

THE FORTY-FOURTH DAY

CARSON CITY (Tuesday), March 19, 2013

Senate called to order at 11:32 a.m.

President pro Tempore Parks presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Albert Tilstra.

Let us pray. God of Grace, make these moments an experience that is real. May it not be a theoretical ritual. Help us to feel that we are in communion with God and that in this sacred moment, God Himself may commune with us and enter our hearts. Let us feel the surge and thrill of Your power and know that You are here. We dare to pray that something may happen in these moments. We return to the agenda of this day; may it be with a new light in our faces and a new song in our hearts. Thank You for hearing our prayer.

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.

GENERAL FILE AND THIRD READING

Senate Bill No. 8.

Bill read third time.

Remarks by Senator Kihuen.

Thank you, Mr. President pro Tempore. I rise in support of Senate Bill No. 8 which changes the definition of wholesale price for other tobacco products. The bill clarifies that the wholesale price means the established price that is paid by the Nevada wholesaler irrespective of whether the Nevada wholesaler is purchasing the other tobacco product directly from the manufacturer or from the affiliate of the manufacturer. This bill passed out of Committee with unanimous approval and I urge your support.

Roll call on Senate Bill No. 8:

YEAS—21.

NAYS—None.

Senate Bill No. 8 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 28.

Bill read third time.

Remarks by Senator Hutchison.

Thank you, Mr. President pro Tempore. I stand in support of Senate Bill No. 28 which relates to securities. This bill provides that a person is engaged in unethical or dishonest practices in the securities business if the person misuses a certification or professional designation. During the course of meetings on this topic in the Senate Committee on Judiciary, we heard how many seniors are victims of these individuals. In addition, the measure adds moral turpitude to the list of misdemeanors or felonies that would support license revocation.

This measure increases the penalty for making a false representation regarding a security that is publicly traded from a gross misdemeanor to a category B felony. The measure also prohibits willfully making false statements in the course of a securities investigation.

Finally, Senate Bill No. 28 expands the subpoena power of the Administrator of the Securities Division of the Office of the Secretary of State to issue a subpoena at the request of another state, jurisdiction, Canadian province or territory, or other foreign jurisdictions if the violation in the foreign jurisdiction would be a violation in the State of Nevada. This measure passed out of the Senate Committee on Judiciary unanimously. I encourage my colleagues to support the passage of this bill.

Roll call on Senate Bill No. 28:

YEAS—21.

NAYS—None.

Senate Bill No. 28 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 48.

Bill read third time.

Remarks by Senator Kihuen.

Thank you, Mr. President pro Tempore. I rise in support of Senate Bill No. 48 which adds four ex officio nonvoting members to the current 11 members of the Commission on Tourism, which is organized within the Department of Tourism and Cultural Affairs. The additional nonvoting members are the chairs of four separate boards and commissions that are also organized within the Department of Tourism and Cultural Affairs. This bill passed out of Committee with unanimous support and I urge the Body's support.

Roll call on Senate Bill No. 48:

YEAS—21.

NAYS—None.

Senate Bill No. 48 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 153.

Bill read third time.

Remarks by Senator Hardy.

Thank you, Mr. President pro Tempore for recognizing me and for sponsoring Senate Bill No. 153. Senate Bill No. 153 is an occupational therapy-friendly bill. It updates the Board of Occupational Therapy, the definitions of client instead of patient, allows an occupational therapist to be considered a provider and allows a more friendly atmosphere in bringing occupational therapists to Nevada and keeping them here after they have been trained. I recommend we pass this bill.

Roll call on Senate Bill No. 153:

YEAS—21.

NAYS—None.

Senate Bill No. 153 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

REMARKS FROM THE FLOOR

Senator Roberson requested that his remarks be entered in the Journal.

My very good friend is here today, Dr. Robert Tally. Dr. Tally was born and raised in Las Vegas, Nevada, and graduated from Rancho High School. He has an undergraduate degree in biology from the University of Nevada, Las Vegas, and a dental degree from the University of Pacific Dental School. He has practiced dentistry for 26 years in Las Vegas. Dr. Tally retired from private practice in 2006 and took over as Executive Director of the Nevada Dental Association. Dr. Tally is here as President of the Nevada Society of Association Executives and I have a proclamation to present to Dr. Tally today for his accomplishments.

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 Alan Carsey, Mike Dillon, Missy Hinton and Alejandra Leon.

On request of Senator Cegavske, the privilege of the Floor of the Senate Chamber for this day was extended to John Cahlan and Marolyn Mann.

On request of Senator Denis, the privilege of the Floor of the Senate Chamber for this day was extended to Rocky Cohran.

On request of Senator Ford, the privilege of the Floor of the Senate Chamber for this day was extended to Rob McGibney and Dian Vanderwell.

On request of Senator Goicoechea, the privilege of the Floor of the Senate Chamber for this day was extended to Vernon Dalton, Toni Drinkwine, Scott Egbert and Nathan White.

On request of Senator Hammond, the privilege of the Floor of the Senate Chamber for this day was extended to Jacob Council.

On request of Senator Hardy, the privilege of the Floor of the Senate Chamber for this day was extended to Maury Astley, Teresa Diloredo Long and Ken Hendrix.

On request of Senator Jones, the privilege of the Floor of the Senate Chamber for this day was extended to Lynn Crosswhite and Randy Walter.

On request of Senator Kieckhefer, the privilege of the Floor of the Senate Chamber for this day was extended to Chelsea Aldridge, John Krmpotic, Jan Leggett and Raul Leon.

On request of Senator Roberson, the privilege of the Floor of the Senate Chamber for this day was extended to Louis Polish Jr. and Dr. Robert Tally, DDS.

On request of Senator Settelmeyer, the privilege of the Floor of the Senate Chamber for this day was extended to Shelly Bale, Shanleigh Anne Bethauer, Lorena Cedano and Alex Mariscal.

On request of Senator Smith, the privilege of the Floor of the Senate Chamber for this day was extended Curtis Blackwell, Krystalyn Tori

Robinson and Ryan Livermore, grandson of our colleague, Assemblyman Peter Livermore who is seated in the Senate Gallery today.

On request of Senator Spearman, the privilege of the Floor of the Senate Chamber for this day was extended to Tina Laramie, John Oliver and Linda Warrington.

On request of Senator Woodhouse, the privilege of the Floor of the Senate Chamber for this day was extended to Cindy Creighton, Kraig Knudsen and Rocky Magee.

Senator Denis moved that the Senate adjourn until Wednesday, March 20, 2013, at 11:00 a.m. and that it do so in memory of the seven Marines who lost their lives and with thoughts for those who were injured in the explosion at the Hawthorne Army Depot last night.

Motion carried.

Senate adjourned at 12:11 p.m.

Approved:

DAVID R. PARKS
President pro Tempore of the Senate

Attest: DAVID A. BYERMAN
Secretary of the Senate