

**THE FIFTY-NINTH DAY**


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CARSON CITY (Wednesday), April 3, 2013

Senate called to order at 11:23 a.m.

President Krolicki presiding.

Roll called.

All present.

Prayer by Teji Malik.

*Ik Ong Kaar* means, “One Source of all.” Lord, please help us create an oasis in every heart.

Lord, all meaningful actions of human beings stem from certain convictions, generally called faith or belief. It is the belief of a person that molds thinking, which in turn motivates our behavior in a certain way. Our beliefs may be secular, spiritual or religious in nature. In any case, beliefs provide strong motivation. The motivation to do good for all those we are responsible for is our only responsibility, as it is for the Senators of this great State. Keeping the same in mind, we have turned this vast desert into an oasis where happiness is *mode de vie* with Your help.

Please help us pass bills by holding hands with those we disagree with, having just one goal in mind: to create an oasis for each Nevadan who is going through the deserted moments of life.

The *Guru Granth* says: “When the God lovers practice good deeds then the truth is revealed in their hearts.” This experience and realization of God in all is not something that is limited to after death, but something that must happen in this very life. If one hasn’t experienced the reality of God in life, it can’t be expected after death. And that reality can only be accomplished with Your help, my Lord.

Oh Lord, please help us make the life of every Nevadan better. This is not only our civic duty but our responsibility. Here the *Guru Granth* says again: “You are the Giver, and You Yourself are the Enjoyer. I know no other than You.”

Now the question before this Senate is: how can we accomplish this for all here in Nevada? Let me end by quoting from the *Guru Granth*: “Make good deeds the soil, and let the goodness be the seed; irrigate it with the water of truth. The fruits shall be there for all to reap.”

Thank you for the honor.

Pledge of Allegiance to the Flag.

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

REPORTS OF COMMITTEES

*Mr. President:*

Your Committee on Commerce, Labor and Energy, to which were referred Senate Bills Nos. 351, 354, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Commerce, Labor and Energy, to which was referred Senate Bill No. 40, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

KELVIN ATKINSON, *Chair*

*Mr. President:*

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 5, 18, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DAVID R. PARKS, *Chair*

*Mr. President:*

Your Committee on Judiciary, to which was referred Senate Bill No. 279, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Judiciary, to which was referred Senate Bill No. 38, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

TICK SEGERBLOM, *Chair*

*Mr. President:*

Your Committee on Revenue and Economic Development, to which was referred Senate Bill No. 305, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Education.

RUBEN J. KIHUEN, *Chair*

WAIVERS AND EXEMPTIONS  
NOTICE OF EXEMPTION

April 3, 2013

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 67, 128, 201, 205, 207, 209, 210, 212, 226, 232, 236, 238, 239, 240, 241, 244, 252, 255, 261, 275, 277, 282, 291, 430.

Also, the Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the exemption of: Senate Bills Nos. 105, 200, 270, 271, 292, 293, 398, 412, 435, 459, 460, 461, 462, 466, 469, 472, 474, 475, 480, 481, 483, 484, 485, 486, 487, 488, 490.

MARK KRMPOTIC  
*Fiscal Analysis Division*

SECOND READING AND AMENDMENT

Senate Bill No. 20.

Bill read second time.

The following amendment was proposed by the Committee on Education.

Amendment No. 116.

"SUMMARY—Revises provisions governing the submission of certain publications to the State Publications Distribution Center. (BDR 33-305)"

"AN ACT relating to governmental publications; revising provisions governing the submission of certain publications to the State Publications Distribution Center by certain state agencies and local governments; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Existing law creates the State Publications Distribution Center within the State Library and Archives. (NRS 378.170) Under existing law, state agencies and local governments, with certain exceptions, are required to deposit paper copies of certain publications, upon release, with the ~~[State Publications Distribution] Center [within the State Library and Archives]~~ for distribution to certain libraries throughout the State. If such a state agency or local government releases a publication in an electronic format or medium, the state agency or local government is required to notify the Center of the

release and provide the Center with access to the publication. (NRS 378.180) A "publication" is defined to include any information in any format or medium that is: (1) produced pursuant to the authority or at the expense of a state agency or local government; (2) required by law to be distributed by a state agency or local government; or (3) distributed publicly by a state agency or local government outside that state agency or local government. (NRS 378.160)

Section 1 of this bill excludes from the definition of "publication" certain records of a local government which have been scheduled for disposition or retention.

Section ~~2~~ 3 of this bill reduces the number of copies that a state agency is required to deposit with the Center from 12 copies to 10 copies. Section ~~2~~ 3 also authorizes a state agency or local government to provide the Center with an electronic version of the publication in lieu of depositing paper copies. If the publication is only released in an electronic format or medium, section ~~2~~ 3 requires the state agency or local government to provide the Center with an electronic version of the publication instead of notice and access to the electronic publication. Finally, section ~~2~~ 3 prescribes requirements for the submission of an electronic version of a publication to the Center by a state agency or local government and section ~~1~~ 2 of this bill requires the State Library and Archives Administrator to adopt regulations prescribing the procedures for submitting an electronic version of a publication to the Center.

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

*Section 1.* NRS 378.160 is hereby amended to read as follows:

378.160 As used in NRS 378.150 to 378.210, inclusive:

1. "Center" means the State Publications Distribution Center created by NRS 378.170.

2. "Depository library" means a library with which the Center has entered into an agreement pursuant to NRS 378.190.

3. "Local government" means every political subdivision or other entity which has the right to levy or receive money from ad valorem or other taxes or any mandatory assessments, and includes, without limitation, counties, cities, towns, boards, school districts and other districts organized pursuant to chapters 244A, 309, 318, 379, 474, 541, 543 and 555 of NRS, NRS 450.550 to 450.750, inclusive, and any agency or department of a county or city which prepares a budget separate from that of the parent political subdivision. The term includes the Nevada Rural Housing Authority.

4. "Publication" includes any information in any format or medium that is produced pursuant to the authority of or at the total or partial expense of a state agency or local government, is required by law to be distributed by a state agency or local government, or is distributed publicly by a state agency or local government outside that state agency or local government. The term does not include:

- (a) Nevada Revised Statutes with annotations;
- (b) Nevada Reports;
- (c) Bound volumes of the Statutes of Nevada;
- (d) Items published by the University of Nevada Press and other information disseminated by the Nevada System of Higher Education which is not designed for public distribution; or
- (e) Official state records scheduled for retention and disposition pursuant to NRS 239.080.

*(f) Records of a local government which have been scheduled for disposition pursuant to NRS 239.124 or retention pursuant to NRS 239.125.*

5. "State agency" includes the Legislature, constitutional officers or any department, division, bureau, board, commission or agency of the State of Nevada.

~~Section 1.~~ Sec. 2. NRS 378.170 is hereby amended to read as follows:  
378.170 1. There is hereby created within the State Library and Archives a State Publications Distribution Center.

2. The State Library and Archives Administrator ~~may make~~ :
- (a) *Except as otherwise provided in paragraph (b), may adopt such regulations as may be necessary to carry out the purposes of the Center.*
  - (b) *Shall adopt regulations prescribing the procedures for submitting an electronic version of a publication to the Center pursuant to NRS 378.180.*

~~Sec 2.~~ Sec. 3. NRS 378.180 is hereby amended to read as follows:  
378.180 1. Every state agency shall:

- (a) For each publication of the state agency that was published, printed or copied *on paper* by the state agency itself or by a private printer, deposit with the Center, upon release, ~~12~~ 10 copies of the publication ~~or provide the Center with an electronic version of the publication.~~

(b) For each publication printed *on paper* for or on behalf of the state agency by the State Printing Office:

(1) In addition to the number of copies otherwise required by the state agency, request the State Printing Office to print ~~12~~ 10 copies of that publication; and

(2) Deposit or request the State Printing Office to deposit those additional copies with the Center.

2. Every local government shall, upon release ~~of each of its publications,~~ deposit with the Center at least six copies of ~~each of its publications.~~ *the publication or provide the Center with an electronic version of the publication.*

3. Every state agency and local government shall, upon release of a publication in an electronic format or medium, ~~notify the Center of such release and~~ provide the Center with ~~access to~~ *an electronic version of the publication.*

4. *If a state agency or local government provides an electronic version of a publication to the Center pursuant to this section, the state agency or local government shall:*

(a) *Include, in a conspicuous location at or near the beginning of the publication, the date on which the publication was initially released by the state agency or local government; and*

(b) *Submit the electronic version of the publication in accordance with regulations adopted by the State Library and Archives Administrator pursuant to NRS 378.170.*

~~Sec. 3.~~ Sec. 4. This act becomes effective upon passage and approval.

Senator Woodhouse moved the adoption of the amendment.

Remarks by Senator Woodhouse.

Thank you, Mr. President. Amendment No. 116 to Senate Bill No. 20 provides an exemption from the definition of “publication” for local government records scheduled under records retention policies. This change makes the requirement parallel for similar provisions in the bill concerning State records.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 58.

Bill read second time.

The following amendment was proposed by the Committee on Education.

Amendment No. 117.

"SUMMARY—Revises provisions relating to distance education.  
(BDR 34-396)"

"AN ACT relating to education; eliminating or modifying certain restrictions on enrollment by a pupil in a program of distance education; providing for an additional exemption from the requirement that an unlicensed employee of a school district be directly supervised by a licensed employee; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Existing law provides for the establishment of programs of distance education, in which instruction is delivered to pupils by means of electronic communication. (NRS 388.820-388.874) However, existing law authorizes such instruction to be provided only under specified circumstances. For example, if the board of trustees of a school district operates an alternative program for the education of pupils at risk of dropping out of school, it may operate that program through a program of distance education. (NRS 388.537) A program of independent study for a pupil may also be offered through a program of distance education. (NRS 389.155) Certain pupils who are otherwise prohibited from attending public school because of criminal or disruptive behavior may enroll in a program of distance education. (NRS 392.264, 392.4642-392.4648, 392.466, 392.467, 392.4675) In summary, a pupil may enroll in a program of distance education only if the pupil otherwise qualifies for enrollment in the program under a statute of this

kind and ~~there is no general entitlement to participate in distance education even where such a program is available.~~ satisfies certain other requirements. (NRS 388.850) Section 2 of this bill ~~effectively reverses the existing limitations on distance education to provide~~ deletes those requirements and provides that a pupil ~~is entitled to~~ may enroll in a program of distance education unless the pupil: (1) is not eligible for enrollment or the pupil's enrollment is otherwise prohibited by specific statute; (2) fails to satisfy the conditions for enrollment established by the State Board of Education by regulation; or (3) fails to satisfy the requirements of the program itself.

Before a pupil may enroll full-time or part-time in a program of distance education provided by a school district other than the district in which the pupil resides, existing law requires the pupil to obtain the written permission of the board of trustees of the pupil's home district. (NRS 388.854) Section 3 of this bill eliminates this requirement for such a pupil who wishes to enroll on a part-time basis. In cases where the trustees' written permission continues to be required, section 3 requires that permission be granted unless, pursuant to section 2 of this bill, the pupil ~~is~~ does not ~~entitled to~~ qualify to participate in the program.

Existing law generally requires that an unlicensed employee of a school district be directly supervised by a licensed employee in performing any instructional duties unless an exemption is granted by the Superintendent of Public Instruction. (NRS 391.273) Section 5 of this bill authorizes the Superintendent to grant such an exemption in the case of an unlicensed employee who is supervising pupils attending a course of distance education while the pupils receive instruction from a licensed employee remotely, through electronic means.

Other limitations on enrollment in a program of distance education are established by existing law. For example, a pupil who is enrolled in private school or is homeschooled may not participate in a program of distance education provided by a school district or charter school. (NRS 388.850) These limitations are not affected by this bill.

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

Section 1. NRS 388.829 is hereby amended to read as follows:

388.829 "Program of distance education" means a program comprised of one or more courses of distance education . ~~that is designed for pupils who meet the criteria for enrollment in a program of distance education prescribed in NRS 388.850.~~

Sec. 2. NRS 388.850 is hereby amended to read as follows:

388.850 1. A pupil may ~~is entitled to~~ enroll in a program of distance education ~~only if the pupil satisfies the requirements of any other applicable statute and the pupil:~~

(a) ~~Is participating in a program for pupils at risk of dropping out of school pursuant to NRS 388.537;~~

~~(b) Is participating in a program of independent study pursuant to NRS 389.155;~~

~~(c) Is enrolled in a public school that does not offer certain advanced or specialized courses that the pupil desires to attend;~~

~~(d) Has a physical or mental condition that would otherwise require an excuse from compulsory attendance pursuant to NRS 392.050;~~

~~(e) Would otherwise be excused from compulsory attendance pursuant to NRS 392.080;~~

~~(f) Is otherwise prohibited from attending public school pursuant to NRS 392.264, 392.4642 to 392.4648, inclusive, 392.466, 392.467 or 392.4675;~~

~~(g) Is otherwise permitted to enroll in a program of distance education provided by the board of trustees of a school district if the board of trustees determines that the pupil will benefit from the program; or~~

~~(h) Is otherwise permitted to enroll in a program of distance education provided by the governing body of a charter school if the governing body of the charter school determines that the pupil will benefit from the program.~~

~~2. In addition to the eligibility for enrollment set forth in subsection 1, a pupil must} unless:~~

~~(a) Pursuant to this section or other specific statute, the pupil is not eligible for enrollment or the pupil's enrollment is otherwise prohibited;~~

~~(b) The pupil fails to satisfy the qualifications and conditions for enrollment [in a program of distance education] adopted by the State Board pursuant to NRS 388.874 [-~~

~~3.]; or~~

~~(c) The pupil fails to satisfy the requirements of the program of distance education.~~

2. A child who is exempt from compulsory attendance and is enrolled in a private school pursuant to chapter 394 of NRS or is being homeschooled is not eligible to enroll in or otherwise attend a program of distance education, regardless of whether the child is otherwise eligible for enrollment pursuant to subsection 1.

~~[4.]~~ 3. If a pupil who is prohibited from attending public school pursuant to NRS 392.264 enrolls in a program of distance education, the enrollment and attendance of that pupil must comply with all requirements of NRS 62F.100 to 62F.150, inclusive, and 392.251 to 392.271, inclusive.

~~[5.—If a pupil is eligible for enrollment in a program of distance education pursuant to paragraph (c) of subsection 1, the pupil may enroll in the program of distance education only to take those advanced or specialized courses that are not offered at the public school he or she otherwise attends.]~~

Sec. 3. NRS 388.854 is hereby amended to read as follows: 388.854  
1. ~~[Except as otherwise provided in this subsection, before]~~ Before a pupil may enroll full-time ~~[or part time]~~ in a program of distance education that is provided by a school district other than the school district in which the pupil

resides, the pupil must obtain the written permission of the board of trustees of the school district in which the pupil resides. Before a pupil who is enrolled in a public school of a school district may enroll part time in a program of distance education that is provided by a charter school, the pupil must obtain the written permission of the board of trustees of the school district in which the pupil resides. *Except as otherwise provided in NRS 388.850 or other specific statute, a board of trustees from whom permission is requested pursuant to this subsection shall grant the requested permission.*

2. A pupil who enrolls *part-time in a program of distance education that is provided by a school district other than the school district in which the pupil resides or enrolls full-time in a program of distance education that is provided by a charter school* is not required to obtain the approval of the board of trustees of the school district in which the pupil resides.

~~{2}~~ 3. If the board of trustees of a school district grants permission pursuant to subsection 1, the board of trustees shall enter into a written agreement with the board of trustees or governing body, as applicable, that provides the program of distance education. A separate agreement must be prepared for each year that a pupil enrolls in a program of distance education. *If permission is granted pursuant to subsection 1, the written agreement required by this subsection is not a condition precedent to the pupil's enrollment in the program of distance education.*

Sec. 4. NRS 388.874 is hereby amended to read as follows:

388.874 1. The State Board shall adopt regulations that prescribe:

(a) The process for submission of an application by a person or entity for inclusion of a course of distance education on the list prepared by the Department pursuant to NRS 388.834 and the contents of the application;

(b) The process for submission of an application by the board of trustees of a school district, the governing body of a charter school or a committee to form a charter school to provide a program of distance education and the contents of the application;

(c) The qualifications and conditions for enrollment that a pupil must satisfy to enroll in a program of distance education, consistent with NRS 388.850 ~~{1}~~ *and any other applicable statute;*

(d) A method for reporting to the Department the number of pupils who are enrolled in a program of distance education and the attendance of those pupils;

(e) The requirements for assessing the achievement of pupils who are enrolled in a program of distance education, which must include, without limitation, the administration of the achievement and proficiency examinations required pursuant to NRS 389.015 and 389.550; and

(f) A written description of the process pursuant to which the State Board may revoke its approval for the operation of a program of distance education.



2. The State Board may adopt regulations as it determines are necessary to carry out the provisions of NRS 388.820 to 388.874, inclusive.

Sec. 5. NRS 391.273 is hereby amended to read as follows:

391.273 1. Except as otherwise provided ~~in subsections 4 and 10~~ *this section* and except for persons who are supervised pursuant to NRS 391.096, the unlicensed personnel of a school district must be directly supervised by licensed personnel in all duties which are instructional in nature. To the extent practicable, the direct supervision must be such that the unlicensed personnel are in the immediate location of the licensed personnel and are readily available during such times when supervision is required.

2. Unlicensed personnel who are exempted pursuant to subsection 4, 5 or 6 must be under administrative supervision when performing *any* duties which are instructional in nature.

3. Unlicensed personnel may temporarily perform duties under administrative supervision which are not primarily instructional in nature.

4. Except as otherwise provided in subsection ~~[5,]~~ 7, upon application by a superintendent of schools, the Superintendent of Public Instruction may grant an exemption from the provisions of subsection 1 ~~[The]~~ *pursuant to subsection 5 or 6.*

5. *Except as otherwise provided in subsection 6, the Superintendent shall not grant an exemption from the provisions of subsection 1 unless:*

- (a) The duties are within the employee's special expertise or training;
- (b) The duties relate to the humanities or an elective course of study, or are supplemental to the basic curriculum of a school;
- (c) The performance of the duties does not result in the replacement of a licensed employee or prevent the employment of a licensed person willing to perform those duties;
- (d) The secondary or combined school in which the duties will be performed has less than 100 pupils enrolled and is at least 30 miles from a school in which the duties are performed by licensed personnel; and
- (e) The unlicensed employee submits his or her fingerprints for an investigation pursuant to NRS 391.033.

~~[5,]~~ 6. *Upon application by a superintendent of schools, the Superintendent of Public Instruction may grant an exemption from the provisions of subsection 1 if:*

(a) *The duties of the unlicensed employee relate to the supervision of pupils attending a course of distance education provided pursuant to NRS 388.820 to 388.874, inclusive, while the pupils are receiving instruction from a licensed employee remotely through any electronic means of communication; and*

(b) *The unlicensed employee submits his or her fingerprints for an investigation pursuant to NRS 391.033.*

7. The exemption authorized by subsection 4, 5 or 6 does not apply to a paraprofessional if the provisions of 20 U.S.C. § 6319 and the regulations

adopted pursuant thereto require the paraprofessional to be directly supervised by a licensed teacher.

