powers and duties of the subcommittee; requiring State agencies to cooperate with and provide periodic reports to the subcommittee; and providing other matters properly relating thereto.

Senate Bill 418 requires the creation of a subcommittee of the Legislative Committee on Health Care to oversee the implementation of federal health care reform in this State. The Subcommittee on Health Care Reform must consist of three members appointed by the Chair of the Legislative Committee on Health Care. The Subcommittee is required to review the implementation of federal health care reform and make recommendations concerning effective implementation.

The federal Patient Protection and Affordable Care Act constitutes major reform of the health care system in our country. Many changes to the health insurance industry take effect immediately, and other changes will not take effect for several years. While Nevada has joined several other states in challenging the law, I recognize it is prudent to plan appropriately for its implementation in the event the legal challenge is unsuccessful and prepare for the many changes that will occur under the terms of the reform bill. Therefore, two health care reform teams have been created within Nevada's Department of Health and Human Services (DHHS) to review the federal legislation. The Health Care Reform Policy Planning Group, a policy-level panel led by the DHHS Director, reports directly to my office with regular updates and recommendations. In addition, the Health Care Reform Implementation Working Group is examining what affect the federal legislation will have on State policies and procedures regarding Medicaid.

With oversight already assigned to an agency that has begun working on implementation of federal health care reform in this State, I must conclude that a statutorily-created subcommittee charged with similar tasks is unnecessary and redundant.

Because Senate Bill 418 would require the creation of an unnecessary and duplicative subcommittee, I veto it and return it to you without my signature and without my approval.

Sincere regards,
BRIAN SANDOVAL
Governor of Nevada

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Judiciary:

Senate Joint Resolution No. 14 of the 76th Session—Proposing to amend the Nevada Constitution to create an intermediate appellate court.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That a new section, designated Section 3A, be added to Article 6 of the Nevada Constitution to read as follows:

Sec. 3A. 1. The court of appeals consists of three judges or such greater number as the Legislature may provide by law. If the number of judges is so increased, the Supreme Court must provide by rule for the assignment of each appeal to a panel of three judges for decision.

2. After the initial terms, each judge of the court of appeals must be elected by the qualified electors of this State at the general election for a term of 6 years beginning on the first Monday of January next after the election. The initial three judges of the court of appeals must be appointed by the Governor from among three nominees selected for each individual seat by the permanent Commission on Judicial Selection described in subsection 3 of section 20 of this Article. After the expiration of 30 days from the date on which the permanent Commission on Judicial Selection has delivered to the Governor its list of nominees for the initial judges, if the Governor has not made the appointments required by this Section, the Governor shall make no other appointment to any public office until the Governor has appointed a judge from the list submitted. The term of the initial judges is 2 years beginning on the first Monday of January next after the effective date of this Section, and an initial judge may succeed himself. If there is an increase in the number of judges, each additional judge must be elected by the qualified electors of this State at the first general election following the increase for a term of 6 years beginning on the first Monday of January next after the election.

3. The Chief Justice of the Supreme Court shall appoint one of the judges of the court of appeals to be chief judge. The chief judge serves a term of 4 years, except that the term of the initial chief judge is 2 years. The chief judge may succeed himself. The chief judge may resign the position of chief judge without resigning from the court of appeals.

4. The Supreme Court shall provide by rule for the assignment of one or more judges of the court of appeals to devote a part of their time to serve as supplemental district judges, where needed.

And be it further RESOLVED, That Section 1 of Article 6 of the Nevada Constitution be amended to read as follows:

Section 1. The judicial power of this State [shall be] *is* vested in a court system, comprising a Supreme Court, *a court of appeals*, district courts [,] and justices of the peace. The Legislature may also establish, as part of the system, courts for municipal purposes only in incorporated cities and towns.

Senator Segerblom moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Revenue and Economic Development:

Senate Joint Resolution No. 15 of the 76th Session—Proposing to amend the Nevada Constitution to repeal the provision establishing a separate tax rate and providing for assessing and disbursing the tax on the net proceeds of mines.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That Section 1 of Article 10 of the Nevada Constitution be amended to read as follows:

Section 1. 1. The Legislature shall provide by law for a uniform and equal rate of assessment and taxation, and shall prescribe such regulations as shall secure a just valuation for taxation of all property, real, personal and possessory . [~~except mines and mining claims, which shall be assessed and taxed only as provided in Section 5 of this Article.~~]

2. Shares of stock, bonds, mortgages, notes, bank deposits, book accounts and credits, and securities and choses in action of like character are deemed to represent interest in property already assessed and taxed, either in Nevada or elsewhere, and shall be exempt.

3. The Legislature may constitute agricultural and open-space real property having a greater value for another use than that for which it is being used, as a separate class for taxation purposes and may provide a separate uniform plan for appraisal and valuation of such property for assessment purposes. If such plan is provided, the Legislature shall also provide for retroactive assessment for a period of not less than 7 years when agricultural and open-space real property is converted to a higher use conforming to the use for which other nearby property is used.

4. Personal property which is moving in interstate commerce through or over the territory of the State of Nevada, or which was consigned to a warehouse, public or private, within the State of Nevada from outside the State of Nevada for storage in transit to a final destination outside the State of Nevada, whether specified when transportation begins or afterward, shall be deemed to have acquired no situs in Nevada for purposes of taxation and shall be exempt from taxation. Such property shall not be deprived of such exemption because while in the warehouse the property is assembled, bound, joined, processed, disassembled, divided, cut, broken in bulk, relabeled or repackaged.

