

**THE TWENTY-THIRD DAY**

---

CARSON CITY (Tuesday), February 26, 2013

Senate called to order at 11:14 a.m.

President pro Tempore Parks presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Norm Milz.

Almighty God, we come to You this day as a Senate that has been placed together by the citizens of Nevada to represent them in the growth and development of this State. We thank You for the growth that is beginning in this State in areas of finance and sales. We know, however, the road to complete recovery is long and hard.

We ask for Your guidance that discussions occur, and comments are made to guide decisions for the good of all the citizens of Nevada. May the Senate's work, along with the Assembly, pass legislation that will be beneficial to all residents.

We thank You for making Nevada a vital part of these United States. May we pass legislation that will give witness to the vitality of this great State, and be an example for other states to follow.

All these things we bring to You, trusting in Your grace and mercy, in the Name and power of Your Son, our Savior, Jesus Christ.

AMEN.

Pledge of Allegiance to the Flag.

The President pro Tempore announced that under previous order, the reading of the Journal is waived for the remainder of the 77th Legislative Session and the President pro Tempore and Secretary are authorized to make any necessary corrections and additions.

COMMUNICATIONS  
CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES  
WASHINGTON, DC 20515-2802

February 22, 2013

THE HONORABLE MOISES DENIS, *Senate Majority Leader*

State of Nevada Senate, Legislative Building, 401 South Carson Street, Carson City, Nevada  
89701-4747

DEAR SENATOR DENIS:

I am writing to request the honor of speaking before both Houses of the Nevada State Legislature at 5:30 p.m. on March 25, 2013.

Please contact Sarah Rogers at 202-225-6155 to coordinate the details of my visit or if you have any further questions.

Thank you for your kind consideration.

With all best wishes.

Sincerely,

MARK E. AMODEI

*Congressman* (NV-02)

United States House of Representatives

## INTRODUCTION, FIRST READING AND REFERENCE

By Senators Cegavske, Hutchison, Hammond, Hardy, Denis, Ford, Goicoechea, Gustavson, Jones, Kieckhefer, Kihuen, Parks, Roberson, Segerblom, Settlemeyer, Smith, Woodhouse; Assemblywoman Fiore, Duncan, Hardy, Grady, Hambrick, Hickey, Kirkpatrick, Kirner, Oscarson, Stewart and Woodbury:

Senate Bill No. 192—AN ACT relating to religious freedom; prohibiting a governmental entity from substantially burdening the exercise of religion of a person under certain circumstances; authorizing a person whose exercise of religion has been so burdened to assert the violation as a claim or defense in a judicial proceeding; authorizing a court to award damages against a governmental entity that substantially burdens the exercise of religion in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

## SECOND READING AND AMENDMENT

Senate Bill No. 29.

Bill read second time and ordered to third reading.

## GENERAL FILE AND THIRD READING

Senate Bill No. 17.

Bill read third time.

Remarks by Senator Ford.

Senate Bill No. 17 revises the deadlines for gaming licensees to file financial reports with the Gaming Control Board and to file certain reports and pay fees to the Nevada Gaming Commission from the 24th to the 15th of each month.

Roll call on Senate Bill No. 17:

YEAS—21

NAYS—None

Senate Bill No. 17 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 32.

Bill read third time.

Remarks by Senator Jones.

Senate Bill No. 32 revises the powers and duties of the Director of the Department of Corrections (DOC) and makes various changes related to the Department of Public Safety (DPS). The measure authorizes the Director of the DOC to permit the distribution of money, from any money deposited in the individual account of an offender from any source other than the offender's wages, to a governmental entity for certain deductions.

When a request for the transfer of a person detained in a local law enforcement facility is received from a sheriff or chief of police of a city, Senate Bill No. 32 requires the Director to determine if the transport will be made by the staff of the DOC or staff of the county sheriff or the chief of police who requested the transfer.

Senate Bill No. 32 provides that an offender in custody with the Division of Parole and Probation of the DPS for residential confinement cannot reside in another state. In addition, the

measure expands eligibility for participation in a program of residential confinement for certain abusers of alcohol or drugs who commit certain violations of law relating to operating or being in actual physical control of any vessel under power or sail.

The measure authorizes the Division of Parole and Probation, under certain circumstances, to receive and distribute restitution to victims. Finally, the measure repeals provisions governing the Prison Revolving Account.

Roll call on Senate Bill No. 32:

YEAS—21

NAYS—None.

Senate Bill No. 32 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 71.

Bill read third time.

Remarks by Senators Hutchison and Brower.