~~{6.}~~ 8. The Superintendent of Public Instruction shall file a record of all exempt personnel with the clerk of the board of trustees of each local school district, and advise the clerk of any changes therein. The record must contain:

- (a) The name of the exempt employee;
- (b) The specific instructional duties the exempt employee may perform;
- (c) Any terms or conditions of the exemption deemed appropriate by the Superintendent of Public Instruction; and
- (d) The date the exemption expires or a statement that the exemption is valid as long as the employee remains in the same position at the same school.

~~{7.}~~ 9. The Superintendent of Public Instruction may adopt regulations prescribing the procedure to apply for an exemption pursuant to this section and the criteria for the granting of such exemptions.

~~{8.}~~ 10. Except in an emergency, it is unlawful for the board of trustees of a school district to allow a person employed as a teacher's aide to serve as a teacher unless the person is a legally qualified teacher licensed by the Superintendent of Public Instruction. As used in this subsection, "emergency" means an unforeseen circumstance which requires immediate action and includes the fact that a licensed teacher or substitute teacher is not immediately available.

~~{9.}~~ 11. If the Superintendent of Public Instruction determines that the board of trustees of a school district has violated the provisions of subsection ~~{8.}~~ 10, the Superintendent shall take such actions as are necessary to reduce the amount of money received by the district pursuant to NRS 387.124 by an amount equal to the product when the following numbers are multiplied together:

- (a) The number of days on which the violation occurred;
- (b) The number of pupils in the classroom taught by the teacher's aide; and
- (c) The number of dollars of basic support apportioned to the district per pupil per day pursuant to NRS 387.1233.

~~{10.}~~ 12. The provisions of this section do not apply to unlicensed personnel who are employed by the governing body of a charter school, unless a paraprofessional employed by the governing body is required to be directly supervised by a licensed teacher pursuant to the provisions of 20 U.S.C. § 6319 and the regulations adopted pursuant thereto.

Sec. 6. This act becomes effective upon passage and approval.

Senator Woodhouse moved the adoption of the amendment.

Remarks by Senator Woodhouse.

Amendment No. 117 to Senate Bill No. 58 clarifies that a pupil may enroll in a distance education program and deletes the language that states the pupil was entitled to enroll.

Amendment adopted.

Senator Smith moved that Senate Bill No. 58 be re-referred to the Committee on Finance upon return from reprint.

Remarks by Senator Smith.

Thank you, Mr. President. This bill has a fiscal impact that needs to be considered by the Committee on Finance.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Finance.

Senate Bill No. 97.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services.

Amendment No. 58.

"SUMMARY—Revises provisions relating to hearings concerning children who are removed from their homes. (BDR 38-69)"

"AN ACT relating to child welfare; revising the information that must be included in a petition alleging that a child is in need of protection; ~~revising the time within which an adjudicatory hearing must be held after the filing of such a petition;~~ revising provisions relating to the semiannual review of the placement of a child by the court and the annual hearing concerning the permanent placement of a child; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Existing law requires certain information to be set forth in a petition alleging that a child is in need of protection. (NRS 432B.510) Section 1 of this bill specifies that the child's address included in the petition must be the address of the primary residence of the child at the time of removal, rather than the address of the location where the child was placed after removal.

~~Existing law requires an adjudicatory hearing to be held within 30 days after the filing of a petition alleging that a child is in need of protection, unless good cause is shown or the hearing has been continued. (NRS 432B.530) Section 2 of this bill revises existing law to instead require that the adjudicatory hearing be held within 60 days after the filing of such a petition.~~

Existing law requires that the court review semiannually the placement of a child with a person other than a parent and annually review the permanent placement of a child. Certain persons, including the parties to any prior proceedings, any persons planning to adopt the child and the persons providing care to the child, are required to be given notice of the hearing and an opportunity to be heard. (NRS 432B.580, 432B.590) Sections 3 and 4 of this bill revise existing law to provide certain persons with the right to be heard. Section 4 also requires the court in an annual review to make certain determinations regarding out-of-state placement and transition services.

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

Section 1. NRS 432B.510 is hereby amended to read as follows:

432B.510 1. A petition alleging that a child is in need of protection may be signed only by:

- (a) A representative of an agency which provides child welfare services;
- (b) A law enforcement officer or probation officer; or
- (c) The district attorney.

2. The district attorney shall countersign every petition alleging need of protection, and shall represent the interests of the public in all proceedings. If the district attorney fails or refuses to countersign the petition, the petitioner may seek a review by the Attorney General. If the Attorney General determines that a petition should be filed, the Attorney General shall countersign the petition and shall represent the interests of the public in all subsequent proceedings.

3. Every petition must be entitled "In the Matter of ....., a child," and must be verified by the person who signs it.

4. Every petition must set forth specifically:

(a) The facts which bring the child within the jurisdiction of the court as indicated in NRS 432B.410.

(b) The name, date of birth and address of the *primary* residence of the child ~~[-]~~ at the time of removal.

(c) The names and addresses of the residences of the child's parents and any other person responsible for the child's welfare, and spouse if any. If the parents or other person responsible for the welfare of the child do not reside in this State or cannot be found within the State, or if their addresses are unknown, the petition must state the name of any known adult relative residing within the State or, if there is none, the known adult relative residing nearest to the court.

(d) Whether the child is in protective custody and, if so:

(1) The agency responsible for placing the child in protective custody and the reasons therefor; and

(2) Whether the child has been placed in a home or facility in compliance with the provisions of NRS 432B.3905. If the placement does not comply with the provisions of NRS 432B.3905, the petition must include a plan for transferring the child to a placement which complies with the provisions of NRS 432B.3905.

5. When any of the facts required by subsection 4 are not known, the petition must so state.

Sec. 2. ~~NRS 432B.530 is hereby amended to read as follows:~~

~~432B.530 1. An adjudicatory hearing must be held within [30] 60 days after the filing of the petition, unless good cause is shown or the hearing has been continued until a later date pursuant to NRS 432B.513.~~

~~2. At the hearing, the court shall inform the parties of the specific allegations in the petition and give them an opportunity to admit or deny~~

~~them. If the allegations are denied, the court shall hear evidence on the petition.~~

~~3. In adjudicatory hearings, all relevant and material evidence helpful in determining the questions presented, including oral and written reports, may be received by the court and may be relied upon to the extent of its probative value. The parties or their attorney must be afforded an opportunity to examine and controvert written reports so received and to cross-examine individuals making reports when reasonably available.~~

~~4. The court may require the child to be present in court at the hearing.~~

~~5. If the court finds by a preponderance of the evidence that the child was in need of protection at the time of the removal of the child from the home, it shall record its findings of fact and may proceed immediately or at another hearing held within 15 working days, to make a proper disposition of the case. If the court finds that the allegations in the petition have not been established, it shall dismiss the petition and, if the child is in protective custody, order the immediate release of the child. (Deleted by amendment.)~~

Sec. 3. NRS 432B.580 is hereby amended to read as follows:

432B.580 1. Except as otherwise provided in this section and NRS 432B.513, if a child is placed pursuant to NRS 432B.550 other than with a parent, the placement must be reviewed by the court at least semiannually, and within 90 days after a request by a party to any of the prior proceedings. Unless the parent, guardian or the custodian objects to the referral, the court may enter an order directing that the placement be reviewed by a panel appointed pursuant to NRS 432B.585.

2. An agency acting as the custodian of the child shall, before any hearing for review of the placement of a child, submit a report to the court, or to the panel if it has been designated to review the matter, which includes:

(a) An evaluation of the progress of the child and the family of the child and any recommendations for further supervision, treatment or rehabilitation.

(b) Information concerning the placement of the child in relation to the child's siblings, including, without limitation:

(1) Whether the child was placed together with the siblings;

(2) Any efforts made by the agency to have the child placed together with the siblings;

(3) Any actions taken by the agency to ensure that the child has contact with the siblings; and

(4) If the child is not placed together with the siblings:

(I) The reasons why the child is not placed together with the siblings; and

(II) A plan for the child to visit the siblings, which must be approved by the court.

(c) A copy of an academic plan developed for the child pursuant to NRS 388.155, 388.165 or 388.205.

(d) A copy of any explanations regarding medication that has been prescribed for the child that have been submitted by a foster home pursuant to NRS 424.0383.

3. Except as otherwise provided in this subsection, a copy of the report submitted pursuant to subsection 2 must be given to the parents, the guardian ad litem and the attorney, if any, representing the parent or the child. If the child was delivered to a provider of emergency services pursuant to NRS 432B.630 and the parent has not appeared in the action, the report need not be sent to that parent.

4. After a plan for visitation between a child and the siblings of the child submitted pursuant to subparagraph (4) of paragraph (b) of subsection 2 has been approved by the court, the agency which provides child welfare services must request the court to issue an order requiring the visitation set forth in the plan for visitation. If a person refuses to comply with or disobeys an order issued pursuant to this subsection, the person may be punished as for a contempt of court.

5. The court or the panel shall hold a hearing to review the placement, unless the parent, guardian or custodian files a motion with the court to dispense with the hearing. If the motion is granted, the court or panel may make its determination from any report, statement or other information submitted to it.

6. Except as otherwise provided in this subsection and paragraph (c) of subsection 4 of NRS 432B.520, notice of the hearing must be given by registered or certified mail to:

- (a) All the parties to any of the prior proceedings;
- (b) Any persons planning to adopt the child;
- (c) A sibling of the child, if known, who has been granted a right to visitation of the child pursuant to NRS 127.171 and his or her attorney, if any; and
- (d) Any other relatives of the child or providers of foster care who are currently providing care to the child.

7. The notice of the hearing required to be given pursuant to subsection 6:

- (a) Must include a statement indicating that if the child is placed for adoption the right to visitation of the child is subject to the provisions of NRS 127.171;
- (b) Must not include any confidential information described in NRS 127.140; and
- (c) Need not be given to a parent whose rights have been terminated pursuant to chapter 128 of NRS or who has voluntarily relinquished the child for adoption pursuant to NRS 127.040.

8. The court or panel may require the presence of the child at the hearing and shall provide to each person to whom notice was given pursuant to subsection 6 ~~[an opportunity]~~ a right to be heard at the hearing.

9. The court or panel shall review:

- (a) The continuing necessity for and appropriateness of the placement;
- (b) The extent of compliance with the plan submitted pursuant to subsection 2 of NRS 432B.540;
- (c) Any progress which has been made in alleviating the problem which resulted in the placement of the child; and
- (d) The date the child may be returned to, and safely maintained in, the home or placed for adoption or under a legal guardianship.

10. The provision of notice and ~~an opportunity~~ *a right* to be heard pursuant to this section does not cause any person planning to adopt the child, any sibling of the child or any other relative, any adoptive parent of a sibling of the child or a provider of foster care to become a party to the hearing.

Sec. 4. NRS 432B.590 is hereby amended to read as follows:

432B.590 1. Except as otherwise provided in NRS 432B.513, the court shall hold a hearing concerning the permanent placement of a child:

(a) Not later than 12 months after the initial removal of the child from the home of the child and annually thereafter.

(b) Within 30 days after making any of the findings set forth in subsection 3 of NRS 432B.393.

↳ Notice of this hearing must be given by registered or certified mail to all the persons to whom notice must be given pursuant to subsection 6 of NRS 432B.580.

2. The court may require the presence of the child at the hearing and shall provide to each person to whom notice was given pursuant to subsection 1 ~~an opportunity~~ *a right* to be heard at the hearing.

3. At the hearing, the court shall review any plan for the permanent placement of the child adopted pursuant to NRS 432B.553 and determine:

(a) Whether the agency with legal custody of the child has made the reasonable efforts required by subsection 1 of NRS 432B.553; ~~and~~

(b) Whether, and if applicable when:

(1) The child should be returned to the parents of the child or placed with other relatives;

(2) It is in the best interests of the child to:

(I) Initiate proceedings to terminate parental rights pursuant to chapter 128 of NRS so that the child can be placed for adoption;

(II) Initiate proceedings to establish a guardianship pursuant to chapter 159 of NRS; or

(III) Establish a guardianship in accordance with NRS 432B.466 to 432B.468, inclusive; or

(3) The agency with legal custody of the child has produced documentation of its conclusion that there is a compelling reason for the placement of the child in another permanent living arrangement ~~[-]~~;

(c) *If the child will not be returned to the parents of the child, whether the agency with legal custody of the child fully considered placement options both within and outside of this State;*

(d) *If the child has attained the age of 16 years, whether the child will receive the services needed to assist the child in transitioning to independent living; and*

(e) *If the child has been placed outside of this State, whether the placement outside of this State continues to be appropriate for and in the best interests of the child.*

↪ The court shall prepare an explicit statement of the facts upon which each of its determinations is based. If the court determines that it is in the best interests of the child to terminate parental rights, the court shall use its best efforts to ensure that the procedures required by chapter 128 of NRS are completed within 6 months after the date the court makes that determination, including, without limitation, appointing a private attorney to expedite the completion of the procedures. The provisions of this subsection do not limit the jurisdiction of the court to review any decisions of the agency with legal custody of the child regarding the permanent placement of the child.

4. If a child has been placed outside of the home and has resided outside of the home pursuant to that placement for 14 months of any 20 consecutive months, the best interests of the child must be presumed to be served by the termination of parental rights.

5. This hearing may take the place of the hearing for review required by NRS 432B.580.

6. The provision of notice and ~~an opportunity~~ *a right* to be heard pursuant to this section does not cause any person planning to adopt the child, any sibling of the child or any other relative, any adoptive parent of a sibling of the child or a provider of foster care to become a party to the hearing.

Senator Kieckhefer moved the adoption of the amendment.

Remarks by Senator Kieckhefer.

Thank you, Mr. President. Amendment No. 58 to Senate Bill No. 97 removes the provision that an adjudicatory hearing must be held within 60 days after the filing of such a petition retaining the current 30 days that is in the *Nevada Revised Statutes* at present.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 100.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services.

Amendment No. 21.

"SUMMARY—Revises provisions relating to certain providers of emergency medical services. (BDR 40-501)"



"AN ACT relating to providers of emergency medical services; revising provisions relating to the certification of emergency medical technicians; revising certain educational standards for emergency medical technicians; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Existing law provides for the training and certification of three types of emergency medical technicians based upon the level of care provided. (NRS 450B.180, 450B.1905, 450B.191, 450B.195) Sections 1-50 of this bill revise the terms used to refer to those three types of emergency medical technicians for consistency with the terms used in the *National Emergency Medical Services Education Standards* released by the National Highway Traffic Safety Administration in 2009. That publication establishes the minimum education competencies required for persons who provide emergency medical services and will replace the *National Standard Curriculum* of the United States Department of Transportation. The term "emergency medical technician" in existing law continues to refer to the basic level of emergency medical technician. However, this bill replaces the term "intermediate emergency medical technician" with "advanced emergency medical technician" and replaces the term "advanced emergency medical technician" with "paramedic." In addition, sections 18, 19 and 21 require the training for certification as an emergency medical technician, advanced emergency medical technician and paramedic to follow the curriculum or educational standards prepared by the United States Department of Transportation, which are now set forth in the *National Emergency Medical Services Education Standards*.

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

Section 1. NRS 441A.195 is hereby amended to read as follows:

441A.195 1. A law enforcement officer, correctional officer, emergency medical attendant, firefighter, county coroner or medical examiner or any of their employees, any other person who is employed by an agency of criminal justice or any other public employee whose duties may require him or her to come into contact with human blood or bodily fluids, who may have been exposed to a contagious disease while performing his or her official duties, or the employer of such a person, may petition a court for an order requiring the testing of a person or decedent for exposure to the human immunodeficiency virus, the hepatitis B surface antigen, hepatitis C and tuberculosis if the person or decedent may have exposed the officer, medical attendant, firefighter, county coroner or medical examiner or their employee, other person employed by an agency of criminal justice or other public employee whose duties may require him or her to come into contact with human blood or bodily fluids to a contagious disease.

2. When possible, before filing a petition pursuant to subsection 1, the person or employer petitioning shall submit information concerning the

possible exposure to a contagious disease to the designated health care officer for the employer or, if there is no designated health care officer, the person designated by the employer to document and verify possible exposure to contagious diseases, for verification that there was substantial exposure. Each designated health care officer or person designated by an employer to document and verify possible exposure to contagious diseases shall establish guidelines based on current scientific information to determine substantial exposure.

3. A court shall promptly hear a petition filed pursuant to subsection 1 and determine whether there is probable cause to believe that a possible transfer of blood or other bodily fluids occurred between the person who filed the petition or on whose behalf the petition was filed and the person or decedent who possibly exposed him or her to a contagious disease. If the court determines that probable cause exists to believe that a possible transfer of blood or other bodily fluids occurred, the court shall:

(a) Order the person who possibly exposed the petitioner, or the person on whose behalf the petition was filed, to a contagious disease to submit two specimens of blood to a local hospital or medical laboratory for testing for exposure to the human immunodeficiency virus, the hepatitis B surface antigen, hepatitis C and tuberculosis; or

(b) Order that two specimens of blood be drawn from the decedent who possibly exposed the petitioner, or the person on whose behalf the petition was filed, to a contagious disease and be submitted to a local hospital or medical laboratory for testing for exposure to the human immunodeficiency virus, the hepatitis B surface antigen, hepatitis C and tuberculosis.

➔ The local hospital or medical laboratory shall perform the test in accordance with generally accepted medical practices and shall disclose the results of the test in the manner set forth in NRS 629.069.

4. The employer of a person who files a petition or on whose behalf a petition is filed pursuant to this section or the insurer of the employer shall pay the cost of performing the test pursuant to subsection 3.

5. As used in this section:

(a) "Agency of criminal justice" has the meaning ascribed to it in NRS 179A.030.

(b) "Emergency medical attendant" means a person licensed as an attendant or certified as an emergency medical technician, ~~intermediate~~ *advanced* emergency medical technician or ~~advanced emergency medical technician~~ *paramedic* pursuant to chapter 450B of NRS.

Sec. 2. NRS 450.480 is hereby amended to read as follows:

450.480 A hospital or rescue unit which meets minimum requirements established by the State Board of Health, or an ambulance service which meets minimum requirements established by the State Board of Health in a county whose population is less than 100,000, or a county or district board of health in a county whose population is 100,000 or more, may use ~~advanced~~

~~emergency medical technicians,~~ *paramedics*, as defined in NRS ~~[450B.025,]~~ 450B.085, for the rendering of emergency medical care to the sick or injured:

1. At the scene of an emergency and during transport to a hospital;
2. While in a hospital emergency department; and
3. Until responsibility for care is assumed by the regular staff of the hospital.

Sec. 3. Chapter 450B of NRS is hereby amended by adding thereto a new section to read as follows:

*"Certificate" means a certificate issued by a health authority acknowledging the successful completion of a program of training as an emergency medical technician, advanced emergency medical technician or paramedic as identified on the certificate.*

Sec. 4. NRS 450B.020 is hereby amended to read as follows:

450B.020 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 450B.025 to 450B.110, inclusive, *and section 3 of this act* have the meanings ascribed to them in those sections.