5. The Legislature may exempt motor vehicles from the provisions of the tax required by this Section, and in lieu thereof, if such exemption is granted, shall provide for a uniform and equal rate of assessment and taxation of motor vehicles, which rate shall not exceed five cents on one dollar of assessed valuation.

6. The Legislature shall provide by law for a progressive reduction in the tax upon business inventories by 20 percent in each year following the adoption of this provision, and after the expiration of the 4th year such inventories are exempt from taxation. The Legislature may exempt any other personal property, including livestock.

7. No inheritance tax shall ever be levied.

8. The Legislature may exempt by law property used for municipal, educational, literary, scientific or other charitable purposes, or to encourage the conservation of energy or the substitution of other sources for fossil sources of energy.

9. No income tax shall be levied upon the wages or personal income of natural persons. Notwithstanding the foregoing provision, and except as otherwise provided in subsection 1 of this Section, taxes may be levied upon the income or revenue of any business in whatever form it may be conducted for profit in the State.

10. The Legislature may provide by law for an abatement of the tax upon or an exemption of part of the assessed value of a single-family residence occupied by the owner to the extent necessary to avoid severe economic hardship to the owner of the residence.

And be it further

RESOLVED, That Section 5 of Article 10 of the Nevada Constitution is hereby repealed.

TEXT OF REPEALED SECTION

Sec. 5. Tax on proceeds of minerals; appropriation to counties; apportionment; assessment and taxation of mines.

1. The legislature shall provide by law for a tax upon the net proceeds of all minerals, including oil, gas and other hydrocarbons, extracted in this state, at a rate not to exceed 5 percent of the net proceeds. No other tax may be imposed upon a mineral or its proceeds until the identity of the proceeds as such is lost.

2. The legislature shall appropriate to each county that sum which would be produced by levying a tax upon the entire amount of the net proceeds taxed in each taxing district in the county at the rate levied in that district upon the assessed valuation of real property. The total

amount so appropriated to each county must be apportioned among the respective governmental units and districts within it, including the county itself and the school district, in the same proportion as they share in the total taxes collected on property according to value.

3. Each patented mine or mining claim must be assessed and taxed as other real property is assessed and taxed, except that no value may be attributed to any mineral known or believed to underlie it, and no value may be attributed to the surface of a mine or claim if one hundred dollars' worth of labor has been actually performed on the mine or claim during the year preceding the assessment.

Senator Kihuen moved that the resolution be referred to the Committee on Revenue and Economic Development.

Motion carried.

By Senator Manendo:

Senate Joint Resolution No. 1—Expressing support for wild horses and burros in Nevada.

Senator Manendo moved that the resolution be referred to the Committee on Natural Resources.

Motion carried.

By Senator Hardy:

Senate Joint Resolution No. 2—Proposing to amend the Nevada Constitution to abolish the requirement that an employer who does not provide health benefits pay a minimum wage that is \$1 per hour higher than the minimum wage to be paid by an employer who provides health benefits.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That Section 16 of Article 15 of the Nevada Constitution be amended to read as follows:

Sec. 16. A. Each employer shall pay a wage to each employee of not less than the hourly ~~rates~~ rate set forth in this section. The rate shall be five dollars and fifteen cents (\$5.15) per hour worked . ~~[, if the employer provides health benefits as described herein, or six dollars and fifteen cents (\$6.15) per hour if the employer does not provide such benefits. Offering health benefits within the meaning of this section shall consist of making health insurance available to the employee for the employee and the employee's dependents at a total cost to the employee for premiums of not more than 10 percent of the employee's gross taxable income from the employer. These rates]~~ This rate of wages shall be adjusted by the amount of increases in the federal minimum wage over \$5.15 per hour, or, if greater, by the cumulative increase in the cost of living. The cost of living increase shall be measured by the percentage increase as of December 31 in any year over the level as of December 31, 2004 of the Consumer Price Index (All Urban Consumers, U.S. City Average) as published by the Bureau of Labor Statistics, U.S. Department of Labor or the successor index or federal agency. No CPI adjustment for any one-year period may be greater than 3%. The Governor or the State agency designated by the Governor shall publish a bulletin by April 1 of each year announcing the adjusted ~~rates,~~ rate, which shall take effect the following July 1. Such bulletin will be made available to all employers and to any other person who has filed with the Governor or the designated agency a request to receive such notice but lack of notice shall not excuse noncompliance with this section. An employer shall provide written notification of the rate ~~adjustments,~~ adjustment to each of its employees and make the necessary payroll adjustments by July 1 following the publication of the bulletin. Tips or gratuities received by employees shall not be credited as being any part of or offset against the wage ~~rates,~~ rate required by this section.

B. The provisions of this section may not be waived by agreement between an individual employee and an employer. All of the provisions of this section, or any part hereof, may be waived in a bona fide collective bargaining agreement, but only if the waiver is explicitly set

forth in such agreement in clear and unambiguous terms. Unilateral implementation of terms and conditions of employment by either party to a collective bargaining relationship shall not constitute, or be permitted, as a waiver of all or any part of the provisions of this section. An employer shall not discharge, reduce the compensation of or otherwise discriminate against any employee for using any civil remedies to enforce this section or otherwise asserting his or her rights under this section. An employee claiming violation of this section may bring an action against his or her employer in the courts of this State to enforce the provisions of this section and shall be entitled to all remedies available under the law or in equity appropriate to remedy any violation of this section, including but not limited to back pay, damages, reinstatement or injunctive relief. An employee who prevails in any action to enforce this section shall be awarded his or her reasonable attorney's fees and costs.

