

THE FORTY-THIRD DAY

CARSON CITY (Monday), March 18, 2013

Senate called to order at 11:16 a.m.

President pro Tempore Parks presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Albert Tilstra.

O God, will You take away from us now all that does harass and annoy. Will You help us to relax before You, to lay our burdens down, to forget for a few moments all the anxieties of the week, to open our hearts to receive Your blessings. That the furrows may be smoothed from our brows, the lines from our faces, the loads from our hearts, the doubts from our minds and the fears from our souls.

Deal with us as You would deal with children. Calm our fears, soothe our distress and our sorrow and help us lean back on the everlasting arms. For You have never failed us in the past, and we have good assurance You will not fail us now or in the future.

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.

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Spearman, Jones, Parks; Assemblymen Diaz, Elliot Anderson, Ohrenschall, Pierce, Aizley, Hogan, Munford and Swank:

Senate Joint Resolution No. 11—Urging Congress to propose an amendment to the United States Constitution to allow the governments of the United States and the individual states to regulate and restrict independent political expenditures by corporations.

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

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 13.

Bill read third time.

Remarks by Senator Atkinson.

Thank you, Mr. President pro Tempore. Senate Bill No. 13 authorizes the Department of Motor Vehicles to suspend the registration of a motor vehicle if the payment for the registration fee is returned to the Department or otherwise dishonored. The bill requires the immediate return of the certificate of registration and license plates upon suspension. The Department of Motor Vehicles is required to notify the registered owner of the impending suspension and provide instruction for reinstatement. The registration must be reinstated upon payment of applicable registration and license plate fees, Governmental Services Tax and any late fees or penalties.

I was astounded to discover that people could, for example, get a registration using a bad check. The Department of Motor Vehicles had no way to retrieve the registration upon the

realization that payment was bad. This bill will successfully revoke a registration until payment is made good. I urge my colleagues to pass this bill.

Roll call on Senate Bill No. 13:

YEAS—21.

NAYS—None.

Senate Bill No. 13 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 39.

Bill read third time.

Remarks by Senator Goicoechea.

Thank you, Mr. President pro Tempore. Senate Bill No. 39 clarifies that certain exceptions to Nevada's Open Meeting Law provided to the Commission on Homeland Security also apply to all committees appointed by the Chair of the Commission on Homeland Security. This bill is effective on October 1, 2013.

Roll call on Senate Bill No. 39:

YEAS—21.

NAYS—None.

Senate Bill No. 39 having received a constitutional majority, Mr. President pro Tempore, declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 43.

Bill read third time.

Remarks by Senator Spearman.

Thank you, Mr. President pro Tempore. Senate Bill No. 43 expands the circumstances under which the driver of an authorized emergency vehicle is granted certain privileges when escorting a permitted, oversized load. The privileges include: (1) using flashing upper-beam headlamps; (2) proceeding past a red or stop signal; (3) exceeding speed limits; and (4) disregarding regulations governing direction of movement or turning in specified directions.

Additionally, Senate Bill No. 43 authorizes law enforcement to control traffic through use of a temporary roadblock upon the approach of a permitted, oversized load.

Roll call on Senate Bill No. 43:

YEAS—21.

NAYS—None.

Senate Bill No. 43 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 187.

Bill read third time.

Remarks by Senator Denis.

Thank you, Mr. President pro Tempore. Senate Bill No. 187 revises the eligibility provisions concerning service on the Nevada Youth Legislature by limiting two-year term appointments to students in grades 9, 10 or 11. Students in grade 12 are eligible to be appointed to complete an unexpired term of one year or less created by a vacancy. The measure clarifies that the term of

office begins on the first school year following their appointment, and it shifts the appointment deadline from March 30 of each year to April 30 of each odd-numbered year.

Finally, the bill specifies that a position becomes vacant if a student ceases to attend or graduates from high school. For a homeschooled member, a vacancy is created if the student completes a plan of instruction for grade 12 or ceases to receive instruction.

Roll call on Senate Bill No. 187:

YEAS—21.

NAYS—None.

Senate Bill No. 187 having received a constitutional majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senator Smith moved that all necessary rules be suspended, and that Senate Bill No. 187 be immediately transmitted to the Assembly.

Motion carried.

Bill ordered transmitted to the Assembly.

Senate Bill No. 189.

Bill read third time.

Remarks by Senator Jones.

Thank you, Mr. President pro Tempore. Senate Bill No. 189 expands the definition of a “provider of health care” to include a medical student, dental student, dental hygienist student, and pharmacy student for purposes of enhanced penalties for the crimes of assault and battery against such a person.

Roll call on Senate Bill No. 189:

YEAS—21.

NAYS—None.

Senate Bill No. 189 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Hardy:

Senate Bill No. 287—AN ACT relating to cosmetology; authorizing the State Board of Cosmetology to adopt regulations setting forth the requirements for teaching a class or program in any branch of cosmetology at a location other than a school of cosmetology licensed by the Board; revising provisions governing the display of a license or certificate of registration issued by the Board; revising the circumstances under which salicylic acid may be used to peel skin; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Brower:

Senate Bill No. 288—AN ACT relating to trade practices; revising the manner in which a provider of debt-management services may request and receive payment from an individual debtor; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson (by request):

Senate Bill No. 289—AN ACT relating to workers' compensation; revising the period during which certain injured employees must file a claim for compensation with an insurer; providing that an insurer or employer may recover certain money paid to an injured employee or the health or casualty insurer of the injured employee under certain circumstances; providing that compensation is not payable if an injury is proximately caused by an employee's use of a prohibited substance; providing that the results of any test to determine whether an injured employee used alcohol or a controlled or prohibited substance must be made available to an insurer or employer upon request; authorizing an insurer to deny compensation for temporary total disability and vocational rehabilitation services under certain circumstances; revising procedures relating to the stay of a decision of an appeals officer; revising provisions relating to the payment of benefits for a temporary total disability or vocational rehabilitation services following the reopening of a claim; revising provisions relating to certain payments to an injured employee of lump-sum compensation; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Manendo (by request):

Senate Bill No. 290—AN ACT relating to education; authorizing the parents and legal guardians of pupils enrolled in a public school, or who are expected to be enrolled in the public school, to submit to the board of trustees of the school district a petition requesting the board of trustees to convert the public school to an empowerment school; prescribing the duties of a board of trustees that receives such a petition; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Brower, Hardy, Hutchison, Kieckhefer, Denis and Hammond:

Senate Bill No. 291—AN ACT relating to education; requiring the board of trustees of certain school districts to establish a prekindergarten program to teach children who are limited English proficient; prescribing the requirements of the program; requiring the board of trustees to review the program annually; making an appropriation for the establishment and operation of the program; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Woodhouse, Parks and Manendo:

Senate Bill No. 292—AN ACT relating to education; making an appropriation to the Greater Las Vegas After-School All-Stars for the implementation and operation of certain after-school programs; and providing other matters properly relating thereto.

Senator Woodhouse moved that the bill be referred to the Committee on Finance.

Motion carried.