Sec. 5. NRS 450B.025 is hereby amended to read as follows:

450B.025 "Advanced emergency medical technician" means a person ~~[-~~

~~1. Trained in advanced emergency medical care in a training program approved by the board; and~~

~~2. Certified} certified~~ by the health officer as having satisfactorily completed ~~[the training]~~ a program ~~[-]~~ of training for certification as an advanced emergency medical technician pursuant to NRS 450B.191.

Sec. 6. NRS 450B.040 is hereby amended to read as follows:

450B.040 "Ambulance" means a motor vehicle which is specially designed, constructed, equipped and staffed to provide ~~[basic, intermediate or advanced]~~ emergency medical care for one or more:

1. Sick or injured persons; or
2. Persons whose medical condition may require special observation during transportation or transfer,

↪ including, without limitation, such a vehicle of a fire-fighting agency.

Sec. 7. NRS 450B.065 is hereby amended to read as follows:

450B.065 "Emergency medical technician" means a person ~~[-~~

~~1. Trained in basic emergency medical care in a training program approved by the board; and~~

~~2. Certified} certified~~ by the health officer as having satisfactorily completed ~~[the training]~~ a program ~~[-]~~ of training for certification as an emergency medical technician pursuant to NRS 450B.1905.

Sec. 8. NRS 450B.0703 is hereby amended to read as follows:

450B.0703 "Emergency response employee" means a firefighter, attendant, volunteer attendant, emergency medical technician, ~~[intermediate]~~ advanced emergency medical technician, ~~[advanced emergency medical technician,]~~ paramedic, law enforcement officer, correctional officer, other peace officer or person who is employed by an agency of criminal justice,

county coroner or medical examiner or any of their employees, any other public employee whose duties may require him or her to come into contact with human blood or bodily fluids or any other person who, in the course of his or her professional duties, responds to emergencies in this State.

Sec. 9. NRS 450B.085 is hereby amended to read as follows:

450B.085 ~~["Intermediate emergency medical technician"]~~ "Paramedic" means a person [-

1. ~~Trained in intermediate emergency medical care in a training program approved by the board; and~~

2. ~~Individually~~] certified by the health officer as having satisfactorily completed ~~[the training]~~ a program ~~[-]~~ of training for certification as a paramedic pursuant to NRS 450B.195.

Sec. 10. NRS 450B.100 is hereby amended to read as follows:

450B.100 "Permit" means the permit issued by the health authority under the provisions of this chapter to:

1. A person, agency of the State or political subdivision to own or operate an ambulance or air ambulance in the State of Nevada; or

2. A fire-fighting agency to provide ~~[intermediate or advanced]~~ medical care *by emergency medical technicians, advanced emergency medical technicians or paramedics* to sick or injured persons:

(a) At the scene of an emergency; or

(b) At the scene of an emergency and while transporting those persons to a medical facility.

Sec. 11. NRS 450B.130 is hereby amended to read as follows:

450B.130 1. The board shall adopt regulations establishing reasonable minimum standards for:

(a) Sanitation in ambulances and air ambulances;

(b) Medical and nonmedical equipment and supplies to be carried in ambulances and air ambulances and medical equipment and supplies to be carried in vehicles of a fire-fighting agency;

(c) Interior configuration, design and dimensions of ambulances placed in service after July 1, 1979;

(d) Permits for operation of ambulances, air ambulances and vehicles of a fire-fighting agency;

(e) Records to be maintained by an operator of an ambulance or air ambulance or by a fire-fighting agency; and

(f) Treatment of patients who are critically ill or in urgent need of treatment.

2. The health officers of this state shall jointly adopt regulations to establish the minimum standards for the certification ~~[of emergency medical technicians]~~ or licensure of persons who provide emergency medical care. Upon adoption of the regulations, each health authority shall adopt the regulations for its jurisdiction. After each health authority adopts the regulations, the standards established constitute the minimum standards for

certification ~~[of emergency medical technicians]~~ or licensure of persons who provide emergency medical care in this state. Any changes to the minimum standards must be adopted jointly by the health officers and by each health authority in the manner set forth in this subsection. Any changes in the minimum standards which are not adopted in the manner set forth in this subsection are void.

3. A health officer may adopt regulations that impose additional requirements for the certification ~~[of emergency medical technicians]~~ or licensure of persons who provide emergency medical care in the jurisdiction of the health officer, but the health officer must accept the certification ~~[of an emergency medical technician]~~ or licensure of a person who provides emergency medical care from the jurisdiction of another health officer as proof that the ~~[emergency medical technician]~~ person who provides emergency medical care has met the minimum requirements for certification ~~[ ]~~ or licensure.

4. As used in this section, "person who provides emergency medical care" means an emergency medical technician, advanced emergency medical technician, paramedic, attendant of an ambulance or air ambulance or firefighter employed by or serving with a fire-fighting agency.

Sec. 12. NRS 450B.160 is hereby amended to read as follows:

450B.160 1. The health authority may issue licenses to attendants and to firefighters employed by or serving as volunteers with a fire-fighting agency.

2. Each license must be evidenced by a card issued to the holder of the license, is valid for a period not to exceed 2 years and is renewable.

3. An applicant for a license must file with the health authority:

(a) A current, valid certificate evidencing the applicant's successful completion of a program ~~[or course for]~~ of training ~~[in]~~ as an emergency medical ~~[technology,]~~ technician, advanced emergency medical technician or paramedic, if the applicant is applying for a license as an attendant, or, if a volunteer attendant, at a level of skill determined by the board.

(b) A current valid certificate evidencing the applicant's successful completion of a program ~~[for]~~ of training as an ~~[intermediate]~~ emergency medical technician, ~~[or]~~ advanced emergency medical technician or paramedic, if the applicant is applying for a license as a firefighter with a fire-fighting agency.

(c) A signed statement showing:

- (1) The name and address of the applicant;
- (2) The name and address of the employer of the applicant; and
- (3) A description of the applicant's duties.

(d) Such other certificates for training and such other items as the board may specify.

4. The board shall adopt such regulations as it determines are necessary for the issuance, suspension, revocation and renewal of licenses.

5. Each operator of an ambulance or air ambulance and each fire-fighting agency shall annually file with the health authority a complete list of the licensed persons in its service.

6. Licensed physicians, registered nurses and licensed physician assistants may serve as attendants without being licensed under the provisions of this section. A registered nurse who performs ~~advanced~~ emergency care in an ambulance or air ambulance shall perform the care in accordance with the regulations of the State Board of Nursing. A licensed physician assistant who performs ~~advanced~~ emergency care in an ambulance or air ambulance shall perform the care in accordance with the regulations of the Board of Medical Examiners.

7. Each licensed physician, registered nurse and licensed physician assistant who serves as an attendant must have current certification of completion of training in:

(a) Advanced life-support procedures for patients who require cardiac care;

(b) Life-support procedures for pediatric patients who require cardiac care; or

(c) Life-support procedures for patients with trauma that are administered before the arrival of those patients at a hospital.

↪ The certification must be issued by the Board of Medical Examiners for a physician or licensed physician assistant or by the State Board of Nursing for a registered nurse.

8. The Board of Medical Examiners and the State Board of Nursing shall issue a certificate pursuant to subsection 7 if the licensed physician, licensed physician assistant or registered nurse attends:

(a) A course offered by a national organization which is nationally recognized for issuing such certification;

(b) Training conducted by the operator of an ambulance or air ambulance; or

(c) Any other course or training,

↪ approved by the Board of Medical Examiners or the State Board of Nursing, whichever is issuing the certification. The Board of Medical Examiners and the State Board of Nursing may require certification of training in all three areas set forth in subsection 7 for a licensed physician, licensed physician assistant or registered nurse who primarily serves as an attendant in a county whose population is 700,000 or more.

Sec. 13. NRS 450B.165 is hereby amended to read as follows:

450B.165 The health authority shall not issue or renew:

1. A license to an attendant or firefighter; or

2. A certificate, ~~[as an emergency medical technician.]~~

↪ unless the applicant for issuance or renewal of the license or certificate attests to knowledge of and compliance with the guidelines of the Centers for

Disease Control and Prevention concerning the prevention of transmission of infectious agents through safe and appropriate injection practices.

Sec. 14. NRS 450B.180 is hereby amended to read as follows:

450B.180 1. Any person desiring certification as an emergency medical technician, *advanced emergency medical technician or paramedic* must apply to the health authority using forms prescribed by the health authority.

2. The health authority, pursuant to regulations and procedures adopted by the board, shall make a determination of the applicant's qualifications to be certified as an emergency medical technician, *advanced emergency medical technician or paramedic* and shall issue ~~the~~ *the appropriate* certificate ~~[as an emergency medical technician]~~ to each qualified applicant.

3. A certificate ~~[as an emergency medical technician]~~ is valid for a period not exceeding 2 years and may be renewed if the holder of the certificate complies with the provisions of this chapter and meets the qualifications set forth in the regulations and standards established by the board pursuant to this chapter. The regulations and standards established by the board must provide for the completion of a course of instruction, within 2 years after initial licensure, relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction. The course must provide at least 4 hours of instruction that includes instruction in the following subjects:

- (a) An overview of acts of terrorism and weapons of mass destruction;
- (b) Personal protective equipment required for acts of terrorism;
- (c) Common symptoms and methods of treatment associated with exposure to, or injuries caused by, chemical, biological, radioactive and nuclear agents;
- (d) Syndromic surveillance and reporting procedures for acts of terrorism that involve biological agents; and
- (e) An overview of the information available on, and the use of, the Health Alert Network.

↪ The board may thereafter determine whether to establish regulations and standards requiring additional courses of instruction relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction.

4. The health authority may suspend or revoke ~~the~~ a certificate ~~[of an emergency medical technician]~~ if it finds that the holder of the certificate no longer meets the prescribed qualifications. Unless the certificate is suspended by the district court pursuant to NRS 425.540, the holder of the certificate may appeal the suspension or revocation of his or her certificate pursuant to regulations adopted by the board.

5. The board shall determine the procedures and techniques which may be performed by an emergency medical technician ~~[ ]~~, *advanced emergency medical technician or paramedic*.

6. A certificate issued pursuant to this section is valid throughout the State, whether issued by the Health Division or a district board of health.

7. The Health Division shall maintain a central registry of all certificates issued pursuant to this section, whether issued by the Health Division or a district board of health.

8. The board shall adopt such regulations as are necessary to carry out the provisions of this section.

9. As used in this section:

(a) "Act of terrorism" has the meaning ascribed to it in NRS 202.4415.

(b) "Biological agent" has the meaning ascribed to it in NRS 202.442.

(c) "Chemical agent" has the meaning ascribed to it in NRS 202.4425.

(d) "Radioactive agent" has the meaning ascribed to it in NRS 202.4437.

(e) "Weapon of mass destruction" has the meaning ascribed to it in NRS 202.4445.

Sec. 15. NRS 450B.183 is hereby amended to read as follows:

450B.183 1. An applicant for the issuance or renewal of a license as an attendant or firefighter employed by a fire-fighting agency or ~~an emergency medical technician~~ a certificate shall submit to the health authority the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The health authority shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license or certificate; or

(b) A separate form prescribed by the health authority.

3. A license or certificate described in subsection 1 may not be issued or renewed by the health authority if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the health authority shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

Sec. 16. NRS 450B.185 is hereby amended to read as follows:



450B.185 1. If the health authority receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license as an attendant or firefighter employed by a fire-fighting agency or ~~an emergency medical technician~~ a certificate, the health authority shall deem the license or certificate issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the health authority receives a letter issued to the holder of the license or certificate by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license or certificate has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The health authority shall reinstate a license as an attendant or firefighter employed by a fire-fighting agency or ~~an emergency medical technician~~ a certificate that has been suspended by a district court pursuant to NRS 425.540 if:

(a) The health authority receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license or certificate was suspended stating that the person whose license or certificate was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560; and

(b) The person whose license or certificate was suspended pays any fees imposed by the health authority for the reinstatement of a suspended license or certificate.

Sec. 17. NRS 450B.187 is hereby amended to read as follows:

450B.187 An application for the issuance or renewal of a license as an attendant or firefighter employed by a fire-fighting agency or ~~an emergency medical technician~~ a certificate must include the social security number of the applicant.

Sec. 18. NRS 450B.1905 is hereby amended to read as follows:

450B.1905 1. A program ~~for~~ of training ~~in the basic care of a patient in urgent need of medical care or observation~~ for certification as an emergency medical technician must be:

(a) Supervised by a physician and approved by the health authority; or

(b) Presented by a national organization which is nationally recognized for providing such training and approved by the board.

2. ~~Except as otherwise provided in subsections 3 and 4, training in basic care must include:~~

~~(a) Procedures to establish and maintain an open airway in a patient;~~

~~(b) Administration of oxygen, both manually and by a device which uses intermittent positive pressure;~~

~~(c) Cardiopulmonary resuscitation;~~

~~(d) Treatment of shock;~~

~~(e) Control of bleeding;~~

- ~~(f) Treatment of wounds;~~
- ~~(g) Application of splints;~~
- ~~(h) Treatment for poisoning;~~
- ~~(i) Childbirth; and~~
- ~~(j) Rescue.~~

~~3.] A program [for] of training [in the basic care of a patient may] for certification as an emergency medical technician must follow the curriculum or educational standards prepared by the United States Department of Transportation as a national standard for emergency medical technicians.~~

~~[4.] 3. The board may adopt regulations which prescribe other requirements [for] of training [in the basic care of a patient in urgent need of medical care or observation.~~

~~5.] for certification as an emergency medical technician.~~

4. An owner of an ambulance shall not offer ~~[basic]~~ emergency medical care ~~[of]~~ to a patient in urgent need of medical care or observation unless the attendant has successfully completed a program of training ~~[in such care]~~ for certification as an emergency medical technician or is exempt, pursuant to subsection 6 of NRS 450B.160, from the requirement to obtain that training.

~~[6.] 5. The board may by regulation prescribe additional requirements for receiving and maintaining certification [in basic emergency care.] as an emergency medical technician. The curriculum or educational standards for training must be:~~

(a) At the level of advanced first aid; or

(b) At least equivalent to any curriculum or educational standards prepared by the Department of Transportation as a national standard for emergency medical technicians.

Sec. 19. NRS 450B.191 is hereby amended to read as follows:

450B.191 1. A program of training ~~[in intermediate emergency care of a patient in urgent need of medical care or observation]~~ for certification as an advanced emergency medical technician must be ~~[conducted]~~ supervised by a licensed physician and approved by the health authority.

2. A program of training for certification as an ~~[intermediate]~~ advanced emergency medical technician must include an approved curriculum in intravenous therapy and the management of a passage for air to the lungs. Only a certified emergency medical technician with experience as established by the board is eligible for this training.

3. In order to maintain certification, each ~~[intermediate]~~ advanced emergency medical technician must annually:

(a) Comply with the requirements established by the board for continuing medical education; and

(b) Demonstrate his or her skills as required by regulation of the board.

4. The board may by regulation prescribe the curriculum and other requirements for training and maintaining certification ~~[in intermediate]~~ as an advanced emergency ~~[care.]~~ medical technician. The curriculum must be

at least equivalent to any curriculum *or educational standards* prepared by the United States Department of Transportation as a national standard for ~~intermediate~~ *advanced* emergency medical technicians.

5. A person shall not represent himself or herself to be an ~~intermediate~~ *advanced* emergency medical technician unless the person has on file with the health authority a currently valid certificate demonstrating successful completion of the program of training required by this section.

6. Except as authorized by subsection 6 of NRS 450B.160, an attendant or firefighter shall not perform, and the owner, operator, director or chief officer of an ambulance or a fire-fighting agency ~~must~~ *shall* not offer, ~~intermediate~~ *emergency care as an advanced emergency medical technician* without fulfilling the requirements established by the board.

Sec. 20. NRS 450B.1915 is hereby amended to read as follows:

450B.1915 An ~~intermediate~~ *advanced* emergency medical technician may perform any procedure and administer any drug:

1. Approved by regulation of the board; or
2. Authorized pursuant to NRS 450B.1975, if the ~~intermediate~~ *advanced* emergency medical technician has obtained an endorsement pursuant to that section.

Sec. 21. NRS 450B.195 is hereby amended to read as follows:

450B.195 1. Only a certified emergency medical technician ~~[who is a licensed attendant or a firefighter]~~ with experience as established by the board is eligible for training as ~~[an advanced emergency medical technician.]~~ *a paramedic.*

2. A program of training ~~[in advanced emergency care for advanced emergency medical technicians]~~ *for certification as a paramedic* must be ~~conducted~~ *supervised* by a licensed physician and approved by the health authority.

3. ~~[In order to]~~ *To* maintain certification, each ~~[advanced emergency medical technician]~~ *paramedic* must annually:

- (a) Comply with the requirements established by the board for continuing medical education; and
- (b) Demonstrate his or her skills as required by regulation of the board.

4. The board may by regulation prescribe the curriculum and other requirements for training and maintaining certification ~~[in advanced emergency care.]~~ *as a paramedic.* The curriculum must be at least equivalent to any curriculum *or educational standards* prepared by the United States Department of Transportation as a national standard for ~~advanced emergency medical technicians.]~~ *paramedics.*

5. A person shall not represent himself or herself to be ~~[an advanced emergency medical technician]~~ *a paramedic* unless the person has on file with the health authority a currently valid certificate evidencing the person's successful completion of the program of training required by this section.

6. Except as authorized by subsection 6 of NRS 450B.160, an attendant or firefighter shall not perform, and the owner, operator, director or chief officer of an ambulance or a fire-fighting agency ~~must~~ shall not offer, ~~advanced~~ emergency care as a paramedic without fulfilling the requirements established by the board.

Sec. 22. NRS 450B.197 is hereby amended to read as follows:

450B.197 An attendant or a firefighter who is ~~an advanced emergency medical technician~~ a paramedic may perform any procedure and administer any drug:

1. Approved by regulation of the board; or
2. Authorized pursuant to NRS 450B.1975, if the attendant or firefighter who is ~~an advanced emergency medical technician~~ a paramedic has obtained an endorsement pursuant to that section.

Sec. 23. NRS 450B.1975 is hereby amended to read as follows:

450B.1975 1. An ~~intermediate~~ advanced emergency medical technician or ~~an advanced emergency medical technician~~ a paramedic who holds an endorsement to administer immunizations, dispense medication and prepare and respond to certain public health needs issued in accordance with the regulations adopted pursuant to this section may:

- (a) Administer immunizations and dispense medications;
- (b) Participate in activities designed to prepare the community to meet anticipated health needs, including, without limitation, participation in public vaccination clinics; and
- (c) Respond to an actual epidemic or other emergency in the community,   
 → under the direct supervision of the local health officer, or a designee of the local health officer, of the jurisdiction in which the immunization is administered or the medication is dispensed or in which the emergency or need exists.