C. As used in this section, "employee" means any person who is employed by an employer as defined herein but does not include an employee who is under eighteen (18) years of age, employed by a nonprofit organization for after school or summer employment or as a trainee for a period not longer than ninety (90) days. "Employer" means any individual, proprietorship, partnership, joint venture, corporation, limited liability company, trust, association, or other entity that may employ individuals or enter into contracts of employment.

D. If any provision of this section is declared illegal, invalid or inoperative, in whole or in part, by the final decision of any court of competent jurisdiction, the remaining provisions and all portions not declared illegal, invalid or inoperative shall remain in full force or effect, and no such determination shall invalidate the remaining sections or portions of the sections of this section.

Senator Hardy moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Legislative Operations and Elections:

Senate Concurrent Resolution No. 1—Requiring the Legislative Commission to conduct an interim study regarding the taxation of services.

Senator Spearman moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Senate Bill No. 2—AN ACT relating to local government; authorizing counties and cities, with limited exceptions, to exercise the powers necessary for the effective operation of county and city government; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 3—AN ACT relating to indigent persons; revising the provisions governing the amount of money allocated in the budget for medical assistance to indigent persons in certain counties; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 4—AN ACT relating to contagious diseases; revising provisions governing the testing of a person who may have exposed certain public employers, employees or volunteers to a contagious disease; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 5—AN ACT relating to public purchasing; revising provisions relating to the purchasing and labeling of motor vehicles by the State; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 6—AN ACT relating to industrial insurance; revising provisions governing the appointment of appeals officers and special appeals officers to conduct hearings and appeals concerning certain claims for workers' compensation; and providing other matters properly relating thereto.

Senator Smith moved that the bill referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By the Committee on Revenue and Economic Development:

Senate Bill No. 7—AN ACT relating to taxation; requiring the Executive Director of the Department of Taxation to publish and periodically revise technical bulletins setting forth information relating to the taxes administered by the Department; exempting such technical bulletins from the Nevada Administrative Procedure Act; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By the Committee on Revenue and Economic Development:

Senate Bill No. 8—AN ACT relating to the taxation of tobacco; clarifying the wholesale price upon which the tax on certain products made from tobacco, other than cigarettes, is calculated; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 9—AN ACT relating to gaming; revising various definitions relating to gaming; revising provisions relating to the registration of persons who hold an ownership interest in certain business entities which hold a gaming license; revising provisions relating to the inspection of games, gaming devices, associated equipment, cashless wagering systems, inter-casino linked systems, mobile gaming systems and interactive gaming systems; revising provisions relating to the regulation of independent testing laboratories; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 10—AN ACT relating to gaming; revising provisions relating to refunds of excess state fees and certain taxes paid by gaming licensees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 11—AN ACT relating to wildlife; making it unlawful to possess in Nevada any wildlife that was acquired, hunted, taken or transported in violation of a law or regulation of another state or country; providing criminal and civil penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Senate Bill No. 12—AN ACT relating to motor carriers; requiring certain motor carriers and applicants to operate as motor carriers to submit to the Nevada Transportation Authority a complete set of fingerprints and written permission authorizing the Authority to forward the fingerprints to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Senate Bill No. 13—AN ACT relating to motor vehicles; authorizing the Department of Motor Vehicles to suspend the registration of a motor vehicle of a person whose payment to the Department for registration is dishonored; providing for the reinstatement of the registration upon payment of certain fees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Senate Bill No. 14—AN ACT relating to transportation; authorizing the Director of the Department of Transportation to reduce the maximum weight limits on certain highways under certain circumstances; revising the provisions that require the Department to consider certain factors and to receive approval from the Board of Directors of the Department before reducing the maximum weight limits on certain highways; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 15—AN ACT relating to public utilities; authorizing certain public utilities to submit to the Public Utilities Commission of Nevada a written request for a waiver from the requirement to submit a resource plan to the Commission; requiring the Commission to approve or deny the request within a certain period; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 16—AN ACT relating to law enforcement; authorizing the chief executive officer of a state law enforcement agency, or a designated command officer, to issue a subpoena requiring the production of books, papers and other tangible items to further an administrative investigation of a person employed by a state law enforcement agency; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 17—AN ACT relating to gaming; revising the deadlines by which certain gaming licenses are required to file certain financial reports and pay certain fees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 18—AN ACT relating to the military; revising and updating certain provisions governing the Office of the Military, Nevada National Guard, Nevada National Guard Reserve and voluntary military organizations licensed by the governor; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Senate Bill No. 19—AN ACT relating to driving under the influence; providing that the violation of a local ordinance prohibiting driving under the influence of intoxicating liquor or a controlled substance is deemed to be a violation of the state law prohibiting the same or similar conduct for all purposes other than the imposition of certain criminal penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Senate Bill No. 20—AN ACT relating to governmental publications; revising provisions governing the submission of certain publications to the State Publications Distribution Center by certain state agencies and local governments; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 21—AN ACT relating to state financial administration; making various changes to provisions governing debt collection by the State Controller; providing a uniform rate of interest on certain debt assigned to the State Controller for collection; revising provisions governing refunds of overpayments on debt owed to the State; prohibiting the issuance or renewal of a professional or occupational license to a person who owes a debt to the State; revising provisions governing costs and fees relating to the collection