By Senator Smith:

Senate Bill No. 293—AN ACT making an appropriation to the Trust Account for the Education of Dependent Children; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson; Assemblymen Hickey, Hardy, Livermore, Munford, Pierce and Stewart:

Senate Bill No. 294—AN ACT relating to constables; providing that the sheriff serves as ex officio constable in certain cities in this State; abolishing the office of constable in certain cities and expiring the term of office of elected constables in such cities; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson:

Senate Bill No. 295—AN ACT relating to real property; revising provisions governing an action to declare void a trustee's sale; providing that a failure to comply with the provisions of law governing a trustee's sale does not affect the validity of a sale in favor of a bona fide purchaser or bona fide encumbrancer; defining the terms "bona fide purchaser" and "bona fide encumbrancer"; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson:

Senate Bill No. 296—AN ACT relating to civil actions; limiting, under certain circumstances, the recovery of damages arising from a civil action relating to a motor vehicle accident; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Hutchison, Hammond and Hardy:

Senate Bill No. 297—AN ACT relating to crimes; imposing an additional penalty for attempting or conspiring to commit certain crimes against older or vulnerable persons; increasing the minimum term of imprisonment for such an additional penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Woodhouse, Jones, Parks, Manendo and Assemblyman Stewart:

Senate Bill No. 298—AN ACT relating to senior citizens; requiring the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs to conduct a study concerning property tax assistance for senior citizens; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Settelmeyer, Brower, Cegavske, Goicoechea, Gustavson, Hammond, Hardy, Hutchison, Jones, Kihuen, Roberson, Segerblom, Smith; Assemblymen Ellison, Hambrick, Bobzien, Paul Anderson, Benitez-Thompson, Daly, Fiore, Grady, Hickey, Kirner, Oscarson and Wheeler:

Senate Bill No. 299—AN ACT relating to wildlife; revising provisions governing falconry; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Hutchison and Hammond:

Senate Bill No. 300—AN ACT relating to taxation; contingently reducing by half the valuation of vehicles for the purpose of determining the amount of the governmental services taxes imposed; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Smith:

Senate Bill No. 301—AN ACT relating to taxation; requiring a county treasurer to assign a tax lien against a parcel of real property located within the county if an assignment is authorized by an agreement between the owner of the property and the assignee; requiring the county treasurer to issue a certificate of assignment for each tax lien assigned; authorizing the assignee of a tax lien to commence an action against the property owner for the collection of the delinquent taxes, penalties, interest and costs or to pursue any other remedy authorized by the agreement with the owner; 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 Brower and Assemblyman Hickey (by request):

Senate Bill No. 302—AN ACT relating to taxicabs; requiring taxicab motor carriers in certain counties to maintain and provide to the Nevada Transportation Authority and other taxicab motor carriers information concerning the results of certain tests for the presence of alcohol or a controlled substance under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Denis, Kihuen, Roberson, Ford, Segerblom, Atkinson, Hammond, Hutchison, Jones, Manendo, Parks, Smith, Spearman, Woodhouse; Assemblymen Bustamante Adams, Diaz, Flores, Elliot Anderson, Spiegel, Aizley, Benitez-Thompson, Bobzien, Dondero Loop, Eisen, Frierson, Hickey, Kirkpatrick, Munford, Neal and Pierce:

Senate Bill No. 303—AN ACT relating to motor vehicles; providing for the issuance of a driving privilege card; establishing the contents of an application for a driving privilege card and certain instruction permits; establishing the information that must be contained on a driving privilege card and similarly obtained instruction permits; providing for the expiration and renewal of a driving privilege card; providing that certain provisions of state law which apply to drivers' licenses also apply to a driving privilege

card and similarly obtained instruction permits; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Smith:

Senate Bill No. 304—AN ACT relating to the City of Sparks; revising provisions of the Charter of the City of Sparks relating to the duties of the City Manager, employment of attorneys by the City Council and meetings of the Civil Service Commission; removing certain provisions relating to employment with the City of Sparks; 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 Settelmeyer (by request):

Senate Bill No. 305—AN ACT relating to education; authorizing a qualified high school pupil who completes a public or private internship to receive credit toward his or her academic requirements for graduation from high school; authorizing certain employers under whose employ and supervision such an internship is completed to receive a business tax credit; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 306—AN ACT relating to health care; requiring certain recipients of Medicaid to make copayments for certain services; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 307—AN ACT relating to personal financial administration; revising provisions relating to the distribution and administration of the estate of a deceased person; exempting certain property from execution; revising provisions governing certain nonprobate transfers; revising provisions relating to the creation and administration of trusts; providing for the creation and administration of public benefit trusts; revising provisions relating to directed trusts; revising provisions relating to the jurisdiction of a court in cases concerning the administration of the estate of a deceased person and the administration of trusts; revising provisions

governing spendthrift trusts; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Spearman, Hardy, Gustavson, Manendo, Parks, Atkinson, Brower, Denis, Ford, Goicoechea, Hammond, Hutchison, Jones, Kieckhefer, Kihuen, Roberson, Segerblom, Settlemeyer, Woodhouse; Assemblymen Wheeler, Kirner, Ohrenschall, Healey, Paul Anderson, Diaz, Ellison, Hogan, Munford, Pierce, Sprinkle and Swank:

Senate Bill No. 308—AN ACT relating to taxation; revising provisions governing eligibility for certain tax exemptions available to certain veterans of the Armed Forces of the United States; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Spearman, Manendo, Parks, Goicoechea and Hammond:

Senate Bill No. 309—AN ACT relating to mentoring programs; urging the Nevada System of Higher Education and various business organizations to establish mentoring programs; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ford (by request):

Senate Bill No. 310—AN ACT relating to financial institutions; revising certain notice requirements for financial institutions which operate electronic terminals; authorizing a bank chartered by this State to engage in a derivative transaction under certain circumstances; providing that the total outstanding loans of such a bank include any credit exposure of the bank arising from certain transactions; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ford:

Senate Bill No. 311—AN ACT relating to education; authorizing the parents and legal guardians of pupils enrolled in an underperforming public school, under certain circumstances, to submit a petition for the conversion of the school to an empowerment school; establishing the requirements for such a petition and the procedure for acting upon it; authorizing parents and

legal guardians to file a petition reversing such a conversion; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Manendo:

Senate Bill No. 312—AN ACT relating to driving under the influence; revising provisions concerning impact panels of victims of crimes involving driving under the influence of intoxicating liquor or a controlled substance; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Denis:

Senate Bill No. 313—AN ACT relating to autonomous vehicles; requiring an autonomous vehicle that is being tested on a highway within this State to meet certain conditions relating to a human operator; prohibiting an autonomous vehicle from being registered in this State, or tested or operated on a highway within this State, unless it meets certain conditions relating to safety; providing that the manufacturer of a motor vehicle that has been converted to be an autonomous vehicle by a third party is immune from liability for certain injuries in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Denis:

Senate Bill No. 314—AN ACT relating to parentage; providing that the right of a parent to make decisions regarding the upbringing, education and care of his or her child is a fundamental right; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Denis:

Senate Bill No. 315—AN ACT relating to public health; revising provisions governing the membership of district boards of health; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Denis, Manendo and Assemblyman Ohrenschall:

Senate Bill No. 316—AN ACT relating to contractors; requiring contractors to dispose of solid waste at a materials recovery facility under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Denis:

Senate Bill No. 317—AN ACT relating to vehicle dealers; revising provisions relating to franchise agreements between a manufacturer, distributor or factory branch and a vehicle dealer; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 318—AN ACT relating to insurance; requiring the Legislative Committee on Health Care to conduct an interim study concerning claims, coverage and payments under policies of dental and health insurance; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 319—AN ACT relating to professions; revising certain provisions governing certain continuing education requirements for physicians; authorizing certain qualified professionals who hold a license in another state or territory of the United States to apply for a license by endorsement to practice in this State; expanding the scope of practice of clinical professional counselors and marriage and family therapists; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hardy and Denis:

Senate Bill No. 320—AN ACT relating to education; providing that a pupil with diabetes shall not be prohibited from attending a public school; requiring the State Board of Education to prescribe a training program for employees of public and private schools who volunteer to serve as diabetes care aides; authorizing public and private schools to provide assistance to pupils with diabetes in the care and management of the disease under certain circumstances; authorizing the parent or legal guardian of a pupil with

diabetes to request such assistance; prescribing the duties of a diabetes care aide; providing for the authorization of a pupil with diabetes to self-administer medication and otherwise care for and manage the diabetes under certain circumstances; providing immunity from civil liability for school nurses, diabetes care aides and other school personnel, the board of trustees of a school district and the governing body of a private school under certain circumstances; providing an exemption for diabetes care aides from state licensing requirements for practicing nursing in this State; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Jones, Denis, Smith, Segerblom, Ford, Kihuen; Assemblymen Healey, Kirkpatrick and Frierson:

Senate Bill No. 321—AN ACT relating to real property; revising provisions governing the foreclosure of owner-occupied property securing a residential mortgage loan; providing civil remedies for failure to comply with certain provisions governing the foreclosure of owner-occupied property securing a residential mortgage loan; authorizing a defendant in a judicial foreclosure action to elect mediation; requiring a person who services a residential mortgage loan secured by real property located in this State to obtain a license from the Commissioner of Mortgage Lending of the Department of Business and Industry; requiring the Commissioner to adopt regulations prescribing the procedures for applying for licensure as a residential mortgage service, establishing a fee for such a license and regulating the business of a residential mortgage loan servicer; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Senate Bill No. 322—AN ACT relating to the Department of Transportation; revising the number of members on the Board of Directors of the Department; revising provisions relating to the appointment of persons to the Board; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 323—AN ACT relating to criminal procedure; allowing the Division of Mental Health and Developmental Services of the Department of Health and Human Services to establish a program to provide

certain services to a criminal defendant while the criminal defendant is incarcerated; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy and Assemblyman Eisen:

Senate Bill No. 324—AN ACT relating to professions; authorizing certain qualified professionals who hold a license in another state or territory of the United States to apply for a license by endorsement to practice in this State; authorizing certain regulatory bodies to enter into a reciprocal agreement with the corresponding regulatory authority in another state or territory of the United States for the purposes of authorizing a licensee to practice concurrently in this State and another jurisdiction and regulating such licensees; authorizing a hospital to employ or contract with a physician to provide health care to a patient of the hospital; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Spearman:

Senate Bill No. 325—AN ACT relating to elections; requiring an explanation of an advisory question placed on the ballot by the governing body of a county or city to be written in easily understood language; requiring that every initiative, referendum or question placed on the ballot include a digest; requiring the governing bodies of certain counties and cities to appoint committees to prepare arguments for and against approval of advisory questions; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Spearman:

Senate Bill No. 326—AN ACT relating to renewable energy; requiring the Public Utilities Commission of Nevada to authorize a provider of electric service to sell excess portfolio energy credits under certain circumstances; requiring the Commission to conduct a study on the benefits of participation in a regional market for the sale of portfolio energy credits; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 8.

Bill read second time and ordered to third reading.

Senate Bill No. 28.

Bill read second time and ordered to third reading.

Senate Bill No. 48.

Bill read second time and ordered to third reading.

Senate Bill No. 153.

Bill read second time and ordered to third reading.

Senator Denis moved that the Senate recess subject to the call of the Chair.
Motion carried.

Senate in recess at 12:19 p.m.

SENATE IN SESSION

At 7:18 p.m.

President pro Tempore Parks presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

By Senator Brower and Assemblyman Munford:

Senate Joint Resolution No. 12—Urging the President of the United States to grant a posthumous pardon to John Arthur “Jack” Johnson for the 1913 racially motivated conviction of Johnson, which diminished his athletic, cultural and historical significance and destroyed his reputation.

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

Motion carried.

By Senators Segerblom, Spearman, Parks, Atkinson, Ford, Denis, Kihuen, Manendo, Woodhouse; Assemblymen Elliot Anderson, Ohrenschall, Martin, Healey, Aizley, Hogan and Swank:

Senate Joint Resolution No. 13—Proposing to amend the Nevada Constitution by repealing the limitation on the recognition of marriage.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That Section 21 of Article 1 of the Nevada Constitution is hereby repealed.

TEXT OF REPEALED SECTION

Sec. 21. Limitation on recognition of marriage.

Only a marriage between a male and female person shall be recognized and given effect in this state.

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

Motion carried.

Senator Denis gave notice that, in the interest of time, the Secretary would read through all of the bills noting the appropriate committee referrals. When

that has been completed, Senator Smith will move that all bills previously read be referred to the committees as indicated, all in one motion rather than having a Senator stand and move their own bills individually. If anyone has an objection to a referral that can be noted and that bill handled separately.

The bills will be read in consecutive order.

INTRODUCTION, FIRST READING AND REFERENCE

By Senators Jones, Segerblom and Kieckhefer (by request):

Senate Bill No. 327—AN ACT relating to health care professions; revising provisions to authorize the performance of certain acts in this State by certain health care professionals without regard to whether the professionals are physically located in this State; revising provisions governing the issuance of certain licenses to certain graduates of foreign medical schools; requiring the Board of Medical Examiners to adopt certain regulations regarding physician assistants; revising provisions governing the practice of telemedicine by an osteopathic physician; prohibiting the State Board of Pharmacy from conditioning, limiting, restricting or denying the issuance of a certificate, license, registration, permit or authorization based on certain grounds; revising provisions relating to telepharmacies, remote sites and satellite consultation sites; revising provisions relating to the procedure for filling certain prescriptions; 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 Senators Settlemeyer, Goicoechea, Gustavson; Assemblymen Grady, Hickey and Kirkpatrick:

Senate Bill No. 328—AN ACT relating to education; requiring the Executive Officer of the State Board for Career and Technical Education to employ certain persons; setting forth limitations on the use of federal and state money for leadership and training activities relating to programs of career and technical education; setting forth the methods by which the state money must be distributed to programs of career and technical education; making various other changes relating to programs of career and technical education; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kihuen and Assemblyman Bobzien:

Senate Bill No. 329—AN ACT relating to energy; creating the Account for Clean Energy Loans; providing, with limited exceptions, that money in the Account must be distributed to local governments for the purpose of making below-market rate loans for clean energy improvements to residential real property; setting forth the duties and powers of the Director of the Office of Energy with respect to the Account; setting forth the duties and powers of a

local government that makes loans of money distributed to the local government from the Account; 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 Senators Settlemeyer, Spearman, Gustavson, Atkinson, Goicoechea, Manendo; Assemblymen Elliot Anderson, Grady, Hickey and Kirkpatrick:

Senate Bill No. 330—AN ACT relating to taxation; allowing a person who qualifies as both a veteran and the surviving spouse of a veteran to claim both veterans' exemptions from property taxes and governmental services taxes; 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 Senators Roberson, Kieckhefer, Hardy, Brower, Hutchison, Hammond; Assemblymen Hambrick, Wheeler, Hansen, Fiore, Livermore and Stewart:

Senate Bill No. 331—AN ACT relating to state business licenses; providing that certain entities which operate a business from the home of certain persons are not required to obtain a state business license; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hammond:

Senate Bill No. 332—AN ACT relating to common-interest communities; establishing provisions governing the foreclosure of a first security lien upon a unit in a common-interest community; establishing provisions concerning the ownership interests of certain purchasers of certain units; revising provisions establishing the priority of certain liens; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hammond and Assemblyman Hardy:

Senate Bill No. 333—AN ACT relating to wildlife; requiring the Department of Wildlife to enforce certain provisions in a manner that is equitable for all owners, lessees or managers of private land in this State; authorizing certain persons to establish a commercial or private shooting preserve for the propagation, culture and maintenance of certain species of game mammals approved by the Board of Wildlife Commissioners; 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 Hammond:

Senate Bill No. 334—AN ACT relating to planning and zoning; prohibiting the governing body of a local government from imposing certain requirements and fees relating to the property of a school district or charter school; exempting certain property of a school district or charter school from the requirement of paying certain impact fees; requiring a local government to reimburse a school district or charter school for certain costs; 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 Hammond:

Senate Bill No. 335—AN ACT relating to taxicabs; requiring prospective drivers of taxicabs in certain counties to obtain certain health certificates; revising requirements for the issuance of certain health certificates to prospective drivers of taxicabs in certain counties; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hutchison, Cegavske, Kieckhefer and Settlemeyer:

Senate Bill No. 336—AN ACT relating to prevailing wages; exempting school districts from the requirement to pay prevailing wages on contracts for certain public works; requiring school districts to calculate the cost savings from the exemption from prevailing wage requirements and deposit such savings into certain funds for school construction or improvements; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Cegavske, Goicoechea and Assemblyman Oscarson:

Senate Bill No. 337—AN ACT relating to local governmental financing; restricting the pledge of anticipated tax revenues in connection with the creation of a tourism improvement district by the governing body of a county or city in certain smaller counties of the State; removing, for those counties and cities, the prohibition against the creation of a tourism improvement district that overlaps a redevelopment area; revising the prerequisites to the creation of a tourism improvement district by the governing body of such a county or city; revising the formula for the allocation of money collected from taxes in certain redevelopment areas; revising provisions governing the

payment of money received from certain pledged revenues for the benefit of a tourism improvement 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 Senators Cegavske, Hutchison, Denis, Spearman, Segerblom, Atkinson, Brower, Ford, Goicoechea, Gustavson, Hammond, Hardy, Jones, Kieckhefer, Kihuen, Manendo, Parks, Roberson, Settlemeyer, Smith, Woodhouse; Assemblymen Fiore, Carrillo, Grady, Hickey and Kirkpatrick:

Senate Bill No. 338—AN ACT relating to mental health; changing the term “mental retardation” to “intellectual disability” and related terms in a similar manner in the Nevada Revised Statutes; 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. 339—AN ACT relating to electric utilities; revising provisions relating to the portfolio standard; prohibiting the carrying forward of certain portfolio energy credits; 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. 340—AN ACT relating to health care; providing in skeleton form for the creation of a patient-centered medical home program; revising provisions relating to medical records; 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 Goicoechea and Assemblyman Ellison:

Senate Bill No. 341—AN ACT relating to water; requiring the State Engineer to consider certain conveyances or purported conveyances to be void; revising provisions which require the State Engineer to examine certain reports of conveyance and make determinations concerning those reports; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Goicoechea, Gustavson; Assemblymen Ellison and Oscarson (by request):

Senate Bill No. 342—AN ACT relating to land use planning; authorizing certain local governments to establish simplified procedures for the vacation and abandonment of streets owned by the local government under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Goicoechea, Gustavson, Settlemeyer; Assemblymen Ellison, Grady and Oscarson:

Senate Bill No. 343—AN ACT relating to motor vehicles; allowing certain off-highway vehicles to be registered as motor vehicles intended for use on a highway; allowing certain off-highway vehicles to be operated on certain county roads 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 Senators Woodhouse, Smith, Denis, Spearman, Parks, Ford, Jones, Kihuen and Segerblom:

Senate Bill No. 344—AN ACT relating to education; authorizing certain child care institutions to request reimbursement for providing educational services to children in their care; authorizing the Department of Education, the county school districts and the Health Division of the Department of Health and Human Services to enter into a cooperative agreement for the provision of education to children placed in certain child care institutions; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Woodhouse, Parks, Ford, Denis, Smith, Jones, Kihuen, Manendo, Segerblom, Spearman; Assemblywomen Dondero Loop and Swank:

Senate Bill No. 345—AN ACT relating to education; creating the Advisory Council on Science, Technology, Engineering and Mathematics; prescribing the membership and duties of the Council; requiring the Council to submit to the Legislature a written report which includes recommendations concerning the instruction and curriculum in courses of study in science, technology, engineering and mathematics in public schools in this State; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Brower:

Senate Bill No. 346—AN ACT relating to gaming; defining certain terms relating to gaming; revising provisions governing the acceptance of certain wagers by a licensed sports pool; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Brower:

Senate Bill No. 347—AN ACT relating to criminal procedure; directing the Advisory Commission on the Administration of Justice to consider certain matters relating to parole; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Settelmeyer, Cegavske, Brower, Goicoechea, Gustavson, Hardy; Assemblymen Hambrick, Paul Anderson, Ellison, Fiore, Grady, Hickey, Oscarson and Wheeler:

Senate Bill No. 348—AN ACT relating to peace officers; revising the circumstances under which a peace officer must be provided with an opportunity for a hearing; prohibiting a peace officer from using any internal administrative grievance procedure to make unsupported allegations against a superior officer; prohibiting access by a peace officer upon whom punitive action is imposed pursuant to an administrative investigation or a representative of the peace officer to certain confidential information relating to the investigation; revising provisions relating to peace officers who are witnesses in an investigation of another peace officer; revising provisions concerning polygraphic examinations given to persons who make certain allegations against a peace officer; authorizing, under certain circumstances, a law enforcement agency to seek a determination from the district court as to whether evidence was properly excluded by an arbitrator during an administrative proceeding; 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 Denis:

Senate Bill No. 349—AN ACT relating to persons with disabilities; providing, in skeleton form, for the integration of the Rehabilitation Division of the Department of Employment, Training and Rehabilitation into the Aging and Disability Services Division of the Department of Health and Human Services; renaming the Aging and Disability Services Division as the Aging, Disability and Rehabilitation Services Division; establishing an Advisory Board on Persons with Sensory 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 Senators Hutchison and Roberson:

Senate Bill No. 350—AN ACT relating to school districts; authorizing additional uses of money in a school district's fund for capital projects; expanding the authority of the board of trustees of a school district to issue general obligations; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hutchison:

Senate Bill No. 351—AN ACT relating to health care; prohibiting the purchase of certain liens relating to health care services; providing a penalty; 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 Hutchison:

Senate Bill No. 352—AN ACT relating to insurance; revising provisions governing the membership of the Board of Directors of the Silver State Health Insurance Exchange; 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 Hutchison:

Senate Bill No. 353—AN ACT relating to governmental administration; requiring the negotiation of certain collective bargaining agreements to occur in a public meeting; requiring certain state and local governmental entities to hold a public hearing before entering into certain contracts; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hutchison, Roberson and Hammond:

Senate Bill No. 354—AN ACT relating to mortgage lending; requiring the Commissioner of Mortgage Lending to adopt regulations for the licensing of residential mortgage loan servicers; authorizing fees for such licensure; directing the Legislative Commission to appoint a committee to conduct an interim study concerning the laws of this State governing the mortgage lending industry; 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 Senator Roberson:

Senate Bill No. 355—AN ACT relating to unclaimed property; exempting certain payments or credits due to a business association from a business association from provisions governing unclaimed property; exempting property the value of which is less than \$50 from provisions governing unclaimed property; revising the statute of limitations for commencing a civil action with respect to a duty of a holder of unclaimed property; enacting provisions governing the compensation of a person who contracts with the Administrator of Unclaimed Property to conduct certain examinations; revising provisions governing the period for which a holder of unclaimed property must retain certain records; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson (by request):

Senate Bill No. 356—AN ACT relating to real property; revising provisions relating to covenants that may be adopted by reference in a deed of trust; providing methods by which assumption fees for a change of parties to a deed of trust may be set; revising provisions relating to certain agreements to sell real property to a third party; revising provisions concerning accounting for impound accounts for the payment of certain obligations relating to certain real property; providing a civil penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson:

Senate Bill No. 357—AN ACT relating to economic development; enacting the Nevada New Markets Jobs Act which provides for tax credits for certain business entities; authorizing the Executive Director of the Office of Economic Development to adopt 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 Senator Roberson:

Senate Bill No. 358—AN ACT relating to business; creating the Advisory Board on Business Promotion and prescribing its duties; 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 Roberson:

Senate Bill No. 359—AN ACT relating to insurance; revising the duties of the Silver State Health Insurance Exchange; 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 Roberson:

Senate Bill No. 360—AN ACT relating to labor; establishing certain criteria to determine when a person is an independent contractor; 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 Roberson:

Senate Bill No. 361—AN ACT relating to unfair lending practices; providing that certain lending practices relating to consumers who are parties to legal actions constitute unfair lending practices; providing a penalty; 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 Senators Spearman and Segerblom:

Senate Bill No. 362—AN ACT relating to health care facilities; requiring certain health care facilities that employ nurses to establish a staffing plan and to provide adequate staffing; requiring the maintenance of certain records

concerning statistics relating to patients and staffing; requiring such a health care facility to establish policies pursuant to which a direct care nurse may refuse a work assignment; requiring public disclosure of certain information relating to a staffing plan; repealing requirements for certain hospitals and health care facilities concerning staffing committees and staffing plans; providing administrative and criminal penalties; 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 Senators Atkinson, Spearman, Manendo, Ford, Parks, Denis, Jones, Kihuen, Segerblom, Smith, Woodhouse; Assemblymen Bobzien and Elliot Anderson:

Senate Bill No. 363—AN ACT relating to public health; requiring the Department of Health and Human Services to establish the Advisory Council on Diabetes Care, Prevention and Awareness; requiring the Advisory Council to prepare and submit an annual report to the Governor and the Legislative Committee on Health Care; 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 Atkinson:

Senate Bill No. 364—AN ACT relating to governmental administration; removing the requirement that each governmental agency ensure that any personal information contained in certain documents is either maintained in a confidential manner or removed from the document; removing the requirement that the Board of County Commissioners in certain larger counties establish in certain cities a branch office of the county clerk at which marriage licenses may be issued; revising provisions governing certain documents relating to marriage; prohibiting certain solicitations on county property; 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 Brower and Assemblyman Elliot Anderson:

Senate Bill No. 365—AN ACT relating to crimes; establishing the crime of stolen valor; 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 Senator Goicoechea:

Senate Bill No. 366—AN ACT relating to electric service; authorizing certain providers of electric service to file an application with the Public Utilities Commission of Nevada to request to be relieved of duties to provide electric service; authorizing certain customers of such providers to file an application with the Commission to request that such a provider of electric service be relieved of its duty to provide the service and that the customer be authorized to obtain electricity from certain other suppliers; revising provisions governing service of legal process in certain actions; 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 Senators Gustavson, Settlemeyer; Assemblymen Wheeler, Ellison and Hansen:

Senate Bill No. 367—AN ACT relating to foreign nationals; prohibiting the use of threats relating to the immigration status of a person to compel a person to perform certain acts; requiring a person to submit proof of citizenship to register to vote; prohibiting a person from voting when that person knows that he or she is not entitled to vote; providing that a person who is not a citizen of the United States is not eligible for a Governor Guinn Millennium Scholarship; providing that a person who is not a citizen of the United States is not eligible to receive certain state public benefits; prohibiting the Department of Motor Vehicles from issuing a driver's license to a person who is not lawfully present in the United States; requiring a person who is applying for a driver's license or an instruction permit to submit proof that he or she is lawfully present in the United States; providing penalties; 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 Senator Gustavson:

Senate Bill No. 368—AN ACT relating to constructional defects; providing that a claimant may not recover attorney's fees as damages; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Kieckhefer, Hardy; Assemblymen Eisen and Oscarson:

Senate Bill No. 369—AN ACT relating to telemedicine; authorizing certain providers of health care to engage in telemedicine under certain circumstances; setting forth certain requirements concerning the practice of telemedicine; providing that authorization to engage in telemedicine does not

modify, expand or alter the scope of practice of a provider of health care; 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 Kieckhefer:

Senate Bill No. 370—AN ACT relating to administrative regulations; establishing the Central Repository for Administrative Regulations; requiring the Legislative Counsel to maintain the Central Repository; revising provisions governing the posting of certain notices concerning regulations by agencies; requiring certain agencies to provide certain information to the Legislative Counsel for posting in the Central Repository; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Kieckhefer, Smith, Goicoechea, Settlemeyer and Assemblyman Bobzien:

Senate Bill No. 371—AN ACT relating to wildlife; prohibiting a person from intentionally feeding any species of wildlife other than a wild bird; 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 Kieckhefer:

Senate Bill No. 372—AN ACT relating to state financial administration; revising provisions governing state budgeting; making various other changes relating to state financial administration; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Segerblom, Parks, Spearman, Atkinson and Kihuen:

Senate Bill No. 373—AN ACT relating to judgments; authorizing a court to issue an order permitting a judgment debtor to pay a judgment in installments under certain circumstances; increasing the percentage of a judgment debtor's disposable earnings which is exempt from execution; authorizing a judgment debtor who is a resident of this State to bring a civil action in certain circumstances against a judgment creditor who obtains a writ of garnishment without domesticating a foreign judgment; and providing other matters properly relating thereto.