2. The district board of health, in a county whose population is 700,000 or more, may adopt regulations for the endorsement of ~~intermediate~~ advanced emergency medical technicians and ~~advanced emergency medical technicians~~ paramedics pursuant to this section. The regulations must:

- (a) Prescribe the minimum training required to obtain such an endorsement;
- (b) Prescribe the continuing education requirements or other evidence of continued competency for renewal of the endorsement;
- (c) Prescribe the fee for the issuance and renewal of the endorsement, which must not exceed \$5; and
- (d) Not require licensure as an attendant as a condition of eligibility for an endorsement pursuant to this section.

3. The State Board of Health shall, for counties whose population is less than 700,000, adopt regulations for the endorsement of ~~intermediate~~ advanced emergency medical technicians and ~~advanced emergency medical technicians~~ paramedics pursuant to this section. The regulations must:

- (a) Prescribe the minimum training required to obtain such an endorsement;
- (b) Prescribe the continuing education requirements or other evidence of continued competency for renewal of the endorsement;
- (c) Prescribe the fee for the issuance and renewal of the endorsement, which must not exceed \$5;
- (d) To the extent practicable, authorize local health officers to provide the training and continuing education required to obtain and renew an endorsement; and
- (e) Not require licensure as an attendant as a condition of eligibility for an endorsement pursuant to this section.

4. As used in this section:

(a) "Emergency" means an occurrence or threatened occurrence for which, in the determination of the Governor, the assistance of state agencies is needed to supplement the efforts and capabilities of political subdivisions to save lives, protect property and protect the health and safety of persons in this State, or to avert the threat of damage to property or injury to or the death of persons in this State.

(b) "Local health officer" means a city health officer appointed pursuant to NRS 439.430, county health officer appointed pursuant to NRS 439.290 or district health officer appointed pursuant to NRS 439.368 or 439.400.

Sec. 24. NRS 450B.1985 is hereby amended to read as follows:

450B.1985 1. Except as otherwise provided in subsection 2, no permit may be issued pursuant to this chapter authorizing a fire-fighting agency to provide ~~intermediate or advanced~~ *the level of medical care provided by an advanced emergency medical technician or paramedic* to sick or injured persons while transporting those persons to a medical facility.

2. Except as otherwise provided in subsection 9 of NRS 450B.200, the district board of health in a county whose population is 700,000 or more may issue a permit pursuant to NRS 450B.200 or 450B.210 authorizing a fire-fighting agency to provide ~~intermediate or advanced~~ *the level of medical care provided by an advanced emergency medical technician or paramedic* to sick or injured persons at the scene of an emergency and while transporting those persons to a medical facility.

Sec. 25. NRS 450B.240 is hereby amended to read as follows:

450B.240 1. A person or governmental entity shall not engage in the operation of any ambulance or air ambulance service in this state without a currently valid permit for that service issued by the health authority.

2. A fire-fighting agency shall not provide ~~intermediate or advanced~~ *the level of medical care provided by an advanced emergency medical technician or paramedic* to sick or injured persons at the scene of an emergency or while transporting those persons to a medical facility without a currently valid permit for that care issued by the health authority.

Sec. 26. NRS 450B.250 is hereby amended to read as follows:

450B.250 Except as otherwise provided in this chapter, a person shall not serve as an attendant on any ambulance or air ambulance and a firefighter shall not provide ~~intermediate or advanced~~ *the level of* medical care *provided by an advanced emergency medical technician or paramedic* to sick or injured persons at the scene of an emergency or while transporting those persons to a medical facility unless the person holds a currently valid license issued by the health authority under the provisions of this chapter.

Sec. 27. NRS 450B.255 is hereby amended to read as follows:

450B.255 A person shall not represent himself or herself to be an emergency medical technician, *advanced emergency medical technician or paramedic* unless the person has been issued a currently valid certificate ~~as an emergency medical technician~~ by the health authority.

Sec. 28. NRS 450B.260 is hereby amended to read as follows:

450B.260 1. Except as otherwise provided in this section, the public or private owner of an ambulance or air ambulance or a fire-fighting agency which owns a vehicle used in providing medical care to sick or injured persons at the scene of an emergency or while transporting those persons to a medical facility shall not permit its operation and use by any person not licensed under this chapter.

2. An ambulance carrying a sick or injured patient must be occupied by a driver and an attendant, each of whom is licensed as an attendant pursuant to this chapter or exempt from licensing pursuant to subsection 6 of NRS 450B.160, except as otherwise provided in subsection 5 or in geographic areas which may be designated by the board and for which the board may prescribe lesser qualifications.

3. An air ambulance carrying a sick or injured patient must be occupied by a licensed attendant, or a person exempt from licensing pursuant to subsection 6 of NRS 450B.160, in addition to the pilot of the aircraft.

4. The pilot of an air ambulance is not required to have a license under this chapter.

5. A person who operates or uses a vehicle owned by a fire-fighting agency is not required to be licensed under this chapter, except that such a vehicle may not be used to provide ~~intermediate or advanced~~ *the level of* medical care *provided by an advanced emergency medical technician or paramedic* to sick or injured persons:

(a) At the scene of an emergency unless at least one person in the vehicle is licensed to provide the care; or

(b) While transporting those persons to a medical facility unless at least two persons in the vehicle are licensed to provide the care.

Sec. 29. NRS 450B.265 is hereby amended to read as follows:

450B.265 1. Except as otherwise provided in subsection 2, a firefighting agency or an owner, operator, director or chief officer of an ambulance shall not represent, advertise or imply that it:

(a) Is authorized to provide ~~advanced~~ *the level of emergency care* ~~provided by a paramedic~~; or

(b) Uses the services of ~~an advanced emergency medical technician,~~ a paramedic,

↪ unless the service has a currently valid permit to provide ~~advanced~~ *the level of emergency care provided by a paramedic* issued by the health authority.

2. Any service in a county whose population is less than 700,000, that holds a valid permit for the operation of an ambulance but is not authorized by the health authority to provide ~~advanced~~ *the level of emergency care provided by a paramedic* may represent, for billing purposes, that its ambulance provided ~~advanced~~ *emergency care by a paramedic* if:

(a) A registered nurse employed by a hospital rendered ~~advanced~~ *the level of emergency care provided by a paramedic* to a patient being transferred from the hospital by the ambulance; and

(b) The equipment deemed necessary by the health authority for the provision of ~~advanced~~ *the level of emergency care provided by a paramedic* was on board the ambulance at the time the registered nurse rendered ~~advanced~~ *the emergency care*.

3. A hospital that employs a registered nurse who renders the care described in subsection 2 is entitled to reasonable reimbursement for the services rendered by the nurse.

Sec. 30. NRS 450B.460 is hereby amended to read as follows:

450B.460 "Person who administers emergency medical services" means a paid or volunteer firefighter, law enforcement officer, emergency medical technician, *advanced emergency medical technician, paramedic*, ambulance attendant or other person trained to provide emergency medical services.

Sec. 31. NRS 453.375 is hereby amended to read as follows:

453.375 A controlled substance may be possessed and administered by the following persons:

1. A practitioner.

2. A registered nurse licensed to practice professional nursing or licensed practical nurse, at the direction of a physician, physician assistant, dentist, podiatric physician or advanced practitioner of nursing, or pursuant to a chart order, for administration to a patient at another location.

3. ~~An advanced emergency medical technician,~~ *A paramedic:*

(a) As authorized by regulation of:

(1) The State Board of Health in a county whose population is less than 100,000; or

(2) A county or district board of health in a county whose population is 100,000 or more; and

(b) In accordance with any applicable regulations of:

(1) The State Board of Health in a county whose population is less than 100,000;

(2) A county board of health in a county whose population is 100,000 or more; or

(3) A district board of health created pursuant to NRS 439.362 or 439.370 in any county.

4. A respiratory therapist, at the direction of a physician or physician assistant.

5. A medical student, student in training to become a physician assistant or student nurse in the course of his or her studies at an approved college of medicine or school of professional or practical nursing, at the direction of a physician or physician assistant and:

(a) In the presence of a physician, physician assistant or a registered nurse; or

(b) Under the supervision of a physician, physician assistant or a registered nurse if the student is authorized by the college or school to administer the substance outside the presence of a physician, physician assistant or nurse.

↪ A medical student or student nurse may administer a controlled substance in the presence or under the supervision of a registered nurse alone only if the circumstances are such that the registered nurse would be authorized to administer it personally.

6. An ultimate user or any person whom the ultimate user designates pursuant to a written agreement.

7. Any person designated by the head of a correctional institution.

8. A veterinary technician at the direction of his or her supervising veterinarian.

9. In accordance with applicable regulations of the State Board of Health, an employee of a residential facility for groups, as defined in NRS 449.017, pursuant to a written agreement entered into by the ultimate user.

10. In accordance with applicable regulations of the State Board of Pharmacy, an animal control officer, a wildlife biologist or an employee designated by a federal, state or local governmental agency whose duties include the control of domestic, wild and predatory animals.

11. A person who is enrolled in a training program to become ~~an advanced emergency medical technician,~~ a *paramedic*, respiratory therapist or veterinary technician if the person possesses and administers the controlled substance in the same manner and under the same conditions that apply, respectively, to ~~an advanced emergency medical technician,~~ a *paramedic*, respiratory therapist or veterinary technician who may possess and administer the controlled substance, and under the direct supervision of a person licensed or registered to perform the respective medical art or a supervisor of such a person.

Sec. 32. NRS 454.213 is hereby amended to read as follows:

454.213 A drug or medicine referred to in NRS 454.181 to 454.371, inclusive, may be possessed and administered by:



1. A practitioner.
2. A physician assistant licensed pursuant to chapter 630 or 633 of NRS, at the direction of his or her supervising physician or a licensed dental hygienist acting in the office of and under the supervision of a dentist.
3. Except as otherwise provided in subsection 4, a registered nurse licensed to practice professional nursing or licensed practical nurse, at the direction of a prescribing physician, physician assistant licensed pursuant to chapter 630 or 633 of NRS, dentist, podiatric physician or advanced practitioner of nursing, or pursuant to a chart order, for administration to a patient at another location.
4. In accordance with applicable regulations of the Board, a registered nurse licensed to practice professional nursing or licensed practical nurse who is:
  - (a) Employed by a health care agency or health care facility that is authorized to provide emergency care, or to respond to the immediate needs of a patient, in the residence of the patient; and
  - (b) Acting under the direction of the medical director of that agency or facility who works in this State.
5. A medication aide - certified at a designated facility under the supervision of an advanced practitioner of nursing or registered nurse and in accordance with standard protocols developed by the State Board of Nursing. As used in this subsection, "designated facility" has the meaning ascribed to it in NRS 632.0145.
6. Except as otherwise provided in subsection 7, an ~~intermediate~~ advanced emergency medical technician or ~~an advanced emergency medical technician,~~ a paramedic, as authorized by regulation of the State Board of Pharmacy and in accordance with any applicable regulations of:
  - (a) The State Board of Health in a county whose population is less than 100,000;
  - (b) A county board of health in a county whose population is 100,000 or more; or
  - (c) A district board of health created pursuant to NRS 439.362 or 439.370 in any county.
7. An ~~intermediate~~ advanced emergency medical technician or ~~an advanced emergency medical technician,~~ a paramedic who holds an endorsement issued pursuant to NRS 450B.1975, under the direct supervision of a local health officer or a designee of the local health officer pursuant to that section.
8. A respiratory therapist employed in a health care facility. The therapist may possess and administer respiratory products only at the direction of a physician.
9. A dialysis technician, under the direction or supervision of a physician or registered nurse only if the drug or medicine is used for the process of renal dialysis.

10. A medical student or student nurse in the course of his or her studies at an approved college of medicine or school of professional or practical nursing, at the direction of a physician and:

(a) In the presence of a physician or a registered nurse; or

(b) Under the supervision of a physician or a registered nurse if the student is authorized by the college or school to administer the drug or medicine outside the presence of a physician or nurse.

↪ A medical student or student nurse may administer a dangerous drug in the presence or under the supervision of a registered nurse alone only if the circumstances are such that the registered nurse would be authorized to administer it personally.

11. Any person designated by the head of a correctional institution.

12. An ultimate user or any person designated by the ultimate user pursuant to a written agreement.

13. A nuclear medicine technologist, at the direction of a physician and in accordance with any conditions established by regulation of the Board.

14. A radiologic technologist, at the direction of a physician and in accordance with any conditions established by regulation of the Board.

15. A chiropractic physician, but only if the drug or medicine is a topical drug used for cooling and stretching external tissue during therapeutic treatments.

16. A physical therapist, but only if the drug or medicine is a topical drug which is:

(a) Used for cooling and stretching external tissue during therapeutic treatments; and

(b) Prescribed by a licensed physician for:

(1) Iontophoresis; or

(2) The transmission of drugs through the skin using ultrasound.

17. In accordance with applicable regulations of the State Board of Health, an employee of a residential facility for groups, as defined in NRS 449.017, pursuant to a written agreement entered into by the ultimate user.

18. A veterinary technician or a veterinary assistant at the direction of his or her supervising veterinarian.

19. In accordance with applicable regulations of the Board, a registered pharmacist who:

(a) Is trained in and certified to carry out standards and practices for immunization programs;

(b) Is authorized to administer immunizations pursuant to written protocols from a physician; and

(c) Administers immunizations in compliance with the "Standards for Immunization Practices" recommended and approved by the Advisory Committee on Immunization Practices [ ] of the Centers for Disease Control and Prevention.

20. A registered pharmacist pursuant to written guidelines and protocols developed and approved pursuant to NRS 639.2809.

21. A person who is enrolled in a training program to become a physician assistant licensed pursuant to chapter 630 or 633 of NRS, dental hygienist, ~~{intermediate}~~ *advanced* emergency medical technician, ~~{advanced emergency medical technician,}~~ *paramedic*, respiratory therapist, dialysis technician, nuclear medicine technologist, radiologic technologist, physical therapist or veterinary technician if the person possesses and administers the drug or medicine in the same manner and under the same conditions that apply, respectively, to a physician assistant licensed pursuant to chapter 630 or 633 of NRS, dental hygienist, ~~{intermediate}~~ *advanced* emergency medical technician, ~~{advanced emergency medical technician,}~~ *paramedic*, respiratory therapist, dialysis technician, nuclear medicine technologist, radiologic technologist, physical therapist or veterinary technician who may possess and administer the drug or medicine, and under the direct supervision of a person licensed or registered to perform the respective medical art or a supervisor of such a person.

22. A medical assistant, in accordance with applicable regulations of the:

(a) Board of Medical Examiners, at the direction of the prescribing physician and under the supervision of a physician or physician assistant.

(b) State Board of Osteopathic Medicine, at the direction of the prescribing physician and under the supervision of a physician or physician assistant.

Sec. 33. NRS 41.139 is hereby amended to read as follows:

41.139 1. Except as otherwise provided in subsection 2, a peace officer, firefighter or emergency medical attendant may bring and maintain an action for damages for personal injury caused by the willful act of another person, or by another person's lack of ordinary care or skill in the management of the person's property, if the conduct causing the injury:

(a) Occurred after the person who caused the injury knew or should have known of the presence of the peace officer, firefighter or emergency medical attendant;

(b) Was intended to injure the peace officer, firefighter or emergency medical attendant;

(c) Violated a statute, ordinance or regulation:

(1) Intended to protect the peace officer, firefighter or emergency medical attendant; or

(2) Prohibiting resistance to or requiring compliance with an order of a peace officer or firefighter; or

(d) Was arson.

2. This section does not impose liability on the employer of the peace officer, firefighter or emergency medical attendant.

3. As used in this section:

(a) "Emergency medical attendant" means a person licensed as an attendant or certified as an emergency medical technician, ~~intermediate~~ *advanced* emergency medical technician or ~~advanced emergency medical technician~~ *paramedic* pursuant to chapter 450B of NRS.

(b) "Peace officer" has the meaning ascribed to it in NRS 169.125.

Sec. 34. NRS 41.504 is hereby amended to read as follows:

41.504 1. Any physician, physician assistant or registered nurse who in good faith gives instruction or provides supervision to an emergency medical attendant, physician assistant or registered nurse, at the scene of an emergency or while transporting an ill or injured person from the scene of an emergency, is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, in giving that instruction or providing that supervision.

2. An emergency medical attendant, physician assistant, registered nurse or licensed practical nurse who obeys an instruction given by a physician, physician assistant, registered nurse or licensed practical nurse and thereby renders emergency care, at the scene of an emergency or while transporting an ill or injured person from the scene of an emergency, is not liable for any civil damages as a result of any act or omission, not amounting to gross negligence, in rendering that emergency care.

3. As used in this section, "emergency medical attendant" means a person licensed as an attendant or certified as an emergency medical technician, ~~intermediate~~ *advanced* emergency medical technician or ~~advanced emergency medical technician~~ *paramedic* pursuant to chapter 450B of NRS.

Sec. 35. NRS 200.471 is hereby amended to read as follows:

200.471 1. As used in this section:

(a) "Assault" means:

(1) Unlawfully attempting to use physical force against another person;

or

(2) Intentionally placing another person in reasonable apprehension of immediate bodily harm.

(b) "Officer" means:

(1) A person who possesses some or all of the powers of a peace officer;

(2) A person employed in a full-time salaried occupation of fire fighting for the benefit or safety of the public;

(3) A member of a volunteer fire department;

(4) A jailer, guard or other correctional officer of a city or county jail;

(5) A justice of the Supreme Court, district judge, justice of the peace, municipal judge, magistrate, court commissioner, master or referee, including a person acting pro tempore in a capacity listed in this subparagraph; or

(6) An employee of the State or a political subdivision of the State whose official duties require the employee to make home visits.

(c) "Provider of health care" means a physician, a perfusionist or a physician assistant licensed pursuant to chapter 630 of NRS, a practitioner of respiratory care, a homeopathic physician, an advanced practitioner of homeopathy, a homeopathic assistant, an osteopathic physician, a physician assistant licensed pursuant to chapter 633 of NRS, a podiatric physician, a podiatry hygienist, a physical therapist, a medical laboratory technician, an optometrist, a chiropractor, a chiropractor's assistant, a doctor of Oriental medicine, a nurse, a student nurse, a certified nursing assistant, a nursing assistant trainee, a medication aide - certified, a dentist, a dental hygienist, a pharmacist, an intern pharmacist, an attendant on an ambulance or air ambulance, a psychologist, a social worker, a marriage and family therapist, a marriage and family therapist intern, a clinical professional counselor, a clinical professional counselor intern, a licensed dietitian, ~~and~~ an emergency medical technician ~~[-]~~, *an advanced emergency medical technician and a paramedic.*

(d) "School employee" means a licensed or unlicensed person employed by a board of trustees of a school district pursuant to NRS 391.100.

(e) "Sporting event" has the meaning ascribed to it in NRS 41.630.

(f) "Sports official" has the meaning ascribed to it in NRS 41.630.

(g) "Taxicab" has the meaning ascribed to it in NRS 706.8816.

(h) "Taxicab driver" means a person who operates a taxicab.

(i) "Transit operator" means a person who operates a bus or other vehicle as part of a public mass transportation system.

2. A person convicted of an assault shall be punished:

(a) If paragraph (c) or (d) does not apply to the circumstances of the crime and the assault is not made with the use of a deadly weapon or the present ability to use a deadly weapon, for a misdemeanor.