SENATOR HUTCHISON:

Thank you, Mr. President pro Tempore. Senate Bill No. 71 relates to eligibility for those seeking parole. When the court imposes consecutive sentences, it requires those sentences to be aggregated and the combined minimum sentence be served before a parole hearing is held. Under existing law, sentences are not aggregated for purposes of parole hearings. This bill would provide protection for the victims of crimes. As the prisoner comes up for multiple parole hearings, the families of the victims are traumatized by having to go through the parole process repeatedly, even though the prisoner is not eligible to be released. In addition to aggregating sentences, this bill requires that minimum sentences for each crime be served before the first parole hearing is held, providing significant savings to the State by reducing the number of parole hearings. The Committee on Judiciary fully endorses this bill.

SENATOR BROWER:

Thank you, Mr. President pro Tempore. A note of thanks to you, I serve on the Interim Advisory Commission on the Administration of Justice, which did considerable work on this bill. Thank you for bringing this bill to this Body this Session. I urge all of you to support its passage.

Roll call on Senate Bill No. 71:

YEAS—21

NAYS—None

Senate Bill No. 71 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

#### REMARKS FROM THE FLOOR

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

SENATOR DENIS:

Thank you, Mr. President pro Tempore. I would like to bring to your attention, the significance of today, which is Alzheimer's Association Advocacy Day at the Legislature. As we know, this disease is a very challenging and serious form of dementia. It is the most common form of dementia, accounting for about 70 percent of the cases diagnosed. The disease primarily affects adults aged 65 and older, but can also affect persons in their 20s. The number of people with Alzheimer's disease in Nevada is estimated at 29,000 individuals. The disease affects not

only those who are diagnosed, but also their families, friends and caregivers. During the 2011-2012 Interim, the Legislature created a task force to develop a plan to address the disease in Nevada. The task force was led by former Senator Valerie Wiener. The plan contains recommendations that address quality of care, access to services and public awareness. The Alzheimer's Association is the world's leading volunteer health organization in Alzheimer's care, support and research, with offices in both northern and southern Nevada. This serious disease can affect anyone. I applaud the Alzheimer's Association for their dedicated efforts to change the future of Alzheimer's. I encourage everyone to visit Room 3100 today to learn about the organization, its educational programs and the support groups that serve our communities.

SENATOR JONES:

Thank you, Mr. President pro Tempore. I am very honored to have with me today, someone who is no stranger to this Chamber, former Senator Valerie Wiener. Former Senator Wiener served in this Body from 1996 to 2012. She is the longest serving female Legislator born in the State of Nevada. She is particularly distinguished by being part of the first all-female legislative leadership team in U.S. history, serving as Majority Whip. She was also the first female Senator to serve as Nevada's Assistant Majority Leader. Former Senator Wiener is legislatively and personally committed to improvements in the health arena and, because of her public policy work, has earned awards from several health care organizations including the Nevada Senior Olympics. In fact, former Senator Wiener was named Nevada's Distinguished Senior Athlete. Her concerns for health care have manifested in many ways over the years. She has served as Chair of the Senate Committee on Health and Education, the Legislative Committee on Health Care and the Senate Committee on Health and Human Services, which I am proud to currently Chair. During the 2011-2012 Interim, former Senator Wiener chaired the Legislative Committee on Child Welfare and Juvenile Justice and the Alzheimer's Task Force. Since 2011, former Senator Wiener has chaired the Nevada Youth Legislature Foundation. I am proud to have former Senator Wiener testifying before the Committee on Health and Human Services this afternoon on Alzheimer's Disease. It is something very personal to me. I am proud to be wearing purple today in honor of my Nana Jones, who passed away and was afflicted with Alzheimer's, and my Nana Heavener, who currently suffers from Alzheimer's. Please join me in welcoming former Senator Wiener back to our Body today.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Brower, the privilege of the Floor of the Senate Chamber for this day was extended to Angie Pratt.

On request of Senator Gustavson, the privilege of the Floor of the Senate Chamber for this day was extended to Gini Cunningham.

On request of Senator Jones, the privilege of the Floor of the Senate Chamber for this day was extended to former Senator Valerie Wiener.

On request of Senator Settelmeyer, the privilege of the Floor of the Senate Chamber for this day was extended to Jesus Dominguez-Becerra.

On request of Senator Smith, the privilege of the Floor of the Senate Chamber for this day was extended to Ruth Gay, Mary Fairchild and Melissa Hansen.

On request of Senator Spearman, the privilege of the Floor of the Senate Chamber for this day was extended to Albert Chavez.

Senator Denis moved that the Senate adjourn until Wednesday, February 27, 2013, at 11:00 a.m.

Motion carried.

Senate adjourned at 11:39 a.m.

Approved:

DAVID R. PARKS

*President pro Tempore of the Senate*

Attest: DAVID A. BYERMAN

*Secretary of the Senate*