of a debt owed to the State; revising provisions governing money deposited in the Debt Recovery Account in the State General Fund; requiring the State Controller to establish a fee that must be paid by certain payees who refuse to accept an electronic payment of an account payable; setting forth administrative fines that may be imposed under certain circumstances by the Board of the Public Employees' Benefits Program against certain contractors under its program of group health insurance and by the Administrator of the Division of Health Care Financing and Policy of the Department of Health and Human Services against certain contractors under the State Plan for Medicaid; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 22—AN ACT relating to the Office of the Attorney General; requiring the Office of the Attorney General to be provided with a copy of certain court rulings and to provide an index of those rulings to the Legislative Counsel biennially; authorizing the Office of the Attorney General to enter into a cooperative agreement with the Office of the State Controller for the collection of certain restitution owed to the Attorney General; authorizing the establishment of a program to prevent certain criminal offenders and persons charged with a crime from obtaining or using a United States passport; requiring prosecuting attorneys to provide to the Office of the Attorney General copies of judgments of conviction for abuse, neglect, exploitation or isolation of an older person or a vulnerable person; clarifying the term “state agency” as it relates to agencies required to deposit money in the Fund for Insurance Premiums; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 23—AN ACT relating to days of observance; establishing “Nevada Tribes Legislative Day” as a day of observance; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 24—AN ACT relating to procedure in criminal cases; authorizing the Attorney General to establish a program to assist law enforcement personnel and prosecuting attorneys in complying with certain

requirements of the Vienna Convention on Consular Relations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 25—AN ACT relating to technological crimes; authorizing the Attorney General to take certain actions to prevent technological crimes; revising the provisions governing the appointment of an Executive Director of Technological Crime within the Office of the Attorney General; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 26—AN ACT relating to the Office of the Attorney General; creating a statewide automated victim information and notification system within the Office; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 27—AN ACT relating to legal representation; clarifying the authority of the Attorney General to provide for the legal defense of state judicial officers in civil actions relating to their public duties or employment; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 28—AN ACT relating to securities; designating certain uses of a certification or professional designation as unethical or dishonest practices in the securities business; requiring the filing of certain forms when a sales representative terminates association with a broker-dealer; revising activities for which the Administrator of the Securities Division of the Office of the Secretary of State may deny a license or impose certain limitations or disciplinary actions upon a licensee; revising certain registration and filing requirements for certain securities; increasing the penalty for the putting off, circulation or publication of any false or misleading writing, statement or intelligence regarding a security that is publicly traded; prohibiting certain activities in an investigation, proceeding or prosecution; amending provisions

governing the subpoena power of the Administrator; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 29—AN ACT relating to manufactured homes; revising the provisions relating to the waiver of eligibility requirements for financial assistance from the Fund for Low-Income Owners of Manufactured Homes under certain circumstances; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 30—AN ACT relating to records of criminal history; requiring the dissemination of records of criminal history to a multidisciplinary team to review the death of a victim of a crime that constitutes domestic violence; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 31—AN ACT relating to children; requiring certain persons to share information and records relating to a child under certain circumstances; providing that a child in the custody of an agency which provides child welfare services is homeless for the purposes of certain federal educational assistance for homeless children; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 32—AN ACT relating to offenders; revising provisions relating to the authority of the Director of the Department of Corrections; authorizing the Director to exempt certain offenders from provisions relating to the Prisoners' Personal Property Fund; revising provisions concerning the transfer of a person detained in a local facility to an institution or facility of the Department; expanding the eligibility for a program established by the Director for the treatment of an abuser of alcohol or drugs; authorizing the Division of Parole and Probation of the Department of Public Safety to

receive and distribute restitution paid by certain offenders; revising provisions pertaining to restitution received by the Division from certain other persons; repealing the provisions governing the Prison Revolving Account; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 33—AN ACT relating to crimes; revising the definition of “sexual conduct” as it relates to conduct between a prisoner and another person; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 34—AN ACT relating to programs for public employees; eliminating the requirement, for the purpose of determining rates and coverage for group health insurance, that separate risk pools be maintained by the Board of the Public Employees' Benefits Program for state and non-state participants in the Program; requiring that the Board continue to maintain for that purpose a separate risk pool for certain retired officers and employees, and their dependents, of local governmental agencies that do not participate in the Program; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 35—AN ACT relating to employment; eliminating obsolete references to certain administrative subdivisions within the Employment Security Division of the Department of Employment, Training and Rehabilitation; prohibiting county recorders from charging certain fees to the Division; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 36—AN ACT relating to employment; requiring the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation to establish a program of shared work unemployment compensation upon approval of the United States

Secretary of Labor; exempting from certain taxes wages paid by certain employers participating in such a program; establishing provisions for the collection of money owed to the Division; establishing a waiting period of one week as an additional condition of eligibility for unemployment compensation benefits; revising provisions concerning unemployment compensation fraud; providing for the transfer of an employer's liabilities to the Division upon the transfer of the employer's trade or business; prohibiting the relief of an employer's record for experience rating of charges for benefits under certain circumstances; assigning liability for the payment of money owed to the Division upon the transfer of certain assets; providing penalties; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 37—AN ACT relating to crimes; requiring a person who unlawfully removes, damages or destroys certain property to obtain scrap metal to make restitution and to perform community service; requiring a person who intentionally steals, takes and carries away scrap metal or utility property to perform community service; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 38—AN ACT relating to criminal records; authorizing the dissemination of certain information concerning the criminal history of prospective and current employees and volunteers who work in positions involving children, elderly persons or persons with disabilities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 39—AN ACT relating to the Nevada Commission on Homeland Security; clarifying that the exceptions to the Open Meeting Law that are provided by law for the Commission also apply to all committees appointed by the Chair of the Commission; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 40—AN ACT relating to medical laboratories; revising provisions governing the application for the licensing of a medical laboratory; revising the requirements to qualify for certification as an assistant in a medical laboratory; increasing the maximum amount of administrative penalties that may be imposed for violations of provisions governing medical laboratories; making various other changes relating to medical laboratories; requiring the State Board of Health to adopt certain regulations; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 41—AN ACT relating to public utilities; revising certain provisions governing proposed changes in schedules submitted by small-scale providers of last resort; revising certain provisions relating to the approval by the Public Utilities Commission of Nevada of proposed transactions involving certain public utilities providing telecommunication services in this State; authorizing the Commission to regulate broadband services in this State under certain circumstances; revising provisions relating to the eligibility of persons with low incomes for reductions in rates for certain telephone services; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By the Committee on Transportation:

Senate Bill No. 42—AN ACT relating to motor vehicles; revising the provisions governing the privilege of certain emergency and other vehicles to disregard certain traffic regulations under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Senate Bill No. 43—AN ACT relating to motor vehicles; expanding the circumstances under which the driver of an authorized emergency vehicle is granted certain privileges relating to traffic laws; expanding the circumstances under which police officers in this State may establish temporary roadblocks; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 44—AN ACT relating to public financial administration; enlarging the purposes for which a grant or loan may be made from the Disaster Relief Account; revising the process for requesting a grant or loan from the Account and for reviewing such a request; enlarging the purposes for which a local government may use money in a fund to mitigate the effects of a natural disaster; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 45—AN ACT relating to records of criminal history; revising provisions governing the sealing and removal of certain records of criminal history; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 46—AN ACT relating to the Department of Administration; changing the name of the Motor Pool Division of the Department to the Fleet Services Division; making the Fleet Services Division a permanent division; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 47—AN ACT relating to mortgage lending; defining certain terms and revising certain definitions relating to mortgage lending; revising provisions exempting certain nonprofit agencies and organizations from the licensing requirements of mortgage brokers and mortgage agents; revising provisions governing the renewal of a license as a mortgage agent; revising provisions prohibiting certain acts by mortgage brokers and mortgage agents; revising provisions exempting certain attorneys from the licensing requirements of foreclosure consultants and foreclosure purchasers; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By the Committee on Revenue and Economic Development:

Senate Bill No. 48—AN ACT relating to tourism; revising the composition of the Commission on Tourism; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 49—AN ACT relating to public office; revising provisions relating to the personal use of campaign contributions by candidates; requiring a candidate to report annually the balance in his or her campaign account; requiring a candidate to report certain contributions and campaign expenses within 72 hours after receipt or expenditure; revising the definition of “expenditures”; increasing the amount of a civil penalty that may be imposed for certain violations of laws relating to campaign finance; authorizing the Secretary of State to request equitable relief as a remedy for a violation of laws relating to campaign finance; making various other changes relating to campaign finance; prohibiting public officers and certain persons related to or employed by public officers from accepting or soliciting certain gifts; prohibiting certain persons from giving or offering to give certain gifts to public officers and certain persons related to or employed by public officers; requiring the Director of the Legislative Counsel Bureau to forward certain reports relating to activities of lobbyists to the Secretary of State; authorizing the Secretary of State to enforce provisions relating to the giving and receiving of gifts to public officers; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By the Committee on Revenue and Economic Development:

Senate Bill No. 50—AN ACT relating to the administration of taxes; revising provisions governing the determination of population for apportionment purposes; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 51—AN ACT relating to public welfare; transferring the powers and duties concerning the certification and regulation of intermediary service organizations from the Aging and Disability Services Division of the Department of Health and Human Services to the Health Division of the Department; transferring the regulatory authority relating to intermediary

service organizations from the Aging and Disability Services Division to the State Board of Health; authorizing the provision of certain medical services to persons with disabilities by an agency to provide personal care services in the home under certain circumstances; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 52—AN ACT relating to employment; creating the Workforce Development Student Loan Revolving Fund; requiring the Director of the Department of Employment, Training and Rehabilitation to adopt regulations to establish a student loan program to assist unemployed persons in obtaining certain job-related certifications and credentials; requiring the Director to contract with a nonprofit entity to administer the student loan program; making an appropriation; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 53—AN ACT relating to vital statistics; requiring the State Registrar of Vital Statistics to ensure the security and confidentiality of the vital statistics maintained by his or her office; authorizing the release of information relating to vital statistics under certain circumstances; authorizing the State Registrar to approve an application for the registration of an altered or amended certificate under certain circumstances; revising provisions governing the preservation of vital statistics and the copying of a registered certificate of birth or death by a local health officer; revising the duties of a funeral director concerning a death occurring without medical attendance; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 54—AN ACT relating to persons with disabilities; prohibiting any person or governmental entity from requiring the payment of rent for or certain fees or assessments related to the portion of the building or property where certain vending stands are located; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 55—AN ACT relating to land use planning; revising provisions governing the subject matter of master plans; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 56—AN ACT relating to state financial administration; revising provisions governing certain data made available on the Internet by the State Controller; making various changes relating to the designation of certain funds and accounts; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 57—AN ACT relating to legal representation; clarifying the authority of the Attorney General to provide for the legal defense of state judicial officers in civil actions relating to their public duties or employment under certain circumstances; clarifying the authority of the chief legal officer of a political subdivision of this State to provide for the legal defense of local judicial officers in civil actions relating to their public duties or employment under certain circumstances; requiring the Attorney General or the chief legal officer to provide for the legal defense of certain persons who are not officers or employees of the State or a political subdivision of this State in a civil action relating to the public duties or employment of certain officers or employees of this State or a political subdivision; clarifying that certain statutory provisions relating to legal representation of certain persons in certain civil actions do not abrogate, alter or affect the immunity of such persons under other law; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Senate Bill No. 58—AN ACT relating to education; eliminating or modifying certain restrictions on enrollment by a pupil in a program of distance education; providing for an additional exemption from the requirement that an unlicensed employee of a school district be directly supervised by a licensed employee; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Senate Bill No. 59—AN ACT relating to education; eliminating a restriction on times during which a charter school may use school buildings owned by a school district; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 60—AN ACT relating to business; authorizing the imposition of a fine on businesses failing to comply with the requirement to obtain or renew a state business license; amending various provisions relating to state business licenses; revising provisions governing persons authorized to serve in this State as a registered agent; prohibiting the formation or registration of a business entity for certain purposes; requiring certain persons to answer interrogatories from the Secretary of State in the course of certain investigations; revising provisions relating to the listing of certain persons in the initial and annual lists filed with the Secretary of State by business entities; amending provisions governing the reinstatement and revival of business entities; revising various provisions relating to business entities and secured transactions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 61—AN ACT relating to public welfare; revising the number and qualifications of members of the Subcommittee on Communication Services for Persons Who Are Deaf or Hard of Hearing and Persons With Speech Disabilities of the Nevada Commission on Services for Persons with Disabilities; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 62—AN ACT relating to criminal records; revising provisions relating to the distribution to a current or prospective employer of