(b) If the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(c) If paragraph (d) does not apply to the circumstances of the crime and if the assault is committed upon an officer, a provider of health care, a school employee, a taxicab driver or a transit operator who is performing his or her duty or upon a sports official based on the performance of his or her duties at a sporting event and the person charged knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab driver, a transit operator or a sports official, for a gross misdemeanor, unless the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

(d) If the assault is committed upon an officer, a provider of health care, a school employee, a taxicab driver or a transit operator who is performing his or her duty or upon a sports official based on the performance of his or her duties at a sporting event by a probationer, a prisoner who is in lawful custody or confinement or a parolee, and the probationer, prisoner or parolee charged knew or should have known that the victim was an officer, a provider of health care, a school employee, a taxicab driver, a transit operator or a sports official, for a category D felony as provided in NRS 193.130, unless the assault is made with the use of a deadly weapon or the present ability to use a deadly weapon, then for a category B felony by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

Sec. 36. NRS 200.5093 is hereby amended to read as follows:

200.5093 1. Any person who is described in subsection 4 and who, in a professional or occupational capacity, knows or has reasonable cause to believe that an older person has been abused, neglected, exploited or isolated shall:

(a) Except as otherwise provided in subsection 2, report the abuse, neglect, exploitation or isolation of the older person to:

(1) The local office of the Aging and Disability Services Division of the Department of Health and Human Services;

(2) A police department or sheriff's office;

(3) The county's office for protective services, if one exists in the county where the suspected action occurred; or

(4) A toll-free telephone service designated by the Aging and Disability Services Division of the Department of Health and Human Services; and

(b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the older person has been abused, neglected, exploited or isolated.

2. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that the abuse, neglect, exploitation or isolation of the older person involves an act or omission of the Aging and Disability Services Division, another division of the Department of Health and Human Services or a law enforcement agency, the person shall make the report to an agency other than the one alleged to have committed the act or omission.

3. Each agency, after reducing a report to writing, shall forward a copy of the report to the Aging and Disability Services Division of the Department of Health and Human Services and the Unit for the Investigation and Prosecution of Crimes.

4. A report must be made pursuant to subsection 1 by the following persons:

(a) Every physician, dentist, dental hygienist, chiropractor, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, physician assistant licensed pursuant to chapter 630 or 633 of NRS, perfusionist, psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, clinical alcohol and drug abuse counselor, alcohol and drug abuse counselor, music therapist, athletic trainer, driver of an ambulance, ~~advanced emergency medical technician,~~ *paramedic*, licensed dietitian or other person providing medical services licensed or certified to practice in this State, who examines, attends or treats an older person who appears to have been abused, neglected, exploited or isolated.

(b) Any personnel of a hospital or similar institution engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of a hospital or similar institution upon notification of the suspected abuse, neglect, exploitation or isolation of an older person by a member of the staff of the hospital.

(c) A coroner.

(d) Every person who maintains or is employed by an agency to provide personal care services in the home.

(e) Every person who maintains or is employed by an agency to provide nursing in the home.

(f) Every person who operates, who is employed by or who contracts to provide services for an intermediary service organization as defined in NRS 427A.0291.

(g) Any employee of the Department of Health and Human Services.

(h) Any employee of a law enforcement agency or a county's office for protective services or an adult or juvenile probation officer.

(i) Any person who maintains or is employed by a facility or establishment that provides care for older persons.

(j) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding the abuse, neglect, exploitation or isolation of an older person and refers them to persons and agencies where their requests and needs can be met.

(k) Every social worker.

(l) Any person who owns or is employed by a funeral home or mortuary.

5. A report may be made by any other person.

6. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that an older person has died as a result of abuse, neglect or isolation, the person shall, as soon as reasonably practicable, report this belief to the appropriate medical examiner or coroner, who shall investigate the cause of death of the older person and submit to the appropriate local law enforcement agencies, the appropriate prosecuting attorney, the Aging and Disability Services Division of the Department of Health and Human Services and the Unit for the Investigation and Prosecution of Crimes his or her written findings. The written findings must

include the information required pursuant to the provisions of NRS 200.5094, when possible.

7. A division, office or department which receives a report pursuant to this section shall cause the investigation of the report to commence within 3 working days. A copy of the final report of the investigation conducted by a division, office or department, other than the Aging and Disability Services Division of the Department of Health and Human Services, must be forwarded within 30 days after the completion of the report to the:

- (a) Aging and Disability Services Division;
- (b) Repository for Information Concerning Crimes Against Older Persons created by NRS 179A.450; and
- (c) Unit for the Investigation and Prosecution of Crimes.

8. If the investigation of a report results in the belief that an older person is abused, neglected, exploited or isolated, the Aging and Disability Services Division of the Department of Health and Human Services or the county's office for protective services may provide protective services to the older person if the older person is able and willing to accept them.

9. A person who knowingly and willfully violates any of the provisions of this section is guilty of a misdemeanor.

10. As used in this section, "Unit for the Investigation and Prosecution of Crimes" means the Unit for the Investigation and Prosecution of Crimes Against Older Persons in the Office of the Attorney General created pursuant to NRS 228.265.

Sec. 37. NRS 200.50935 is hereby amended to read as follows:

200.50935 1. Any person who is described in subsection 3 and who, in a professional or occupational capacity, knows or has reasonable cause to believe that a vulnerable person has been abused, neglected, exploited or isolated shall:

- (a) Report the abuse, neglect, exploitation or isolation of the vulnerable person to a law enforcement agency; and
- (b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the vulnerable person has been abused, neglected, exploited or isolated.

2. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that the abuse, neglect, exploitation or isolation of the vulnerable person involves an act or omission of a law enforcement agency, the person shall make the report to a law enforcement agency other than the one alleged to have committed the act or omission.

3. A report must be made pursuant to subsection 1 by the following persons:

- (a) Every physician, dentist, dental hygienist, chiropractor, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, perfusionist, physician assistant licensed pursuant to chapter 630 or 633 of NRS, psychiatrist, psychologist, marriage and family



therapist, clinical professional counselor, clinical alcohol and drug abuse counselor, alcohol and drug abuse counselor, music therapist, athletic trainer, driver of an ambulance, ~~advanced emergency medical technician,~~ *paramedic*, licensed dietitian or other person providing medical services licensed or certified to practice in this State, who examines, attends or treats a vulnerable person who appears to have been abused, neglected, exploited or isolated.

(b) Any personnel of a hospital or similar institution engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of a hospital or similar institution upon notification of the suspected abuse, neglect, exploitation or isolation of a vulnerable person by a member of the staff of the hospital.

(c) A coroner.

(d) Every person who maintains or is employed by an agency to provide nursing in the home.

(e) Any employee of the Department of Health and Human Services.

(f) Any employee of a law enforcement agency or an adult or juvenile probation officer.

(g) Any person who maintains or is employed by a facility or establishment that provides care for vulnerable persons.

(h) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding the abuse, neglect, exploitation or isolation of a vulnerable person and refers them to persons and agencies where their requests and needs can be met.

(i) Every social worker.

(j) Any person who owns or is employed by a funeral home or mortuary.

4. A report may be made by any other person.

5. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that a vulnerable person has died as a result of abuse, neglect or isolation, the person shall, as soon as reasonably practicable, report this belief to the appropriate medical examiner or coroner, who shall investigate the cause of death of the vulnerable person and submit to the appropriate local law enforcement agencies and the appropriate prosecuting attorney his or her written findings. The written findings must include the information required pursuant to the provisions of NRS 200.5094, when possible.

6. A law enforcement agency which receives a report pursuant to this section shall immediately initiate an investigation of the report.

7. A person who knowingly and willfully violates any of the provisions of this section is guilty of a misdemeanor.

Sec. 38. NRS 244.1605 is hereby amended to read as follows:

244.1605 The boards of county commissioners may:

1. Establish, equip and maintain limited medical facilities in the outlying areas of their respective counties to provide outpatient care and emergency

treatment to the residents of and those falling sick or being injured or maimed in those areas.

2. Provide a full-time or part-time staff for the facilities which may include a physician, a physician assistant licensed pursuant to chapter 630 or 633 of NRS, a registered nurse or a licensed practical nurse, a certified emergency medical technician, *advanced emergency medical technician or paramedic*, and such other personnel as the board deems necessary or appropriate to ensure adequate staffing commensurate with the needs of the area in which the facility is located.

3. Fix the charges for the medical and nursing care and medicine furnished by the facility to those who are able to pay for them, and to provide that care and medicine free of charge to those persons who qualify as medical indigents under the county's criteria of eligibility for medical care.

4. Purchase, equip and maintain, either in connection with a limited medical facility as authorized in this section or independent therefrom, ambulances and ambulance services for the benefit of the residents of and those falling sick or being injured or maimed in the outlying areas.

Sec. 39. NRS 432B.220 is hereby amended to read as follows:

432B.220 1. Any person who is described in subsection 4 and who, in his or her professional or occupational capacity, knows or has reasonable cause to believe that a child has been abused or neglected shall:

(a) Except as otherwise provided in subsection 2, report the abuse or neglect of the child to an agency which provides child welfare services or to a law enforcement agency; and

(b) Make such a report as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the child has been abused or neglected.

2. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that the abuse or neglect of the child involves an act or omission of:

(a) A person directly responsible or serving as a volunteer for or an employee of a public or private home, institution or facility where the child is receiving child care outside of the home for a portion of the day, the person shall make the report to a law enforcement agency.

(b) An agency which provides child welfare services or a law enforcement agency, the person shall make the report to an agency other than the one alleged to have committed the act or omission, and the investigation of the abuse or neglect of the child must be made by an agency other than the one alleged to have committed the act or omission.

3. Any person who is described in paragraph (a) of subsection 4 who delivers or provides medical services to a newborn infant and who, in his or her professional or occupational capacity, knows or has reasonable cause to believe that the newborn infant has been affected by prenatal illegal substance abuse or has withdrawal symptoms resulting from prenatal drug

exposure shall, as soon as reasonably practicable but not later than 24 hours after the person knows or has reasonable cause to believe that the newborn infant is so affected or has such symptoms, notify an agency which provides child welfare services of the condition of the infant and refer each person who is responsible for the welfare of the infant to an agency which provides child welfare services for appropriate counseling, training or other services. A notification and referral to an agency which provides child welfare services pursuant to this subsection shall not be construed to require prosecution for any illegal action.

4. A report must be made pursuant to subsection 1 by the following persons:

(a) A physician, dentist, dental hygienist, chiropractor, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, physician assistant licensed pursuant to chapter 630 or 633 of NRS, perfusionist, psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, clinical alcohol and drug abuse counselor, alcohol and drug abuse counselor, clinical social worker, music therapist, athletic trainer, ~~advanced emergency medical technician~~ *paramedic* or other person providing medical services licensed or certified in this State.

(b) Any personnel of a hospital or similar institution engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of a hospital or similar institution upon notification of suspected abuse or neglect of a child by a member of the staff of the hospital.

(c) A coroner.

(d) A member of the clergy, practitioner of Christian Science or religious healer, unless the person has acquired the knowledge of the abuse or neglect from the offender during a confession.

(e) A social worker and an administrator, teacher, librarian or counselor of a school.

(f) Any person who maintains or is employed by a facility or establishment that provides care for children, children's camp or other public or private facility, institution or agency furnishing care to a child.

(g) Any person licensed to conduct a foster home.

(h) Any officer or employee of a law enforcement agency or an adult or juvenile probation officer.

(i) An attorney, unless the attorney has acquired the knowledge of the abuse or neglect from a client who is or may be accused of the abuse or neglect.

(j) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding abuse or neglect of a child and refers them to persons and agencies where their requests and needs can be met.

(k) Any person who is employed by or serves as a volunteer for a youth shelter. As used in this paragraph, "youth shelter" has the meaning ascribed to it in NRS 244.427.

(l) Any adult person who is employed by an entity that provides organized activities for children.

5. A report may be made by any other person.

6. If a person who is required to make a report pursuant to subsection 1 knows or has reasonable cause to believe that a child has died as a result of abuse or neglect, the person shall, as soon as reasonably practicable, report this belief to an agency which provides child welfare services or a law enforcement agency. If such a report is made to a law enforcement agency, the law enforcement agency shall notify an agency which provides child welfare services and the appropriate medical examiner or coroner of the report. If such a report is made to an agency which provides child welfare services, the agency which provides child welfare services shall notify the appropriate medical examiner or coroner of the report. The medical examiner or coroner who is notified of a report pursuant to this subsection shall investigate the report and submit his or her written findings to the appropriate agency which provides child welfare services, the appropriate district attorney and a law enforcement agency. The written findings must include, if obtainable, the information required pursuant to the provisions of subsection 2 of NRS 432B.230.

Sec. 40. NRS 482.3843 is hereby amended to read as follows:

482.3843 1. The chief of a volunteer fire department may apply to the Department of Motor Vehicles for the issuance of a placard for a member of the volunteer fire department, ~~or~~ a volunteer emergency medical technician, *advanced emergency medical technician or paramedic* associated with the department. The application must:

(a) Be submitted on a form approved by the Department of Motor Vehicles; and

(b) Include:

- (1) The name of the volunteer fire department;
- (2) The county in which the volunteer fire department is located; and
- (3) The number of placards requested.

2. Upon receipt of an application pursuant to the provisions of subsection 1, the Department of Motor Vehicles shall prepare and issue the number of placards requested in the application. The placards must be yellow in color and must have appropriate mounting holes. The volunteer fire department is responsible for determining the design, lettering and numbering of the placards.

3. The chief of the volunteer fire department shall establish rules:

(a) Regarding the issuance and use of the placards; and

(b) Establishing a method of establishing and maintaining records of placards that have been issued.

4. When a member to whom a placard has been issued ceases to be a member of the volunteer fire department, or when a volunteer emergency medical technician, *advanced emergency medical technician or paramedic* to whom a placard has been issued ceases to be associated with the department, the person shall surrender the placard to the chief of the volunteer fire department from which the person received the placard.

5. A placard issued pursuant to the provisions of this section may not be used in lieu of a license plate otherwise required by this chapter.

6. The Department of Motor Vehicles shall not charge a fee for the issuance of the placards pursuant to this section.

Sec. 41. NRS 484B.165 is hereby amended to read as follows:

484B.165 1. Except as otherwise provided in this section, a person shall not, while operating a motor vehicle on a highway in this State:

(a) Manually type or enter text into a cellular telephone or other handheld wireless communications device, or send or read data using any such device to access or search the Internet or to engage in nonvoice communications with another person, including, without limitation, texting, electronic messaging and instant messaging.

(b) Use a cellular telephone or other handheld wireless communications device to engage in voice communications with another person, unless the device is used with an accessory which allows the person to communicate without using his or her hands, other than to activate, deactivate or initiate a feature or function on the device.

2. The provisions of this section do not apply to:

(a) A paid or volunteer firefighter, emergency medical technician, *advanced emergency medical technician, paramedic*, ambulance attendant or other person trained to provide emergency medical services who is acting within the course and scope of his or her employment.

(b) A law enforcement officer or any person designated by a sheriff or chief of police or the Director of the Department of Public Safety who is acting within the course and scope of his or her employment.

(c) A person who is reporting a medical emergency, a safety hazard or criminal activity or who is requesting assistance relating to a medical emergency, a safety hazard or criminal activity.

(d) A person who is responding to a situation requiring immediate action to protect the health, welfare or safety of the driver or another person and stopping the vehicle would be inadvisable, impractical or dangerous.

(e) A person who is licensed by the Federal Communications Commission as an amateur radio operator and who is providing a communication service in connection with an actual or impending disaster or emergency, participating in a drill, test, or other exercise in preparation for a disaster or emergency or otherwise communicating public information.

(f) An employee or contractor of a public utility who uses a handheld wireless communications device:

(1) That has been provided by the public utility; and

(2) While responding to a dispatch by the public utility to respond to an emergency, including, without limitation, a response to a power outage or an interruption in utility service.

3. The provisions of this section do not prohibit the use of a voice-operated global positioning or navigation system that is affixed to the vehicle.

4. A person who violates any provision of subsection 1 is guilty of a misdemeanor and:

(a) For the first offense within the immediately preceding 7 years, shall pay a fine of \$50.

(b) For the second offense within the immediately preceding 7 years, shall pay a fine of \$100.

(c) For the third or subsequent offense within the immediately preceding 7 years, shall pay a fine of \$250.

5. A person who violates any provision of subsection 1 may be subject to the additional penalty set forth in NRS 484B.130.

6. The Department of Motor Vehicles shall not treat a first violation of this section in the manner statutorily required for a moving traffic violation.

7. For the purposes of this section, a person shall be deemed not to be operating a motor vehicle if the motor vehicle is driven autonomously through the use of artificial-intelligence software and the autonomous operation of the motor vehicle is authorized by law.

8. As used in this section:

(a) "Handheld wireless communications device" means a handheld device for the transfer of information without the use of electrical conductors or wires and includes, without limitation, a cellular telephone, a personal digital assistant, a pager and a text messaging device. The term does not include a device used for two-way radio communications if:

(1) The person using the device has a license to operate the device, if required; and

(2) All the controls for operating the device, other than the microphone and a control to speak into the microphone, are located on a unit which is used to transmit and receive communications and which is separate from the microphone and is not intended to be held.

(b) "Public utility" means a supplier of electricity or natural gas or a provider of telecommunications service for public use who is subject to regulation by the Public Utilities Commission of Nevada.

Sec. 42. NRS 484B.320 is hereby amended to read as follows:

484B.320 1. Except as otherwise provided in this section:

(a) A person shall not operate a vehicle on the highways of this State if the vehicle is equipped with any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal.

(b) A person shall not operate any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal.

2. Except as otherwise provided in this subsection, a person shall not in this State sell or offer for sale any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal. The provisions of this subsection do not prohibit a person from selling or offering for sale:

(a) To a provider of mass transit, a signal prioritization device; or

(b) To a response agency, a signal preemption device or a signal prioritization device, or both.

3. A police officer:

(a) Shall, without a warrant, seize any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal; or

(b) May, without a warrant, seize and take possession of a vehicle equipped with any device or mechanism that is capable of interfering with or altering the signal of a traffic-control signal, including, without limitation, a mobile transmitter, if the device or mechanism cannot be removed from the motor vehicle by the police officer, and may cause the vehicle to be towed and impounded until:

(1) The device or mechanism is removed from the vehicle; and

(2) The owner claims the vehicle by paying the cost of the towing and impoundment.

4. Neither the police officer nor the governmental entity which employs the officer is civilly liable for any damage to a vehicle seized pursuant to the provisions of paragraph (b) of subsection 3 that occurs after the vehicle is seized but before the towing process begins.

5. Except as otherwise provided in subsection 9, the presence of any device or mechanism, including, without limitation, a mobile transmitter, that is capable of interfering with or altering the signal of a traffic-control signal in or on a vehicle on the highways of this State constitutes prima facie evidence of a violation of this section. The State need not prove that the device or mechanism in question was in an operative condition or being operated.

6. A person who violates the provisions of subsection 1 or 2 is guilty of a misdemeanor.

7. A person who violates any provision of subsection 1 or 2 may be subject to the additional penalty set forth in NRS 484B.130.