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

Motion carried.

Senator Denis moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 7:41 p.m.

SENATE IN SESSION

At 7:58 p.m.

President pro Tempore Parks presiding.

Quorum present.

By Senators Segerblom, Manendo; Assemblymen Aizley, Hogan and Swank:

Senate Bill No. 374—AN ACT relating to medical marijuana; providing for the registration of nonprofit dispensaries authorized to dispense marijuana and products containing marijuana to persons authorized to engage in the medical use of marijuana; setting forth the manner in which such dispensaries must operate; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Segerblom and Assemblyman Ohrenschall:

Senate Bill No. 375—AN ACT relating to elections; requiring the Secretary of State, each voter registration agency and each county clerk to cooperatively establish a system providing for certain electronic applications to register to vote and for the electronic transmission of certain information relating to voter registration; authorizing the Secretary of State to enter into certain agreements with federal agencies for the federal agencies to provide for persons to register to vote in this State; providing for voting preregistration by certain persons between the ages of 16 and 18; providing that certain voter registration information is confidential; authorizing certain persons who are not registered to vote to cast provisional ballots; requiring certain governmental agencies to serve as voter registration agencies; providing additional duties of voter registration agencies; requiring the Secretary of State to establish a system for using a computer to register voters and for providing voting information; authorizing county clerks to enter into certain agreements with voter registration agencies and certain federal agencies regarding the obtaining of certain data relating to voter registration information; making various other changes relating to elections; providing a penalty; 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 Senators Segerblom, Woodhouse, Parks; Assemblymen Carlton, Hickey, Livermore, Martin, Stewart and Swank:

Senate Bill No. 376—AN ACT relating to cultural affairs; providing for the submission to the voters of the question whether the Nevada Revised Statutes should be amended to increase the duties of the Commission for Cultural Affairs to include the preservation and promotion of the arts and museums in this State, to create the Fund for the Preservation and Promotion of the Arts and Museums, and to authorize the issuance of general obligation bonds to fund the preservation and promotion of the arts and museums in this State; enacting various provisions relating to the preservation and promotion of the arts and museums in this State; providing that the provisions become effective only upon the approval of the question by the voters; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Segerblom, Parks, Denis, Smith and Assemblyman Daly:

Senate Bill No. 377—AN ACT relating to fuel taxes; increasing taxes on the sale, distribution or use of motor vehicle fuel; increasing taxes on the sale or use of special fuels; increasing taxes on the sale or use of an emulsion of water-phased hydrocarbon fuel, liquefied petroleum gas or compressed natural gas; removing the exemption from certain requirements provided for the sale of revenue bonds secured by county taxes on fuel; 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 Senators Gustavson, Cegavske, Goicoechea, Settelmeyer; Assemblymen Ellison, Wheeler, Fiore, Duncan, Aizley, Paul Anderson, Hickey, Hogan, Kirner, Livermore, Munford and Oscarson:

Senate Bill No. 378—AN ACT relating to crimes; enacting the Nevada Liberty Preservation Act; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Gustavson, Hardy, Parks, Segerblom, Settelmeyer; Assemblymen Hambrick, Fiore, Ellison, Hogan, Livermore, Munford and Wheeler:

Senate Bill No. 379—AN ACT relating to transportation; transferring certain powers and duties from the Nevada Transportation Authority to the Department of Public Safety; eliminating certain powers and duties of the Authority and its employees; eliminating the Authority's power to impose an administrative fine; requiring certain proceedings to be conducted by a hearing officer or panel designated by the Chair of the Authority; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Manendo:

Senate Bill No. 380—AN ACT relating to adult entertainment; imposing a fee on certain live adult entertainment businesses for the entry of each customer to such a business; providing for the disposition of money collected; providing that entertainment and performances at certain live adult entertainment businesses are not subject to the state tax on live entertainment; 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 Senators Brower, Hammond, Hutchison, Hardy and Settlemeyer:

Senate Bill No. 381—AN ACT relating to public welfare; prohibiting recipients of certain public assistance from using benefits received for certain purposes; requiring certain businesses to take certain measures to prevent such recipients of certain public assistance from using their benefits for those prohibited purposes; providing for the suspension of the license of a business that does not take those measures; 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 Senators Parks and Kihuen (by request):

Senate Bill No. 382—AN ACT relating to transportation of pupils; revising provisions relating to the flammability of certain materials and components used in new school buses; adopting standards for automatic systems of fire extinguishment for school buses that are so equipped; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Parks (by request):

Senate Bill No. 383—AN ACT relating to time shares; requiring developers of time shares to disclose certain information to purchasers; requiring developers to provide the Real Estate Division of the Department of Business and Industry with certain information; revising provisions concerning the renewal of a permit to sell a time share; requiring certain persons to notify the Real Estate Division of certain convictions; authorizing the Real Estate Commission to take certain actions against certain people in certain circumstances; prohibiting certain people from working in certain time-share related professions without a proper license; making various other changes relating to time shares; 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 Senator Hammond:

Senate Bill No. 384—AN ACT relating to charter schools; renaming the State Public Charter School Authority the Nevada Public Charter School Authority; authorizing the Authority to issue bonds, notes and other obligations to finance the acquisition of property, buildings and facilities for charter schools; establishing the procedure for the issuance of such obligations; providing for the payment of the obligations; revising provisions relating to the closure of a charter school and the payment of its debts; authorizing a charter school to incorporate as a nonprofit corporation, borrow money and encumber its assets; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Denis, Atkinson, Hardy, Brower, Parks and Smith (by request):

Senate Bill No. 385—AN ACT relating to taxation; authorizing certain qualified businesses in this State that own, operate, manufacture, service or utilize aircraft or a component of an aircraft to apply to the Office of Economic Development for a partial abatement from certain property and sales and use taxes; 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 Senators Roberson, Hardy, Brower and Hutchison:

Senate Bill No. 386—AN ACT relating to education; making various changes related to the employment and evaluation of educational personnel; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Parks:

Senate Bill No. 387—AN ACT relating to motor vehicles; revising provisions governing the registration in this State of motor vehicles by residents and nonresidents; setting forth that reinstatement fees and fines imposed for failure to maintain motor vehicle liability insurance must be imposed on a per-policy basis and not a per-vehicle basis; providing a grace period of 24 hours before the Department of Motor Vehicles may impose a reinstatement fee, fine, suspension or other penalty against a person for allowing a policy of motor vehicle liability insurance to lapse; requiring the Department to create an appeal process for any penalties imposed by the Department against a person for allowing a policy of motor vehicle liability insurance to lapse; requiring certain policies of insurance to remain in effect until the end of the day upon which the policy is terminated; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks, Spearman, Segerblom; Assemblymen Martin and Healey:

Senate Bill No. 388—AN ACT relating to crimes; repealing the crime of solicitation of a minor to engage in acts constituting the infamous crime against nature; revising certain definitions and references to sex acts; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Segerblom:

Senate Bill No. 389—AN ACT relating to real property; authorizing the owner of a single-family dwelling to bring an action under certain circumstances against the mortgagee or beneficiary of the deed of trust to determine the validity of the lien claimed by the mortgagee or beneficiary of the deed of trust; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Segerblom, Jones; Assemblymen Bobzien and Daly:

Senate Bill No. 390—AN ACT relating to natural resources; requiring a person who wishes to engage in hydraulic fracturing to obtain a permit from the Division of Environmental Protection of the State Department of Conservation and Natural Resources; requiring the Division to post certain information on its Internet website concerning hydraulic fracturing; authorizing the Division to charge a fee for issuing a permit and to adopt regulations; 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 Senators Cegavske, Goicoechea, Hammond, Hutchison, Roberson, Gustavson, Hardy and Settlemeyer:

Senate Bill No. 391—AN ACT relating to education; providing in skeleton form for the transfer of the administration of community colleges to the Department of Education; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Segerblom:

Senate Bill No. 392—AN ACT relating to education; requiring certain gifts and bequests of money or property to be reported by the State Board of Education or the board of trustees of 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 Senator Smith:

Senate Bill No. 393—AN ACT relating to elections; revising provision governing the procedure for filling a vacancy in a major political party nomination; 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 Senators Segerblom and Parks:

Senate Bill No. 394—AN ACT relating to criminal offenders; requiring the Department of Corrections to establish intermediate sanction facilities for certain probation violators and offenders to receive certain treatment; requiring the Department of Health and Human Services to provide such treatment; authorizing courts to set aside the conviction of an offender or

return a probation violator to probation upon successful completion of treatment at an intermediate sanction facility; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Segerblom:

Senate Bill No. 395—AN ACT relating to criminal procedure; enacting the Uniform Collateral Consequences of Conviction Act; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Segerblom, Parks; Assemblymen Pierce, Aizley, Hogan, Livermore, Munford and Swank:

Senate Bill No. 396—AN ACT relating to firearms; prohibiting the purchase, sale or transfer of certain firearms; prohibiting the purchase, possession, sale or transfer of certain magazines for ammunition; requiring certain persons to request a background check before transferring a firearm to another person under certain circumstances; prohibiting the possession of metal-penetrating bullets; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Cegavske:

Senate Bill No. 397—AN ACT relating to eminent domain; revising provisions governing eminent domain; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kihuen; Assemblymen Diaz and Carrillo:

Senate Bill No. 398—AN ACT making an appropriation to the Nevada Alliance of Boys and Girls Clubs, Inc., for the establishment and operation of the AfterSchool KidzLit program; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kihuen:

Senate Bill No. 399—AN ACT relating to special fuels; prohibiting certain conduct related to the sale of biodiesel that does not conform to certain specifications; amending the definition of “biodiesel” for the purpose of provisions relating to taxes imposed on special fuels; specifying that the sale or use of certain special fuels is taxed at a certain rate; 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 Segerblom:

Senate Bill No. 400—AN ACT relating to taxes; contingently revising provisions governing the taxation of mines and mining claims; revising the definition of “personal property” for purposes of taxation to exclude certain ores, quartzes and minerals; providing that the taxable value of property must include the value of any mineral deposit in its natural state attached to the property; providing that a mineral deposit attached to real property is not intangible property; revising provisions relating to the taxation under certain circumstances of certain property otherwise exempted from taxation; removing the existing exemption of unpatented mines and mining claims from property taxes; deleting certain provisions governing the assessment of patented mines and mining claims; 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 Senators Roberson, Hardy, Hutchison, Hammond, Brower and Kieckhefer:

Senate Bill No. 401—AN ACT relating to taxes; contingently revising provisions governing the taxation of minerals and mining claims; revising the definition of “personal property” for purposes of taxation to exclude certain ores, quartzes and minerals; providing that the taxable value of property must exclude the value of any mineral deposit in its natural state attached to the property; revising provisions relating to the taxation under certain circumstances of certain property otherwise exempted from taxation; removing the existing exemption of unpatented mines and mining claims from property taxes; deleting certain provisions governing the assessment of patented mines and mining claims; 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 Roberson:

Senate Bill No. 402—AN ACT relating to real estate; revising provisions concerning the late renewal of licenses and permits of certain real estate professionals; 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 Senators Brower, Hutchison, Kieckhefer and Roberson:

Senate Bill No. 403—AN ACT relating to the Attorney General; requiring the Interim Finance Committee to authorize the employment of attorneys or counselors at law to represent the State in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Smith, Woodhouse, Denis, Spearman, Parks, Atkinson; Assemblymen Kirkpatrick, Dondero Loop and Sprinkle:

Senate Bill No. 404—AN ACT relating to business practices; prohibiting a subcontractor from receiving any public money unless the subcontractor is the holder of a state business license under certain circumstances; making certain misrepresentations by a provider or vendor of floral or ornamental products a deceptive trade practice; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Smith, Denis, Roberson, Woodhouse, Spearman, Atkinson; Assemblymen Kirkpatrick and Sprinkle:

Senate Bill No. 405—AN ACT relating to governmental administration; requiring the Director of the Legislative Counsel Bureau to develop biennial recommendations for the elimination of the requirement to submit certain obsolete and redundant reports to the Legislature; repealing provisions which require the submission of a report to the Director and certain other persons; 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 Senators Smith, Denis, Woodhouse, Parks, Atkinson; Assemblymen Kirkpatrick, Sprinkle and Dondero Loop:

Senate Bill No. 406—AN ACT relating to tourism improvement districts; prohibiting the pledge of the proceeds of certain taxes to finance a project within a tourism improvement district created on or after July 1, 2013;

revising provisions relating to certain reports prepared by the Department of Taxation; prohibiting the financing or reimbursement of certain projects that include the relocation of certain retail facilities to a tourism improvement district; making various other changes relating to tourism improvement districts; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Smith, Woodhouse and Assemblywoman Dondero Loop:

Senate Bill No. 407—AN ACT relating to education; revising provisions governing the policies for the evaluation of teachers and school-based administrators; requiring the State Board of Education to prescribe the pupil achievement data to be used in the evaluation of teachers and school-based administrators; requiring the Teachers and Leaders Council of Nevada to make recommendations to the State Board concerning the evaluation of counselors, librarians and other licensed educational personnel; temporarily delaying the implementation of a program of performance pay and enhanced compensation for teachers and administrators by school districts; temporarily delaying the implementation of the statewide performance evaluation system and providing for a validation study of the system for teachers and school-based administrators during the 2013-2014 school year and a validation study for counselors, librarians and other licensed educational personnel during the 2014-2015 school year; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Smith, Denis, Woodhouse, Spearman, Parks, Atkinson; Assemblymen Kirkpatrick, Dondero Loop and Sprinkle:

Senate Bill No. 408—AN ACT relating to state financial administration; requiring a state agency to assess and review certain future and existing contracts to privatize a governmental service provided by the state agency; requiring a state agency to submit such an assessment or review to the Chief of the Budget Division of the Department of Administration for inclusion in the proposed budget of the Executive Department of the State 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 Senators Kihuen, Segerblom; Assemblymen Frierson and Ohrenschall:

Senate Bill No. 409—AN ACT relating to gaming; exempting wagers made pursuant to an agreement entered into by the Governor and another

state from certain crimes relating to gaming; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks, Spearman, Segerblom, Kihuen, Atkinson, Gustavson, Jones, Manendo, Smith, Woodhouse; Assemblymen Healey, Ohrensall, Aizley, Daly, Dondero Loop, Fiore, Hogan, Martin, Pierce, Spiegel and Swank:

Senate Bill No. 410—AN ACT relating to hypodermic devices; authorizing certain persons to establish a program for the safe distribution and disposal of hypodermic devices and certain other material; providing that the possession of a residual amount of a controlled substance is not a criminal offense in certain circumstances; removing hypodermic devices from the list of paraphernalia that is prohibited for delivery, sale, possession, manufacture or use in this State; providing that hypodermic devices may be sold or furnished without a prescription if not prohibited by federal law in certain circumstances; repealing a provision which makes it a crime to misuse a hypodermic device; 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 Roberson:

Senate Bill No. 411—AN ACT relating to property; requiring the Commissioner of Mortgage Lending to adopt regulations for the licensing of residential mortgage loan servicers; authorizing fees for such licensure; revising the definition of “constructional defect”; providing that a claimant may not recover attorney’s fees as damages; requiring an attorney to obtain an affidavit from a claimant and file the affidavit with the court under certain circumstances; revising the statutes of repose regarding actions for damages resulting from certain deficiencies in construction; revising provisions concerning the late renewal of licenses and permits of certain real estate professionals; revising provisions relating to certain disclosures required for the sale of real property; 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 Senators Woodhouse, Parks, Spearman, Segerblom, Jones, Manendo and Smith:

Senate Bill No. 412—AN ACT relating to higher education; making an appropriation to the Nevada System of Higher Education to allow senior

citizens to audit classes for a nominal fee in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Cegavske, Hardy, Goicoechea, Gustavson and Settlemeyer:

Senate Bill No. 413—AN ACT relating to crimes; prohibiting a person from employing or allowing a person who is less than 21 years of age to be a performer at an adult entertainment establishment; 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.

REMARKS FROM THE FLOOR

Senator Brower moved that the following remarks be entered in the Journal.

SENATOR BROWER:

Thank you, Mr. President pro Tempore. I rise to let the Body know that which many of you may have already heard, that we lost Assemblyman John Marvel over the weekend. For those of you who served with Assemblyman Marvel in the other Body, you know him to have been a great man and a great Nevadan.

He was first elected in 1978. He represented his hometown of Battle Mountain and other areas from the 1979 Legislative Session through the 2007 Legislative Session. He served as Minority Floor Leader in the Nevada Assembly and the Chair of the Assembly Committee on Ways and Means.

I served with him as a freshman in the Assembly; he was the oldest member of our Caucus and I was the youngest. He was old enough to be my grandfather and, in some ways, was one of my legislative grandfathers. He was truly a great man. Assemblyman Marvel always did what he thought was right—always. He should be known for that in this building.

There is a lot more to say about Assemblyman Marvel's distinguished career but this day, I simply wished to ensure that this Body was aware of his passing and our loss. I think I can speak for all of us when I say that our collective thoughts and prayers are with his family at this difficult time.

I would respectfully request, Mr. President Pro Tempore, that when we adjourn today, we do so in memory of the late, great John Marvel.

And a final note: in my humble opinion, the most distinct feature of John Marvel's long and distinguished public career, was that he was a veteran of World War II. He served in the U.S. Army. As I have said before, and as we all know, every day we lose hundreds of World War II veterans all across the Nation. Assemblyman Marvel is yet another honored veteran to whom we owe a great debt of gratitude.

SENATOR DENIS:

Thank you, Mr. President pro Tempore. I have some happy memories of Assemblyman John Marvel. We talk a lot about English Language Learners and education. As a freshman, I saw him push his button and say something completely indecipherable. I asked someone, "How do you understand him?" Everyone just seemed to understand his language. After a while, I figured it out. I also smile at the memory of going into the bathroom over on the Assembly side of the building and finding the smell of clove cigarettes. Assemblyman Marvel will definitely be missed.

PRESIDENT PRO TEMPORE PARKS:

Thank you. I, too, served with John Marvel in the Assembly and had the great pleasure of sitting next to him in numerous committees. I learned a vast amount from him. He will be sorely missed.

SENATOR SMITH:

Thank you, Mr. President pro Tempore. I rise to say a few words about our colleague John Marvel. I grew up hanging out at his house with his kids so I knew him and his family before my time here in the Legislature. I enjoyed knowing them very much.

When I arrived at the Legislature, he treated me the same as he always had. He remained my generous and kind colleague from Reno. It didn't matter that we were affiliated with different political parties; during campaign season, we would partner up. We helped each other whenever we could.

During the times when the Legislature was in session, he was always there to give advice and help anyone who needed it. In thinking about his service in World War II, my son was living in Japan for a time and Assemblyman Marvel was always quick to tell me stories about what a wonderful country Japan is and how the Japanese people would be good to my son. It gave me a great deal of comfort to hear things like that from him when my son was living halfway across the world. I know he did it to make me feel better.

I know some, who haven't had the privilege of serving with Assemblyman Marvel, will have missed a great opportunity. I hope we all learn from his history and the lessons that John Marvel taught us about always doing the right thing.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Atkinson, the privilege of the Floor of the Senate Chamber for this day was extended to Deborah Jackson and Beatrice Turner.

On request of Senator Brower, the privilege of the Floor of the Senate Chamber for this day was extended to Tammy Freeman, Kayla Freeman and Lydia Freeman; teacher at Our Lady of the Snows Elementary School, Ralph Bothe; and member of the Washoe County School Board of Trustees, John Mayer.

On request of Senator Settlemeyer, the privilege of the Floor of the Senate Chamber for this day was extended to Nevada Youth Legislator, Grant Gabriel; and practitioners of falconry, Cory Dalton, Richard Smolin and Lew Souder.

Senator Denis moved that the Senate adjourn until Tuesday, March 19, 2013, at 11:00 a.m. and that it do so in memory of former Assemblyman John Marvel.

Motion carried.

Senate adjourned at 8:23 p.m.

Approved:

DAVID R. PARKS
President pro Tempore of the Senate

Attest: DAVID A. BYERMAN
Secretary of the Senate