certain information from the Central Repository for Nevada Records of Criminal History; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 63—AN ACT relating to elections; providing for photographs of voters to be included in election board registers and rosters for early voting; requiring county clerks and city clerks to provide certain equipment relating to such photographs to election board officers and to deputy clerks for early voting; requiring the Department of Motor Vehicles to provide digital colored photographs of registered voters to the Secretary of State or a county clerk upon request; amending provisions relating to the identification of a registered voter who is unable to sign his or her name; prohibiting the inclusion of certain information in a list of registered voters made available to the public; requiring county clerks to create electronic election board registers; making various other changes relating to elections; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 64—AN ACT relating to court reporters; revising various provisions relating to the recording and transcribing of court proceedings; revising provisions relating to defective transcripts; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 65—AN ACT relating to water; providing for the issuance of certain nonemergency orders by the Division of Environmental Protection of the State Department of Conservation and Natural Resources; authorizing the recovery of civil penalties and the imposition of administrative fines for certain violations by a laboratory for the analysis of water; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 66—AN ACT relating to counties; revising the authority of counties over property within the county; revising provisions governing the

use of county highway patrols and snowplows on private roads and authorizing a county to recover the related labor costs of such use; revising provisions governing the abatement of a chronic nuisance on property located within the unincorporated area of a county; revising provisions governing the abatement of a public nuisance on property located within a county; revising provisions governing the covering or removal of graffiti on residential and nonresidential property in a county; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Revenue and Economic Development:

Senate Bill No. 67—AN ACT relating to tobacco; revising provisions relating to the Master Settlement Agreement; revising provisions relating to the sale, purchase, delivery, possession and taxation of cigarettes; providing for the issuance and revocation of a license as a stamping agent; establishing the duties and rights of a stamping agent; revising the duties, rights and licensing requirements of manufacturers of tobacco products, and importers, wholesale dealers and retail dealers of cigarettes; providing additional procedures for the statutory enforcement of the Master Settlement Agreement; providing for the assignment to the State and an Indian tribe of certain money placed into a qualified escrow fund by a manufacturer of tobacco products; requiring certain manufacturers of tobacco products to make quarterly escrow deposits into certain qualified escrow funds; providing civil and criminal penalties; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By Senator Segerblom:

Senate Bill No. 68—AN ACT relating to utilities; requiring the Board of County Commissioners in certain counties to create an underground utilities district; authorizing the creation of such a district in other counties; providing for the organization, operation and budget of an underground utilities district; authorizing the issuance of general obligation bonds and the levy of a tax to construct and maintain an underground utilities district; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 69—AN ACT relating to nursing; removing the requirement that an advanced practitioner of nursing practice pursuant to a protocol

approved by and under the supervision of a licensed physician; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Commerce, Labor and Energy.

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 70—AN ACT relating to employment practices; prohibiting discriminatory employment practices based upon a person's status as a family caregiver; authorizing the Nevada Equal Rights Commission within the Department of Employment, Training and Rehabilitation to investigate certain acts of prejudice against a person with regard to employment based on status as a family caregiver; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By Senator Parks:

Senate Bill No. 71—AN ACT relating to offenders; requiring the aggregation of certain consecutive sentences of imprisonment imposed on an offender; making credits earned by a prisoner to reduce his or her sentence applicable to an aggregated sentence; revising the manner in which certain credits are deducted to reduce the minimum term of imprisonment; revising provisions relating to the parole of certain prisoners; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Manendo:

Senate Bill No. 72—AN ACT relating to cruelty to animals; prohibiting a person from engaging in horse tripping or steer tailing for sport, entertainment, competition or practice; prohibiting a person from knowingly organizing, sponsoring, promoting, overseeing or receiving admission money for a horse tripping or steer tailing event; prohibiting a person from using a cattle prod on the face of an animal; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Manendo:

Senate Bill No. 73—AN ACT relating to animals; deleting certain provisions which make a report of an act of cruelty against an animal confidential; revising the prohibition against willfully releasing data or

information concerning the report so that the prohibition only applies to data or information concerning the identity of the person who makes the report; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Segerblom:

Senate Bill No. 74—AN ACT relating to public records; requiring the person who has legal custody or control of a public record, under certain circumstances, to prepare a copy of the public record rather than requiring the person who has requested the copy to prepare the copy; requiring copies of public books and records to be made available immediately upon request in certain circumstances; limiting the fee which may be charged for a copy of a public record in the custody of a law library operated by a governmental entity; requiring copies of minutes and audio recordings of public meetings to be made available to the public upon request at no charge; reducing the fee a county clerk charges for copying records, proceedings or papers; eliminating the fee a county clerk charges for searching records or files in the office of the county clerk; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Segerblom:

Senate Bill No. 75—AN ACT relating to civil actions; establishing a cause of action for persons who become addicted to a prescription drug; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settlemeyer:

Senate Bill No. 76—AN ACT relating to concealed firearms; revising the definition of “concealed firearm”; authorizing a person to obtain one permit to carry a concealed firearm for all handguns owned by the person; revising provisions relating to a person's demonstration of competence with certain firearms for the purpose of obtaining or renewing a permit to carry a concealed firearm; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Manendo:

Senate Bill No. 77—AN ACT relating to marriage; removing the prospective expiration of provisions providing for the establishment of county programs for the issuance of marriage licenses by certain commercial wedding chapels; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settlemeyer:

Senate Bill No. 78—AN ACT relating to fiduciaries; revising provisions governing guardianship proceedings; revising provisions governing the appointment and the powers and duties of guardians; revising provisions governing powers of attorney; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Parks:

Senate Bill No. 79—AN ACT relating to municipal utilities; repealing a provision authorizing the use for general municipal purposes of net profits derived from municipal utilities owned and operated by certain incorporated cities; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settlemeyer:

Senate Bill No. 80—AN ACT relating to commodities; authorizing the State Dairy Commission to impound and dispose of certain milk or milk products; authorizing the Commission to impose a civil penalty for certain violations relating to fluid milk and fluid cream; requiring a member of the Commission to have a background in agriculture; authorizing the Commission to enter into an agreement to promote and develop the dairy industry in this State; revising the circumstances under which milk and milk products may be imported and sold in this State without inspection by the Commission; revising certain provisions governing distributors and producers of fluid milk and fluid cream; repealing certain provisions governing fees and sales of butter and margarine, inspection of dairy farms and hearings conducted by the Commission; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 81—AN ACT relating to cancer; allowing certain licensed physicians to dispense cancer drugs donated for use in the Cancer Drug Donation Program; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 82—AN ACT relating to wildlife; classifying a black bear as a protected mammal; prohibiting the Board of Wildlife Commissioners from authorizing the hunting of black bears; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 83—AN ACT relating to cruelty to animals; increasing the penalties for certain offenses related to the use of an animal or a bird for baiting or fighting; prohibiting a person from manufacturing, owning or possessing a gaff, spur or other sharp implement designed for attachment to a cock or other bird with the intent that it be used in fighting another cock or other bird under certain circumstances; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 84—AN ACT relating to the State Board of Equalization; revising provisions governing the compensation paid to members of the Board; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By Senator Hardy:

Senate Bill No. 85—AN ACT relating to civil liability; limiting the liability of certain persons whose premises are used for a course of instruction for motorcycle riders; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 86—AN ACT relating to public health; requiring the Department of Health and Human Services to allocate money for certain programs relating to persons with Alzheimer's disease and other related dementia; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Senator Hardy:

Senate Bill No. 87—AN ACT relating to employment practices; repealing certain provisions relating to unlawful employment practices; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By Senator Hardy:

Senate Bill No. 88—AN ACT relating to insurance; increasing the notice an insurance company or carrier is required to provide to an insured party or the Department of Motor Vehicles, as applicable, before cancelling a policy of motor vehicle insurance; and providing other matters properly relating thereto.

Senator Smith moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

REMARKS FROM THE FLOOR

Senator Denis requested that his remarks be entered in the Journal.

As in the past, all memorial resolutions list all Senators' names. If you have an objection to having your name on memorial resolution, please notify the Senate Front Desk staff at least one day before the resolution is introduced and your name will be removed.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. President announced that the following standing committees had been appointed, the first-named Senator being chair and the second-named Senator being vice chair.

COMMERCE, LABOR AND ENERGY—

Atkinson, Denis, Hardy, Hutchison, Jones, Settelmeyer, Woodhouse.

EDUCATION—

Woodhouse, Ford, Cegavske, Gustavson, Kihuen.

FINANCE—

Smith, Woodhouse, Denis, Goicoechea, Kieckhefer, Parks, Roberson.

GOVERNMENT AFFAIRS—

Parks, Spearman, Goicoechea, Hammond, Manendo.

HEALTH AND HUMAN SERVICES—

Jones, Smith, Hardy, Kieckhefer, Segerblom.

JUDICIARY—

Segerblom, Kihuen, Brower, Ford, Hammond, Hutchison, Jones.

LEGISLATIVE OPERATIONS AND ELECTIONS—

Spearman, Manendo, Atkinson, Cegavske, Settlemeyer.

NATURAL RESOURCES—

Ford, Manendo, Goicoechea, Segerblom, Settlemeyer.

REVENUE AND ECONOMIC DEVELOPMENT—

Kihuen, Parks, Brower, Denis, Kieckhefer, Roberson, Smith.

TRANSPORTATION—

Manendo, Atkinson, Gustavson, Hardy, Spearman.

Senator Segerblom requested that his remarks be entered in the Journal.

My mother, former Assemblywoman Gene Segerblom, passed away earlier this year but she is definitely with us here, today, in spirit.

Mr. President requested that his remarks be entered in the Journal.