8. A provider of mass transit shall not operate or cause to be operated a signal prioritization device in such a manner as to impede or interfere with the use by response agencies of signal preemption devices.

9. The provisions of this section do not:

(a) Except as otherwise provided in subsection 8, prohibit a provider of mass transit from acquiring, possessing or operating a signal prioritization device.

(b) Prohibit a response agency from acquiring, possessing or operating a signal preemption device or a signal prioritization device, or both.

10. As used in this section:

(a) "Mobile transmitter" means a device or mechanism that is:

(1) Portable, installed within a vehicle or capable of being installed within a vehicle; and

(2) Designed to affect or alter, through the emission or transmission of sound, infrared light, strobe light or any other audible, visual or electronic method, the normal operation of a traffic-control signal.

➔ The term includes, without limitation, a signal preemption device and a signal prioritization device.

(b) "Provider of mass transit" means a governmental entity or a contractor of a governmental entity which operates, in whole or in part:

(1) A public transit system, as that term is defined in NRS 377A.016; or

(2) A system of public transportation referred to in NRS 277A.270.

(c) "Response agency" means an agency of this State or of a political subdivision of this State that provides services related to law enforcement, firefighting, emergency medical care or public safety. The term includes a nonprofit organization or private company that, as authorized pursuant to chapter 450B of NRS:

(1) Provides ambulance service; or

(2) Provides ~~intermediate or advanced~~ *the level of* medical care *provided by an advanced emergency medical technician or paramedic* to sick or injured persons at the scene of an emergency or while transporting those persons to a medical facility.

(d) "Signal preemption device" means a mobile transmitter that, when activated and when a vehicle equipped with such a device approaches an intersection controlled by a traffic-control signal, causes:

(1) The signal, in the direction of travel of the vehicle, to remain green if the signal is already displaying a green light;

(2) The signal, in the direction of travel of the vehicle, to change from red to green if the signal is displaying a red light;

(3) The signal, in other directions of travel, to remain red or change to red, as applicable, to prevent other vehicles from entering the intersection; and

(4) The applicable functions described in subparagraphs (1), (2) and (3) to continue until such time as the vehicle equipped with the device is clear of the intersection.

(e) "Signal prioritization device" means a mobile transmitter that, when activated and when a vehicle equipped with such a device approaches an intersection controlled by a traffic-control signal, causes:



(1) The signal, in the direction of travel of the vehicle, to display a green light a few seconds sooner than the green light would otherwise be displayed;

(2) The signal, in the direction of travel of the vehicle, to display a green light for a few seconds longer than the green light would otherwise be displayed; or

(3) The functions described in both subparagraphs (1) and (2).

(f) "Traffic-control signal" means a traffic-control signal, as defined in NRS 484A.290, which is capable of receiving and responding to an emission or transmission from a mobile transmitter.

Sec. 43. NRS 484B.767 is hereby amended to read as follows:

484B.767 1. Except as otherwise provided in this section, a peace officer, a firefighter, an emergency medical technician, *an advanced emergency medical technician or a paramedic* certified pursuant to chapter 450B of NRS or an employee of a pedestrian mall, who operates a bicycle or an electric bicycle while on duty, is not required to comply with any provision of NRS or any ordinance of a local government relating to the operation of a bicycle or an electric bicycle while on duty if he or she:

(a) Is responding to an emergency call or the peace officer is in pursuit of a suspected violator of the law; or

(b) Determines that noncompliance with any such provision is necessary to carry out his or her duties.

2. The provisions of this section do not:

(a) Relieve a peace officer, firefighter, emergency medical technician, *advanced emergency medical technician, paramedic* or employee of a pedestrian mall from the duty to operate a bicycle or an electric bicycle with due regard for the safety of others.

(b) Protect such a person from the consequences of the person's disregard for the safety of others.

3. As used in this section, "pedestrian mall" has the meaning ascribed to it in NRS 268.811.

Sec. 44. NRS 484C.250 is hereby amended to read as follows:

484C.250 1. The results of any blood test administered under the provisions of NRS 484C.160 or 484C.180 are not admissible in any hearing or criminal action arising out of acts alleged to have been committed by a person who was driving or in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or who was engaging in any other conduct prohibited by NRS 484C.110, 484C.120, 484C.130 or 484C.430 unless:

(a) The blood tested was withdrawn by a person, other than an arresting officer, who:

(1) Is a physician, physician assistant licensed pursuant to chapter 630 or 633 of NRS, registered nurse, licensed practical nurse, ~~emergency medical technician~~ *advanced emergency medical technician*,

*paramedic* or a phlebotomist, technician, technologist or assistant employed in a medical laboratory; or

(2) Has special knowledge, skill, experience, training and education in withdrawing blood in a medically acceptable manner, including, without limitation, a person qualified as an expert on that subject in a court of competent jurisdiction or a person who has completed a course of instruction described in subsection 2 of NRS 652.127; and

(b) The test was performed on whole blood, except if the sample was clotted when it was received by the laboratory, the test may be performed on blood serum or plasma.

2. The limitation contained in paragraph (a) of subsection 1 does not apply to the taking of a chemical test of the urine, breath or other bodily substance.

3. No person listed in paragraph (a) of subsection 1 incurs any civil or criminal liability as a result of the administering of a blood test when requested by a police officer or the person to be tested to administer the test.

Sec. 45. NRS 488.500 is hereby amended to read as follows:

488.500 1. The results of any blood test administered under the provisions of NRS 488.460 or 488.490 are not admissible in any criminal action arising out of acts alleged to have been committed by a person who was operating or in actual physical control of a vessel under power or sail while under the influence of intoxicating liquor or a controlled substance or who was engaging in any other conduct prohibited by NRS 488.410, 488.420 or 488.425 unless:

(a) The blood tested was withdrawn by a person, other than an arresting officer, who:

(1) Is a physician, registered nurse, licensed practical nurse, ~~emergency medical technician~~ *advanced emergency medical technician*, *paramedic* or a phlebotomist, technician, technologist or assistant employed in a medical laboratory; or

(2) Has special knowledge, skill, experience, training and education in withdrawing blood in a medically acceptable manner, including, without limitation, a person qualified as an expert on that subject in a court of competent jurisdiction or a person who has completed a course of instruction described in subsection 2 of NRS 652.127; and

(b) The test was performed on whole blood, except if the sample was clotted when it was received by the laboratory, the test may be performed on blood serum or plasma.

2. The limitation contained in paragraph (a) of subsection 1 does not apply to the taking of a chemical test of the urine, breath or other bodily substance.

3. No person listed in paragraph (a) of subsection 1 incurs any civil or criminal liability as a result of the administering of a blood test when requested by a peace officer or the person to be tested to administer the test.

Sec. 46. NRS 616A.035 is hereby amended to read as follows:

616A.035 1. "Accident benefits" means medical, surgical, hospital or other treatments, nursing, medicine, medical and surgical supplies, crutches and apparatuses, including prosthetic devices.

2. The term includes:

(a) Medical benefits as defined by NRS 617.130;

(b) Preventive treatment administered as a precaution to an employee who is exposed to a contagious disease while providing medical services, including emergency medical care, in the course and scope of his or her employment;

(c) Preventive treatment administered as a precaution to a police officer, a salaried or volunteer firefighter or an arson investigator who:

(1) Was exposed to a contagious disease:

(I) Upon battery by an offender; or

(II) While performing the duties of a police officer, firefighter or arson investigator,

↳ if the exposure is documented by the creation and maintenance of a report concerning the exposure pursuant to subsection 1 of NRS 616C.052; or

(2) Tests positive for exposure to tuberculosis or another contagious disease under the circumstances described in subsection 2 or 3 of NRS 616C.052; and

(d) Preventive treatment for hepatitis administered as a precaution to a police officer, full-time salaried firefighter, arson investigator or emergency medical attendant employed in this State.

3. The term does not include:

(a) Exercise equipment, a hot tub or a spa for an employee's home;

(b) Membership in an athletic or health club;

(c) Except as otherwise provided in NRS 616C.245, a motor vehicle; or

(d) The costs of operating a motor vehicle provided pursuant to NRS 616C.245, fees related to the operation or licensing of the motor vehicle or insurance for the motor vehicle.

4. As used in this section:

(a) "Battery" includes, without limitation, the intentional propelling or placing, or the causing to be propelled or placed, of any human excrement or bodily fluid upon the person of an employee.

(b) "Emergency medical attendant" means a person licensed as an attendant or certified as an emergency medical technician, ~~intermediate~~ advanced emergency medical technician or ~~advanced emergency medical technician~~ paramedic pursuant to chapter 450B of NRS, whose primary duties of employment are the provision of emergency medical services.

(c) "Hepatitis" includes hepatitis A, hepatitis B, hepatitis C and any additional diseases or conditions that are associated with or result from hepatitis A, hepatitis B or hepatitis C.

(d) "Preventive treatment" includes, without limitation:

(1) Tests to determine if an employee has contracted hepatitis or any other contagious disease to which the employee was exposed; and

(2) If an employee tests positive for exposure to tuberculosis under the circumstances described in NRS 616C.052, such medication and chest X rays as are recommended by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services.

Sec. 47. NRS 617.485 is hereby amended to read as follows:

617.485 1. Notwithstanding any other provision of this chapter and except as otherwise provided in this section, if an employee has hepatitis, the disease is conclusively presumed to have arisen out of and in the course of his or her employment if the employee has been continuously employed for 5 years or more as a police officer, full-time salaried firefighter or emergency medical attendant in this State before the date of any temporary or permanent disability or death resulting from the hepatitis.

2. Compensation awarded to a police officer, firefighter or emergency medical attendant, or to the dependents of such a person, for hepatitis pursuant to this section must include:

(a) Full reimbursement for related expenses incurred for medical treatments, surgery and hospitalization; and

(b) The compensation provided in chapters 616A to 616D, inclusive, of NRS for the disability or death.

3. A police officer, salaried firefighter or emergency medical attendant shall:

(a) Submit to a blood test to screen for hepatitis C upon employment, upon the commencement of coverage and thereafter on an annual basis during his or her employment.

(b) Submit to a blood test to screen for hepatitis A and hepatitis B upon employment, upon the commencement of coverage and thereafter on an annual basis during his or her employment, except that a police officer, salaried firefighter or emergency medical attendant is not required to submit to a blood test to screen for hepatitis A and hepatitis B on an annual basis during his or her employment if he or she has been vaccinated for hepatitis A and hepatitis B upon employment or at other medically appropriate times during his or her employment. Each employer shall provide a police officer, salaried firefighter or emergency medical attendant with the opportunity to be vaccinated for hepatitis A and hepatitis B upon employment and at other medically appropriate times during his or her employment.

4. All blood tests required pursuant to this section and all vaccinations provided pursuant to this section must be paid for by the employer.

5. The provisions of this section:

(a) Except as otherwise provided in paragraph (b), do not apply to a police officer, firefighter or emergency medical attendant who is diagnosed with hepatitis upon employment.

(b) Apply to a police officer, firefighter or emergency medical attendant who is diagnosed with hepatitis upon employment if, during the employment or within 1 year after the last day of the employment, he or she is diagnosed with a different strain of hepatitis.

(c) Apply to a police officer, firefighter or emergency medical attendant who is diagnosed with hepatitis after the termination of the employment if the diagnosis is made within 1 year after the last day of the employment.

6. A police officer, firefighter or emergency medical attendant who is determined to be:

(a) Partially disabled from an occupational disease pursuant to the provisions of this section; and

(b) Incapable of performing, with or without remuneration, work as a police officer, firefighter or emergency medical attendant,

↳ may elect to receive the benefits provided pursuant to NRS 616C.440 for a permanent total disability.

7. As used in this section:

(a) "Emergency medical attendant" means a person licensed as an attendant or certified as an emergency medical technician, ~~{intermediate}~~ *advanced* emergency medical technician or ~~{advanced emergency medical technician}~~ *paramedic* pursuant to chapter 450B of NRS, whose primary duties of employment are the provision of emergency medical services.

(b) "Hepatitis" includes hepatitis A, hepatitis B, hepatitis C and any additional diseases or conditions that are associated with or result from hepatitis A, hepatitis B or hepatitis C.

(c) "Police officer" means a sheriff, deputy sheriff, officer of a metropolitan police department or city police officer.

Sec. 48. NRS 632.472 is hereby amended to read as follows:

632.472 1. The following persons shall report in writing to the Executive Director of the Board any conduct of a licensee or holder of a certificate which constitutes a violation of the provisions of this chapter:

(a) Any physician, dentist, dental hygienist, chiropractor, optometrist, podiatric physician, medical examiner, resident, intern, professional or practical nurse, nursing assistant, medication aide - certified, perfusionist, physician assistant licensed pursuant to chapter 630 or 633 of NRS, psychiatrist, psychologist, marriage and family therapist, clinical professional counselor, alcohol or drug abuse counselor, music therapist, driver of an ambulance, ~~{advanced emergency medical technician}~~ *paramedic* or other person providing medical services licensed or certified to practice in this State.

(b) Any personnel of a medical facility or facility for the dependent engaged in the admission, examination, care or treatment of persons or an administrator, manager or other person in charge of a medical facility or facility for the dependent upon notification by a member of the staff of the facility.

(c) A coroner.

(d) Any person who maintains or is employed by an agency to provide personal care services in the home.

(e) Any person who operates, who is employed by or who contracts to provide services for an intermediary service organization as defined in NRS 427A.0291.

(f) Any person who maintains or is employed by an agency to provide nursing in the home.

(g) Any employee of the Department of Health and Human Services.

(h) Any employee of a law enforcement agency or a county's office for protective services or an adult or juvenile probation officer.

(i) Any person who maintains or is employed by a facility or establishment that provides care for older persons.

(j) Any person who maintains, is employed by or serves as a volunteer for an agency or service which advises persons regarding the abuse, neglect or exploitation of an older person and refers them to persons and agencies where their requests and needs can be met.

(k) Any social worker.

2. Every physician who, as a member of the staff of a medical facility or facility for the dependent, has reason to believe that a nursing assistant or medication aide - certified has engaged in conduct which constitutes grounds for the denial, suspension or revocation of a certificate shall notify the superintendent, manager or other person in charge of the facility. The superintendent, manager or other person in charge shall make a report as required in subsection 1.

3. A report may be filed by any other person.

4. Any person who in good faith reports any violation of the provisions of this chapter to the Executive Director of the Board pursuant to this section is immune from civil liability for reporting the violation.

5. As used in this section, "agency to provide personal care services in the home" has the meaning ascribed to it in NRS 449.0021.

Sec. 49. NRS 639.268 is hereby amended to read as follows:

639.268 1. A practitioner may purchase supplies of controlled substances, poisons, dangerous drugs and devices from a pharmacy by:

(a) Making an oral order to the pharmacy or transmitting an oral order through his or her agent, except an order for a controlled substance in schedule II; or

(b) If the order is for a controlled substance, presenting to the pharmacy a written order signed by the practitioner which contains his or her registration number issued by the Drug Enforcement Administration.

2. A hospital pharmacy or a pharmacy designated for this purpose by a county health officer in a county whose population is 100,000 or more, or by a district health officer in any county within its jurisdiction or, in the absence of either, by the State Health Officer or his or her designated medical director

of emergency medical services, may sell to a person or agency described in subsection 3 supplies of controlled substances to stock the ambulances or other authorized vehicles of such a person or agency or replenish the stock if:

(a) The person or agency is registered with the Drug Enforcement Administration pursuant to 21 C.F.R. Part 1301;

(b) The person in charge of the controlled substances is:

(1) ~~{An advanced emergency medical technician}~~ *A paramedic* appropriately certified by the health authority;

(2) A registered nurse licensed by the State Board of Nursing; or

(3) A person who holds equivalent certification or licensure issued by another state; and

(c) Except as otherwise provided in this paragraph, the purchase order is countersigned by a physician or initiated by an oral order and may be made by the person or agency or transmitted by an agent of such a person or agency. An order for a controlled substance listed in schedule II must be made pursuant to NRS 453.251.

3. A pharmacy, institutional pharmacy or other person licensed by the Board to furnish controlled substances and dangerous drugs may sell to:

(a) The holder of a permit issued pursuant to the provisions of NRS 450B.200 or 450B.210;

(b) The holder of a permit issued by another state which is substantially similar to a permit issued pursuant to the provisions of NRS 450B.200 or 450B.210; and

(c) An agency of the Federal Government that provides emergency care or transportation and is registered with the Drug Enforcement Administration pursuant to 21 C.F.R. Part 1301.

4. A pharmacy, institutional pharmacy or other person licensed by the Board to furnish dangerous drugs who sells supplies pursuant to this section shall maintain a record of each sale which must contain:

(a) The date of sale;

(b) The name, address and signature of the purchaser or the person receiving the delivery;

(c) The name of the dispensing pharmacist;

(d) The name and address of the authorizing practitioner; and

(e) The name, strength and quantity of each drug sold.

5. A pharmacy, institutional pharmacy or other person licensed by the Board to furnish dangerous drugs who supplies the initial stock for an ambulance or other emergency vehicle shall comply with any applicable regulations adopted by the State Board of Health, or a district board of health, pursuant to NRS 450B.120.

6. The Board shall adopt regulations regarding the records a pharmacist shall keep of any purchase made pursuant to this section.

Sec. 50. NRS 652.210 is hereby amended to read as follows:

652.210 1. Except as otherwise provided in subsection 2 and NRS 126.121, no person other than a licensed physician, a licensed optometrist, a licensed practical nurse, a registered nurse, a perfusionist, a physician assistant licensed pursuant to chapter 630 or 633 of NRS, a certified ~~[intermediate]~~ advanced emergency medical technician, a certified ~~[advanced emergency medical technician]~~ paramedic, a practitioner of respiratory care licensed pursuant to chapter 630 of NRS or a licensed dentist may manipulate a person for the collection of specimens.

2. The technical personnel of a laboratory may collect blood, remove stomach contents, perform certain diagnostic skin tests or field blood tests or collect material for smears and cultures.

Sec. 51. NRS 450B.070 is hereby repealed.

Sec. 51.5. Notwithstanding the provisions of NRS 450B.025, 450B.065, 450B.085, 450B.1905, 450B.191 and 450B.195, as amended by sections 5, 7, 9, 18, 19 and 21 of this act, any person who, on December 31, 2013, holds a certificate as an emergency medical technician, advanced emergency medical technician or paramedic is exempt from the training requirements for certification prescribed pursuant to the applicable provisions of NRS 450B.1905, 450B.191 or 450B.195, as amended by sections 18, 19 and 21 of this act, through December 31, 2015.

Sec. 52. This act becomes effective upon passage and approval for the purposes of adopting regulations and performing any preliminary administrative tasks that are necessary to carry out the provisions of this act and on ~~[October 1, 2013,]~~ January 1, 2014, for all other purposes.

#### TEXT OF REPEALED SECTION

450B.070 "Emergency medical technician certificate" defined. "Emergency medical technician certificate" means the certificate issued by the health authority acknowledging successful completion of an approved course for an emergency medical technician at the level identified on the certificate.

Senator Kieckhefer moved the adoption of the amendment.

Remarks by Senator Kieckhefer.

Thank you, Mr. President. Amendment No. 21 to Senate Bill No. 100 does the following: (1) clarifies the supervisory role of licensed physicians as it relates to classes for advanced emergency medical technicians; (2) removes certain provisions related to emergency medical technicians' drawing blood, as they are not authorized to do so under any circumstances; and, (3) removes the October 1, 2013, effective date and adds effective dates for individuals applying for new certificates and time for individuals that are already certified to meet the new standards established by the measure. Specifically, Amendment No. 21 to Senate Bill No. 100 establishes an effective date of January 1, 2014, as the deadline by which individuals applying for new certificates must meet the provisions of the bill, and clarifies that for the purpose of issuing certificates to emergency medical technicians, advanced emergency medical technicians or paramedics whose certificates will expire on March 31, 2014, or on March 31, 2015, and that they have until December 31, 2015 to complete a transition course that meets the national standard.



Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 393.

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 11:37 a.m.

#### SENATE IN SESSION

At 11:42 a.m.

President Krolicki presiding.

Quorum present.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 9.

Bill read third time.

Remarks by Senator Hammond.

Thank you, Mr. President. Senate Bill No. 9 revises definitions of various terms relating to the licensing and control of gaming. In addition, the measure transfers from the Gaming Commission to the Gaming Control Board responsibility for determining the annual adjustment to financial reporting thresholds for non-restricted licensees.

The measure requires that persons seeking to hold a 5 percent or less interest in certain gaming licenses register with the Board, and repeals provisions under which a person was previously allowed up to 30 days after obtaining such an interest to register with the Board.

Finally, the measure revises provisions relating to independent testing laboratories, including authorizing the Commission to require certain persons associated with registered independent testing laboratories to file an application for a finding of suitability.

Roll call on Senate Bill No. 9:

YEAS—21.

NAYS—None.

Senate Bill No. 9 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 14.

Bill read third time.

Remarks by Senator Spearman.

Thank you, Mr. President. Senate Bill No. 14 authorizes the Director of the Department of Transportation to reduce the maximum vehicle weight limit on any State-owned road or bridge for the purpose of public safety. The weight limit reductions are not to exceed a period of 180 days. The Director must notify the Department of Transportation's Board of Directors within 60 days of making any weight limit reductions. This bill is effective upon passage and approval.

Roll call on Senate Bill No. 14:

YEAS—21.

NAYS—None.

Senate Bill No. 14 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 30.

Bill read third time.

Remarks by Senator Hutchison.

Thank you, Mr. President. Senate Bill No. 30 relates to access to criminal records by the Attorney General's office. The Attorney General's multidisciplinary team is to review the death of victims of crimes that constitute domestic violence. This bill gives them access to the information they need that is contained in the Central Repository for Nevada Records of Criminal History and the Records of Criminal History maintained by a criminal justice agency.

Roll call on Senate Bill No. 30:

YEAS—21.

NAYS—None.

Senate Bill No. 30 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 37.

Bill read third time.

Remarks by Senator Brower.

Thank you, Mr. President. Senate Bill No. 37 is the scrap metal bill that expands certain definitions and enhances penalties. This is a good bill and very important to our local governments. I respectfully urge your support.

Roll call on Senate Bill No. 37:

YEAS—21.

NAYS—None.

Senate Bill No. 37 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 54.

Bill read third time.

Remarks by Senator Segerblom.

Thank you, Mr. President. Senate Bill No. 54 prohibits the owner of a property where a blind or visually impaired vendor has a business, from charging them based upon square footage. There was an issue where the City of Las Vegas tried to raise the rent based on square footage and this bill puts an end to that. I urge your support.

Roll call on Senate Bill No. 54:

YEAS—21.

NAYS—None.

Senate Bill No. 54 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 99.

Bill read third time.

Remarks by Senator Kieckhefer.

Thank you, Mr. President. Senate Bill No. 99 requires a child welfare agency to obtain and examine the credit report of certain children placed into its custody. The credit reports are to be obtained and examined when the child reaches the age of 16 years and then at least once annually thereafter to identify any inaccuracies in the credit report. If the agency finds any inaccuracies, the measure requires the agency to report the information indicating a potential instance of identity theft or other crime to the Attorney General and to continue making a diligent effort to resolve each inaccuracy until corrected.

Finally, the measure authorizes the Attorney General to investigate and prosecute the persons responsible for any instances of identity theft. This bill is beneficial for those children who we are responsible for taking care of and protecting. I encourage you all to vote in support.

Roll call on Senate Bill No. 99:

YEAS—21.

NAYS—None.

Senate Bill No. 99 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 154.

Bill read third time.

Remarks by Senator Manendo.

Thank you, Mr. President. Senate Bill No. 154 requires the landlord of a manufactured home park to maintain, in good working order, any utility service apparatus located on each manufactured home lot, up to the disconnection point. A landlord is not required to maintain any such apparatus that has been damaged by the tenant of the lot. The measure also requires that any maintenance to a utility service apparatus be performed by a person who is properly licensed. I urge your support.

Roll call on Senate Bill No. 154:

YEAS—21.

NAYS—None.

Senate Bill No. 154 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

#### MOTIONS, RESOLUTIONS AND NOTICES

Senator Jones moved that Senate Bill No. 159 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 191.

Bill read third time.

Remarks by Senators Gustavson, Smith, Spearman, Denis, Brower, and Hardy.

SENATOR GUSTAVSON:

Thank you, Mr. President. Senate Bill No. 191 increases from 75 miles per hour to 85 miles per hour the maximum speed at which a person may drive or operate a vehicle. Additionally, Senate Bill No. 191 allows Nevada's Department of Transportation to raise the speed limit on certain highways to not more than 85 miles per hour, except as otherwise provided by federal law.

The measure also revises the incremental parameters for the imposition of a fine for exceeding the posted speed limit to account for the increase in posted speed limits of up to 85 miles per hour.

Research on Senate Bill No. 191 found a study done in the state of Utah where the speed limit was raised to 80 miles per hour and the result was a decrease in the amount of accidents. Thank you, and I urge your support.

SENATOR SMITH:

Thank you, Mr. President. I rise in opposition to Senate Bill No. 191. I have a question for the Chair of the Senate Committee on Transportation or to the sponsor of the bill: does this legislation apply to trucks on the highway?

SENATOR GUSTAVSON:

Thank you, Mr. President. To my colleague from District 13, Senate Bill No. 191 applies to trucks in that it has the potential to increase the speed limit for any vehicle on the highway. I will note that Senate Bill No. 191 only applies to four-lane highways, therefore, there is plenty of safe room for passing.

SENATOR SMITH:

Thank you, Mr. President. And thank you to my colleague from Senate District 14 for the answer.

I have serious concerns about our residents being on the highway if a truck with triple trailers, for example, is going 5 miles per hour over the speed limit as many drivers do. The thought of an elderly person or a teen being on the highway with a triple-trailer truck going 90 miles per hour is too much. It concerns me.

For the small area this affects, to increase the speed limit, it is not in the best interest of the safety of the citizens of Nevada. I will be voting no on Senate Bill No. 191.

SENATOR SPEARMAN:

Thank you, Mr. President. I, too, rise in opposition to Senate Bill No. 191. In looking at research conducted from 2006 through 2012, I found the following statistics that confirm what I intuitively believed: there are many factors that contribute to passenger injury and fatality in vehicle crashes, but data proves—time and time again—that kinetic energy transferred to the vehicle is the causal agent. The kinetic energy transferred is based upon the speed of the vehicle at the time of accidents.

Also, the American Journal of Public Health recently conducted a study on long-term effects of the national maximum speed limit in the United States and found that there was 3.2 percent increase in road fatalities attributed to increased speed limits across the country. Those states that did not increase their speed limits experienced a significant decline in passenger injuries and deaths, especially those in rural areas.

I will be voting against Senate Bill No. 191 and I have already relayed my concerns to my esteemed colleagues from Senate District 14 and Senate District 21.

SENATOR DENIS:

Thank you, Mr. President. I am supportive of Senate Bill No. 191, but I have a question. Having missed the testimony on this bill in Committee, if the chair of the Committee on Transportation or the bill sponsor could answer for me: will law enforcement use this bill as a speed trap? I have driven through an area in Utah where the speed limit is 80 or 85 miles per hour but then it suddenly changes to a lower speed limit, allowing lots of speeding tickets to be issued.

SENATOR GUSTAVSON:

Thank you, Mr. President. To the Majority Leader, the speed trap issue was addressed. Law enforcement will continue to enforce the law, including speed limits, as they have done in the past. Senate Bill No. 191 will not change that.

SENATOR DENIS:

Thank you, Mr. President. I have a second question: is this permissive language for the Department of Transportation that allows them to consider raising the speed limit, to conduct studies, but doesn't require them to do so?

SENATOR GUSTAVSON:

Thank you, Mr. President. Again to the Majority Leader, yes. This is enabling legislation. I doubt that the speed limit will be raised to 85 miles per hour but perhaps once Interstate 11 is built, it could be designed for construction that would safely allow faster speeds.

Senate Bill No. 191 only applies to four-lane highways with two lanes in each direction and interstates in the rural areas; you won't see an increased speed limit in areas like the Spaghetti Bowl in Washoe County or other urban areas where it would not be safe to allow traffic to move at increased speeds. However, in an area such as that between Fernley and Wendover, there are few vehicles traveling and they can move safely at higher speeds.

The study in Utah which I mentioned earlier showed that when they increased the speed limit to 80 miles per hour, the average speed only increased two to three miles per hour from what the actual speed of travel was prior to the speed limit change. The actual speed of vehicles will not change substantially.

As far as trailer trucks going 90 miles per hour, I don't believe that will happen due to fuel consumption and their need to regulate their speed based on the weight of their loads.

SENATOR BROWER:

Thank you, Mr. President. The clarification I rose to make, I believe, was just made. The passage of Senate Bill No. 191 would not raise the speed limit, but it would enable the Nevada Department of Transportation to, on a small number of highways in our State, raise the speed limit to 85 miles per hour if its own studies show that to be a safe and prudent thing to do.

As the sponsor indicated, I understand Senate Bill No. 191 to be enabling legislation for the Nevada Department of Transportation who will play a major role in any decision that is made regarding speed limits.

SENATOR HARDY:

Thank you, Mr. President. I rise in support of Senate Bill No. 191. In the Senate Committee on Transportation, we heard that "prevailing speed" is an engineering principle. As we have heard, this is enabling and permissive legislation that allows the speed limit to be increased up to 85 miles per hour but does not have to be 85 miles per hour. There is leeway for the Nevada Department of Transportation to determine what speed is safe.

SENATOR SMITH:

Thank you, Mr. President. I would like to relay to my colleagues that I understand this is enabling legislation, and I understand the increase in speed limit is up to 85 miles per hour. When we pass legislation we have to make the assumption that the maximum may be implemented under the law. My opinion and my vote in opposition will be based on the maximum of 85 miles per hour. We must keep in mind that drivers regularly drive faster than what the law allows.

SENATOR SPEARMAN:

Thank you, Mr. President. To my esteemed colleague from Senate District No. 14 who made the same point as I did while Senate Bill No. 191 was being discussed in the Senate Committee on Transportation, increased speeds also increase fuel usage. There were studies done by Wescott that showed that the Oklahoma City Regional Food Bank, in an effort to conserve gas, actually asked their volunteer drivers to reduce their speeds from 65 miles per hour to 55 miles per hour to conserve fuel and therefore, save money.

I am in opposition to Senate Bill No. 191 for the same reasons articulated by my colleague from Senate District 13 but, also, because the National Highway Traffic and Safety Administration has a study out that shows that rural areas in Nevada have the highest fatality rate over the last five years. I remain in opposition to Senate Bill No. 191.

SENATOR GUSTAVSON:

Thank you, Mr. President. I appreciate the opportunity to once again speak about Senate Bill No. 191.

There are charts that show the majority of accidents—up to 45 percent—are caused at speeds averaging 40 miles per hour, not at higher speeds. The faster cars travel, the fewer accidents according to the studies I have looked at.

Roll call on Senate Bill No. 191:

YEAS—15.

NAYS—Ford, Jones, Parks, Smith, Spearman, Woodhouse—6.

Senate Bill No. 191 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 199.

Bill read third time.

Remarks by Senators Kihuen and Kieckhefer.

SENATOR KIHUEN:

Thank you, Mr. President. Senate Bill No. 199 makes it a felony to perform certain health care procedures or surgical procedures without a license. The measure sets forth specific penalties for engaging in such unlawful conduct. The measure also amends various provisions of existing law which impose penalties for the practice of certain medical professions without a license to specify that the greater penalties provided in this measure must apply. I urge this Body's support.

SENATOR KIECKHEFER:

Thank you, Mr. President. I rise in support of Senate Bill No. 199. When I read this piece of legislation I was brought back to my time working for the Department of Health and Human Services where I was a public information officer. As part of that job, I explained some of the terrible scenarios experienced in Las Vegas; individuals received surgery from someone who was unlicensed and something went wrong. The person performing the surgery disappeared out the back door and caught a flight out of the country, and we had to call an ambulance for an individual who was bleeding out or having serious complications with the procedure performed on them.

It is important to note, and especially today which is Latino Lobby Day at the Legislature, that this is something that is more prevalent within the Hispanic community in Las Vegas. Senate Bill No. 199 will hopefully protect the communities throughout our State that are vulnerable to these kinds of predators. Senate Bill No. 199 will hold people accountable who take malicious actions against our citizens.

SENATOR KIHUEN:

Thank you, Mr. President. I want to thank my colleague from Senate District No. 16. He is correct that this is a prevalent problem within the Hispanic community. We see these "botanicas" who act as clinics, but are unlicensed to perform what they are doing. In my district, Senate District No. 10, we had a tragic fatality; the same situation that my colleague spoke about. I appreciate the support of this Body very much.

Roll call on Senate Bill No. 199:

YEAS—21.

NAYS—None.

Senate Bill No. 199 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 298.

Bill read third time.

Remarks by Senator Woodhouse.

Thank you, Mr. President. Senate Bill No. 298 requires the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs to conduct, during the 2013-2014 Interim, a study of property tax relief provided for senior citizens in Nevada. The study must determine the feasibility of reenacting the Senior Citizens Property Tax Assistance Program, which was repealed in 2011. The study must also include an evaluation of alternatives to provide property tax relief for senior citizens. The Committee must submit a report and recommendations to the 78th Session of the Nevada Legislature. Thank you for your support.

Roll call on Senate Bill No. 298:

YEAS—21.

NAYS—None.

Senate Bill No. 298 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

#### MOTIONS, RESOLUTIONS AND NOTICES

Senator Smith moved that Senate Bill No. 330 be taken from the general file and be re-referred to the Committee on Finance.

Remarks by Senator Smith.

Thank you, Mr. President. This bill has a fiscal impact that needs to be considered by the Committee on Finance.

Motion carried.

#### GENERAL FILE AND THIRD READING

Senate Joint Resolution No. 5.

Resolution read third time.

Remarks by Senators Woodhouse and Smith.

SENATOR WOODHOUSE:

Thank you, Mr. President. Senate Joint Resolution No. 5 urges the United States Congress to pass the Marketplace Fairness Act which would provide the states with the authority to require out-of-state retailers, such as online and catalog retailers, to collect and remit sales tax on purchases shipped into the State. I would appreciate your support.

SENATOR SMITH:

Thank you, Mr. President. I rise in support of Senate Joint Resolution No. 5. In my role here as a Senator and as the Vice President of the National Conference of State Legislatures, we have done a lot of work on this issue. I remind my colleagues that this is not a new tax, but a due tax. Senate Joint Resolution No. 5 would greatly benefit our local businesses if Congress were to allow this bill to go into effect. It would certainly benefit our State as well. I urge your support and also ask for your help in working with our Congressional Delegation in Washington on the issue.

Roll call on Senate Joint Resolution No. 5:

YEAS—21.

NAYS—None.

Senate Joint Resolution No. 5 having received a constitutional majority, Mr. President declared it passed, as amended.

Resolution ordered transmitted to the Assembly.

Senate Joint Resolution No. 15.

Resolution read third time.

Remarks by Senators Denis, Kihuen, Spearman and Hutchison.

SENATOR DENIS:

Thank you, Mr. President. I would like to first clarify that this is Senate Joint Resolution No. 15 of the current Legislative Session. It has nothing to do with taxing mining as does Senate Joint Resolution No. 15 of the 76th Session.

Senate Joint Resolution No. 15 urges Congress to enact comprehensive immigration reform. Senate Joint Resolution No. 15 is comprised of 15 concise paragraphs which support Congress resolving this important issue. I will summarize the resolution by stating first, we all recognize the United States has predominantly been a Nation of immigrants. Second, our immigration system is broken and needs to be repaired in the interest of strengthening the economy of both our State and Nation, keeping families together, creating a realistic pathway to citizenship for all hardworking and taxpayer-aspiring citizens who live in this country and meet reasonable requirements.

Immigration reform will build the strength and equity of working people and guarantee the same rights and basic fairness for all workers no matter their country of birth or origin, and prevent criminals and others wanting to do harm to our Nation through entering our country.

Additionally, comprehensive immigration reform must be fully funded; the funding burden should not be placed on states and local governments in the form of unfunded mandates.

Senate Joint Resolution No. 15 resolves that the Senate and the Assembly of the 77th Session of the Nevada Legislature together urge Congress to enact comprehensive immigration reform which addresses: (1) earned legal residency accompanied by a clear path to citizenship; (2) the future immigration of families and workers; (3) improved immigration enforcement and border security that is consistent with our Nation's values; and, (4) a funding stream to address the entire fiscal impacts on state governments.

Finally, it is worth noting that Senate Joint Resolution No. 15 is incredibly timely with respect to where the debate is at the federal level regarding immigration reform. Comprehensive immigration reform is at the top, or near the top, of Washington's to-do list. Just last week President Obama indicated he expects a reform bill to come before the U.S. Senate this month. We know that this item will be considered next week. It is fortunate that the Nevada Legislature has the opportunity to weigh in on this issue at this moment in time given its significance to both our State and our Nation.

Most of you know my story, and many of you are aware of my more-famous cousin from the state of Florida, U.S. Senator Marco Rubio, who is dragging his feet on this issue—Nevada's passage of Senate Joint Resolution No. 15 might help him. I want you to know that my family is truly living the American Dream. I have cousins who are painters, health care workers, police officers, educators, artists, government workers, wives, husbands, fathers and mothers. Fixing the immigration system will allow families to live the same American Dream that my family has been able to achieve. I urge your support of Senate Joint Resolution No. 15.

SENATOR KIHUEN:

Thank you, Mr. President. I rise in support of Senate Joint Resolution No. 15. As most of you know, I am currently the only Legislator in the State of Nevada who is an immigrant. The issue of immigration is near and dear to my heart. Like the family of my colleague from Senate District No. 2, my family is a perfect example of what can happen when you give an opportunity



to a hardworking family to succeed and to do the right thing in this country. My family and I are beneficiaries of the last immigration reform in 1986.