Senator Segerblom, the memory of your mother, Assemblywoman Gene Segerblom, will always be with us. She was a special woman.

GUESTS EXTENDED PRIVILEGE OF THE SENATE FLOOR

On request of Senator Atkinson, the privilege of the Floor of the Senate Chamber for this day was extended to Godist Corhn, Sherwood Howard, Haley Atkinson, Bernice Atkinson, LaTosha Atkinson, James Atkinson Jr, KaBautist Atkinson, Natalia Lopez, James (Niko) Atkinson IV and ReAnn Atkinson.

On request of Senator Brower, the privilege of the Floor of the Senate Chamber for this day was extended to Loren Brower, Hayley Brower and Kaitlin Brower.

On request of Senator Cegavske, the privilege of the Floor of the Senate Chamber for this day was extended to Jon Ponder.

On request of Senator Denis, the privilege of the Floor of the Senate Chamber for this day was extended to Dallin Denis, Susan Denis, Diana Gale, Denae Denis, Dustin Denis, Daniel Denis, Andrew Holbert, Keith Jarvis, Channa Jarvis, Kylene Gale, Catherine Denis, David Cook, Edina Flaathen, Anderson Gale and Paisley Combs.

On request of Senator Ford, the privilege of the Floor of the Senate Chamber for this day was extended to Berna Rhodes-Ford, Alexander Ford, Avery Ford, Devin Ford, Aaron Ford II, Alice Ford, Denise Clairborne, Jonas Clairborne, Dalene Rhodes, Burnest Rhodes, Sheryl Northcutt, Chase Patterson, Cynthea Patterson, Scott Patterson, Lauren Brooks, Robert Fowler, Lucius Bowen, Bailey Patterson, Ceceila Bridges, Gwendolyn Hill, Cathy Wesley and Alisa Ford.

On request of Senator Goicoechea, the privilege of the Floor of the Senate Chamber for this day was extended to Gladys Goicoechea, J. J. Goicoechea, Sally Goicoechea, Julianna Goicoechea, Amelia Goicoechea, Paula Piekarski and Julie Niehans.

On request of Senator Gustavson, the privilege of the Floor of the Senate Chamber for this day was extended to Don V. Gustavson and Ms. Charley Smith.

On request of Senator Hammond, the privilege of the Floor of the Senate Chamber for this day was extended to Tonya Hammond, Tomas Hammond, Olivia Hammond, Sofia Hammond and Isabella Hammond.

On request of Senator Hardy, the privilege of the Floor of the Senate Chamber for this day was extended to Jill Hardy, David Truax and Blayne Osborn.

On request of Senator Hutchinson, the privilege of the Floor of the Senate Chamber for this day was extended to Cary Hutchison, Weston Hutchison, Logan Hutchison, Sophie Hutchison and Amber Samuels.

On request of Senator Jones, the privilege of the Floor of the Senate Chamber for this day was extended to Megan Jones, Liam Jones, Gabriella Jones, Bryce Krausman, Christopher Jones, Luella Jones, Audrey Michon and Sam Lieberman.

On request of Senator Kieckhefer, the privilege of the Floor of the Senate Chamber for this day was extended to April Kieckhefer, Austin Kieckhefer, Aspen Kieckhefer, Lincoln Kieckhefer and Lucy Kieckhefer.

On request of Senator Kihuen, the privilege of the Floor of the Senate Chamber for this day was extended to Armando Kihuen, Blanca Kihuen and Claritssa Sanchez.

On request of Senator Manendo, the privilege of the Floor of the Senate Chamber for this day was extended to Robin Reddle.

On request of Senator Roberson, the privilege of the Floor of the Senate Chamber for this day was extended to Liberty Leavitt Roberson and Linda Leavitt.

On request of Senator Segerblom, the privilege of the Floor of the Senate Chamber for this day was extended to Sharon Segerblom, Scott Fitzgerald and Eva Gene Segerblom.

On request of Senator Settlemeyer, the privilege of the Floor of the Senate Chamber for this day was extended to Caitlyn Settlemeyer.

On request of Senator Smith, the privilege of the Floor of the Senate Chamber for this day was extended to Greg Smith, Louise Smith, Emma Bouch, Ian Smith and Olivia Bouch, Aanika Bouch, Erin Smith, David Marlon, Mrs. J. Wong and Mr. Chiang-hwa Tsai.

On request of Senator Spearman, the privilege of the Floor of the Senate Chamber for this day was extended to Michael D. Spearman, Mildred

Royster, Donna Spearman-Davis, Na'Onche Osborne, Daniele Monroe-Moreno, Sharlene Myles, Jessaka Dukes, Julian Davis, David Spearman, Andrew Spearman-Davis, Ashley L. Blake, Gabrielle Spearman-Davis, Carla Mozee, Melvin Wilson, Willecia Calhoun, Gwendolyn Thomas, Bishop Yvette Flunder, Shirley Miller, Bishop Bonnie Radden and Eric Shin.

On request of Senator Woodhouse, the privilege of the Floor of the Senate Chamber for this day was extended to Al Wittenberg, former Senator Michael A. Schneider, Candy Schneider, Cheryl Duncan, Berdine Woodhouse, Jenna Land, Ron MacQuarrie and Marge MacQuarrie.

President Krolicki recognized the family of David A. Byerman: Caroline Byerman, Will Byerman and Amanda Byerman.

Senator Denis moved that the Senate adjourn until Tuesday, February 5, 2013, at 11:00 a.m.

Motion carried.

Senate adjourned at 4:01 p.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: DAVID A. BYERMAN
Secretary of the Senate