It is no secret that our immigration system is broken. You know it is broken when people who are living here according to the rules have to wait 15 years in order to get their citizenship applications processed. You know the system is broken when families are being broken apart every single day. You know it's broken when hundreds of people sacrifice their lives to cross a border illegally because of our onerous and cumbersome immigration process. How do we fix it?

My colleague from Senate District No. 2 alluded to the solution: it will be fixed through comprehensive immigration reform aimed at repairing this broken system. It will stimulate the economy and offer a fair path to citizenship for undocumented immigrants who have done nothing wrong but work hard, support their families and contribute to our economy.

Some of the key elements of the comprehensive immigration reform package being discussed include paying fines as well as registering and passing a criminal background check in order to earn legal status, and eventually, U.S. citizenship. Applicants would be required to learn English and pay back taxes owed. They will be required to stand at the back of the line. The final element includes border protection. This comprehensive immigration reform package could generate up to \$1.5 trillion in additional gross domestic product over the next 10 years.

The latest study that took place in the State of Nevada impacting immigration reform was done by the Progressive Leadership Alliance of Nevada in 2007. The study found that Hispanic immigrants—just Hispanics who have immigrated, not Asian, Europeans or Africans—in Nevada paid roughly \$2.6 billion in federal taxes and \$1.6 billion in State and local taxes including \$500 million in sales tax in 2005. According to the report, the money that immigrants earn and spend in Nevada accounts for approximately 25 percent of the State's gross product. Hispanic immigrant employment, income and spending results in the creation of 108,000 jobs in this State. I urge this Body's support to send a strong message to Congress that they need to act on comprehensive immigration reform immediately.

We live in the greatest country in the world. This is a country where, when you come here, if you work hard, sacrifice and play by the rules, you can be afforded the opportunity to be a lawyer, a doctor, a university graduate, attend the best universities in the world and someday sit in a Senate seat—perhaps a U.S. Senate seat as does the cousin of my colleague from Senate District No. 2. Again, I urge your support on Senate Joint Resolution No. 15.

SENATOR SPEARMAN:

Thank you, Mr. President. I rise in support of Senate Joint Resolution No. 15. As I said yesterday in Committee, I am so glad we have another opportunity as a country to work on comprehensive immigration reform. History tells us that the first time we did this was with the Thirteenth Amendment to the *United States Constitution* that provided Africans in this country an opportunity to be called humans and to be free. We did it also with the Fourteenth Amendment to the *United States Constitution*.

As someone who is “third-generation free” in my family, and the beneficiary of the first comprehensive immigration legislation, I wholeheartedly support Senate Joint Resolution No. 15.

SENATOR HUTCHISON:

Thank you, Mr. President. I want to congratulate my colleague from Senate District No. 10, my colleague from Senate District No. 2 and my colleague from Senate District No. 1. I add my voice of support to Senate Joint Resolution No. 15.

As I was listening to my colleague from Senate District No. 10 talk about this subject, I made a list of the items he spoke about concerning comprehensive immigration reform: if you have come into this country without authorization, you must pay a fine; you must register and pass a criminal background check; you then have the opportunity to gain legal status; you later get the opportunity to gain a pathway to citizenship; you have to learn English; you have to pay back taxes owed; and it all then concludes with vote protection. To me, those are bipartisan elements of comprehensive immigration reform.

I wholeheartedly support them, and I embrace them. I congratulate my colleagues again, especially the Senator from District No. 10. I urge everyone's support on Senate Joint Resolution No. 15. Thank you very much.

Roll call on Senate Joint Resolution No. 15:

YEAS—21.

NAYS—None.

Senate Joint Resolution No. 15 having received a constitutional majority, Mr. President declared it passed.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 6.

Resolution read third time.

Remarks by Senator Cegavske.

Thank you, Mr. President. Assembly Joint Resolution No. 6 recognizes the longstanding relationships of the United States and the State of Nevada with Israel and expresses the Legislature's support for Israel and Governor Sandoval's upcoming trade mission to Israel. The resolution is effective upon passage. Everyone is invited tomorrow, April 4, 2013, to Jewish Federation of Las Vegas Day at the Legislature, and there will be a Holocaust remembrance event at the Governor's Mansion tomorrow evening. Thank you and I urge your support.

Roll call on Assembly Joint Resolution No. 6:

YEAS—21.

NAYS—None.

Assembly Joint Resolution No. 6 having received a constitutional majority, Mr. President declared it passed.

Resolution ordered transmitted to the Assembly.

Senator Denis moved that the Senate recess until 5:15 p.m.

Motion carried.

Senate in recess at 12:39 p.m.

#### SENATE IN SESSION

At 5:25 p.m.

President Krolicki presiding.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

The Sergeant at Arms announced that Assemblywomen Dondero Loop and Woodbury were at the bar of the Senate. Assemblywoman Dondero Loop invited the Senate to meet in Joint Session with the Assembly to hear Representative Joe Heck.

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

Senate in recess at 5:26 p.m.

#### IN JOINT SESSION

At 5:31 p.m.

President Krolicki presiding.

The Secretary of the Senate called the Senate roll.

All present except for Senator Jones, who was excused.

The Chief Clerk of the Assembly called the Assembly roll.

All present except for Assemblywoman Benitez-Thompson and Assemblyman Hardy, who were excused, with one vacancy.

The President appointed a Committee on Escort consisting of Senator Roberson and Assemblyman Kirner to wait upon the Honorable Representative Joe Heck and escort him to the Assembly Chamber.

Representative Heck delivered his message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA  
SEVENTY-SEVENTH SESSION, 2013

Good evening. It is a great honor and my distinct pleasure to come before you today as the Representative for Nevada's Third Congressional District.

Governor Sandoval, Lieutenant Governor Krolicki, Speaker Kirkpatrick, my thanks for the opportunity to address this Joint Session. Majority Leader Denis, Minority Leaders Roberson and Hickey, my thanks to you as well and to all those assembled here for your service to our great State as you deal with difficult, and in some cases, historic issues this Session. To the Constitutional Officers and honorable members of the Judiciary, thank you for taking the time to be here this evening.

My thanks to your families as well. The calling to public service requires a great deal of sacrifice on the part of our loved ones who often go unrecognized. Tonight, I want to publicly thank my wife, Lisa, who is here with me tonight, for standing beside me over the past 20 years.

I had the privilege of serving as a member of this Body and from my time in Carson City, I learned that in Nevada we do our best to work across the aisle to do the things that are best for this State and the people we serve. And the lessons I learned here in Carson City have had an influence on my actions in Washington.

It is interesting to note that Nevada's delegation in the House of Representatives all served together here in the State Senate. We have worked together in the past and we are working together now to advance pro-Nevada policies that will improve our economy, get people back to work and make Nevada a better place to live, do business and raise a family.

In fact, the entire federal delegation, both House and Senate, has agreed to have regular meetings to identify areas of agreement and ways we can get folks back to work and stimulate our economy. It is clear to all of us that while there are many issues that need attention, the most pressing issue remains jobs and the economy.

We have seen some positive economic trends recently and that is welcome news. But the Great Recession has taught us that we cannot consistently rely on the same industries year after year to keep Nevada prosperous. We have to have true economic diversification if we are going to be successful in the twenty-first century.

I commend Governor Sandoval and the implementation of the Industry Sectors Council for recognizing that we need to be flexible, adapt to changes in the global marketplace and diversify. The Industry Sectors Council has provided me with a roadmap to follow as I develop legislation; I identify areas where the bills I introduce dovetail into the strategic vision put forth by the Industry Sectors Council. I believe that if State and local policies are working in concert with federal laws, together we can make great strides in ensuring Nevada remains prosperous.

Two areas identified by the Industry Sectors Council that overlap when it comes to public lands are mining and energy.

Nevadans in every corner of our State deal with issues related to federal land usage and development. Because it affects so many, the delegation has made a commitment to working in a cooperative way on public lands issues. So much of our State is owned by the federal government and allowing Nevada to benefit from that unique situation for economic development purposes will create valuable jobs right here in our State.

A number of lands bills are moving right now that will help accomplish those goals, including my Three Kids Mine Reclamation and Remediation Act. The Three Kids Mine is an abandoned mine site in Henderson that poses significant environmental and safety risks to the surrounding area. Most of the land that comprises the old manganese mine is controlled by the Bureau of Land Management. The proposed legislation, supported by the entire federal delegation, the City of Henderson and the Bureau of Land Management would allow for the reclamation, clean up and redevelopment of the site through a public-private partnership—at no cost to taxpayers—and create an estimated 3,000 jobs.

Another public lands issue is renewable energy development. From what I understand there was a hearing this afternoon and this may take on a whole new urgency.

Nevada is truly positioned to lead the Nation in renewable energy; publicly-held lands offer some of our best development opportunities. I am working across the aisle as an original co-sponsor of a bipartisan bill called the Public Lands Renewable Energy Development Act, that will help move us closer to the goal of becoming a national leader in renewable energy.

Currently, when projects are conceived and penciled out, it seems everything will work out okay. Then, because of the process to get access to public lands—the bureaucratic and tedious process—by the time a project can break ground, what might have penciled out in the beginning, no longer makes economic sense. The bill would help speed up the process of getting access to public lands and also provides local governments with increased revenue and certainty by establishing a more predictable and direct royalty system from energy production.

Another area, tourism and gaming, will always be key to our economy and we need to continually strengthen that sector. Nevada has so much to offer tourists and business travelers. From Lake Tahoe to the Hoover Dam, our attractions are second to none. But an outdated, bureaucratic visa processing system is actually preventing us from achieving our full potential. Between 2000 and 2010, the global long-haul travel market increased by 40 percent, yet the U.S. share of the market has fallen from 17 to 12 percent during that time due to the outdated, inefficient tourist visa application process that can have some applicants waiting up to 180 days for a visa interview.

A bill I introduced, the Jobs Originated through Launching Travel (JOLT) Act, would allow us to recapture the market share we lost and allow us to grow. JOLT would expand access to visa services for potential visitors to the U.S. without reducing any security procedures. Faster visa processing, expedited entry for priority visitors and the establishment of a visa video teleconferencing pilot program are innovative ways to address the increasing demand for tourist visas. The JOLT Act could attract as many as 98 million more visitors to the U.S., create one million American jobs and generate as much as \$859 billion in revenue by 2020. Many of those visitors would come to destinations like Las Vegas and Reno. JOLT would give our economy a shot in the arm; more international travelers, who on average spend \$4,000 per person per visit, will mean more jobs and more revenue into the State.

I have also joined with Congressman Bennie Thompson, Democrat from Mississippi, to co-chair the Congressional Gaming Caucus. The goal of this bipartisan caucus is to keep gaming issues at the forefront of the Congressional dialogue by seeking input from everyone who has an interest—industry, representatives from pro-gaming states and even members who may not be as friendly to gaming.

Last year we were unable to move an Internet poker bill, but that does not mean there is no role for the federal government in this area. In fact, with more and more states moving ahead with regulations of their own on Internet poker and sports gambling, we need a federal law to make sure Nevada maintains its place as a national leader in both live and Internet gaming. Congressman Thompson and I are committed to making progress on these issues in a bipartisan way.

Mining, renewable energy and tourism—those industries will always be crucial to the overall health of our economy. But much of our future strength depends on new, emerging industries. These new areas offer Nevada a chance to take the national lead in fields that most agree are where the greatest job growth will occur in the future.

As our population continues to age, healthcare and medical services are going to be an increasingly important sector of our economy. Two areas I am working on which are vital to that

professional pipeline are graduate medical education and the sustainable growth rate, which is the formula used to determine payments to Medicare providers.

Graduate medical education programs are crucial to our ability to staff our hospitals, doctors' offices, and clinics; but there is a bottleneck in the supply line which needs to be addressed at the federal level because the funding comes from Medicare. We are teaching medical students right here in Nevada who want to do their residency here and stay and practice here. They want to take care of Nevadans and make our communities healthier. But because of the caps on residency slots, many of our medical students have to leave the State to do their post-graduate training. Many of them will not return because physicians are far more likely to stay in the state or city where they do their residency. So I am working with members of the Doctor's Caucus to identify ways we can ensure the funding stream for graduate medical education and update the graduate medical education system, including the out of date cap limits.

The sustainable growth rate is another federal policy that threatens the professional pipeline and could hurt access to care for our seniors. As a physician, I believe the sustainable growth rate is the single greatest threat to Medicare. Every year, due to the flawed sustainable growth rate formula, our Medicare providers face an increasing threat of reimbursement cuts; this year close to 30 percent. Due to this uncertainty, mature practitioners are limiting their Medicare practice, and medical students and residents are considering practices that take fewer Medicare patients or they are considering careers in medical research and academics, not direct patient care. If we allow the next generation of Medicare doctors to leave traditional medical practice, who is going to care for the baby boomer generation as they enroll in Medicare?

I have joined with Congresswoman Allyson Schwartz, Democrat of Pennsylvania, in introducing legislation to repeal the flawed sustainable growth rate formula and replace it with a more sustainable, predictable payment model that rewards the quality of care, not the quantity of care. Such a system would give both current and future practitioners the stability and predictability they need to stay in the Medicare system and continue providing care to our seniors.

Aerospace and defense is another area where Nevada is poised to be a national leader in an exciting and emerging field. Having served in the military for more than 20 years, I am keenly aware of this sector's importance to our State and our State's economy, as well as the great opportunity we have to expand in this sector.

The Federal Aviation Administration is in search of six locations to test and develop unmanned aerial systems, or drones, to explore potential domestic uses for the hardware currently used for protecting and aiding our troops in theaters of operations overseas. As a member of the Congressional Unmanned Systems Caucus, I think Nevada is uniquely positioned to be a host site and I applaud the Governor for moving us forward on this important project. Nevada already possesses great expertise in the field of military aeronautics and defense, has the needed infrastructure for testing and development and has the necessary geographic resources, including the greatest swath of restricted airspace in the country, to be the ideal site. The Congressional Unmanned Systems Caucus has hosted meetings between industry leaders and civil liberties organizations to discuss ways all parties can come together to find a way to use these unmanned systems for domestic purposes while ensuring that our fundamental Constitutional rights remain protected. I encourage this Body to foster the development of these systems and bring the testing to Nevada, and I will continue to do what I can in Congress to make this a reality for our State.

Information Technology and more specifically data security and cyber protection might be the most critical industry on the Council's list from a national security perspective. In both the U.S. House Armed Services Committee and the U.S. House Intelligence Committee I constantly hear about the growing threat cyber attacks pose to our national and economic security.

In fact, many believe the next major battlefield will be the Internet, while others think World War III is already taking place on the Internet in the form of intellectual property theft and espionage perpetrated by nation states such as Iran, China and Russia. Whether you think that war is here or not, we can all agree there is an urgent need to protect America against a cyber attack on our critical infrastructure.

From the Nevada National Security Site to the SuperNAP operated by Switch Communications, there are programs up and running to develop the necessary technological advances that are going to keep not just Nevada, but the entire Nation, safe from a cyber attack.

Storing and securing sensitive data is becoming a big business and will only get bigger as cyber threats against the United States proliferate. Switch has developed data storage facilities and technologies that are revolutionizing the industry and are the reason so many top companies want their sensitive information stored here in Nevada.

At the Nevada National Security Site, the Oak Ridge National Laboratory partnering with our universities, is looking to study ways we can provide nationwide power utility security and improved protection from cyber attack. The Extreme Cyber Test Bed at the Nevada National Security Site can leverage a broad range of research and testing sponsored by the Departments of Defense, Homeland Security and Energy, along with the utility industry. These activities will grow high paying, high tech jobs in Nevada and reinvigorate our science, technology, engineering and math communities.

While aerospace and defense and information technology represent the next frontiers for our State, we need to continue to develop and improve existing infrastructure to strengthen our logistics and operations sector.

Nevada sits at the center of the mountain west and we can leverage our geography to become a major warehousing and distribution hub for the United States. I had the chance to visit Spreadshirt t-shirt company in Henderson a few months ago. Spreadshirt is an international company that decided to put one of its two American production sites in Henderson for precisely this reason. They do so much West Coast business that they wanted their production operation close to where the customers are; they decided Nevada was the perfect location.

To realize our full potential, completion of the Interstate 11 corridor is critical. Phoenix and Las Vegas are the only metropolitan areas of more than one million people not connected by an interstate. In the spring of 2012 there were two different transportation bills: one passed by the U.S. House and one passed by the U.S. Senate; there were concerns that the Interstate 11 designation would not make the final bill. I led a joint Nevada-Arizona delegation letter urging the U.S. House and U.S. Senate conferees to include the federal designation of Interstate 11 in the final transportation bill, and worked closely with the chair of the committee to ensure its inclusion. We pointed out that the completion of this corridor would provide total commerce connectivity between the United States, Mexico and Canada throughout the intermountain west, which is vital to the continued economic growth of the region. When the conferees reported the final bill, I was proud to support the legislation that designated the Interstate 11 corridor as eligible for future federal funding.

As we develop our infrastructure, we will attract more manufacturers like Spectrum Pharmaceuticals, which researches and develops new anti-cancer drugs, and VadaTech which manufactures leading-edge technology circuit boards for critical defense systems, both of which are located in Henderson. What these possibilities in each of our specific industry sectors make clear is that the future of Nevada is bright. We are primed and ready to diversify in order to compete in the national and global marketplaces, but we are also poised to maintain our stature as the national leader in industries like tourism and gaming, mining and renewable energy development.

One of the keys to the success of the Industry Clusters Initiative is having workers trained with the skills to fill the jobs of today and tomorrow. We all know that we lost jobs in this State that are unlikely to come back to the same levels that previously existed. Our objective must be to help those displaced workers find jobs in the new economy. There are two main ways we can do that: improving education and reforming job training programs. I'll start with the latter.

We have seen some positive trends in our economic recovery lately, with a slowly decreasing unemployment rate. We all must constantly remind ourselves there are still far too many Nevadans, and Americans, who are out of work or looking for better work. Too often these folks are also the most economically vulnerable members of our community—the older worker, the single mom, young people. But the Department of Labor estimates 12 million unemployed while there are 3.6 million jobs unfilled. Why does this mismatch exist? It exists because we need a skilled workforce who is trained and ready to do the jobs that do and will exist, not the jobs that did exist.

Our current workforce development system and job training programs are wasteful, duplicative and inefficient. In 2009 the federal government spent \$18 billion to administer 47 programs across 9 different agencies. My colleagues and I on the House Education and

Workforce Committee recently passed the Supporting Knowledge and Investing in Lifelong Skills (SKILLS) Act, which will help connect out-of-work Americans with job opportunities by creating a flexible Workforce Investment Fund to serve as a single source of support for workers, employers and job seekers. The SKILLS Act eliminates and streamlines 35 ineffective and duplicative programs, while strengthening the roles of employers in workforce development decisions and facilitating greater cooperation with community colleges — our best way to quickly develop needed training programs for these new jobs. I was also pleased to see a piece of legislation I introduced last Congress, the Local JOBS Act, included in this important bill. Making commonsense, meaningful improvements to federal job training programs and workforce development will help staff the jobs the Industry Sector Council Initiative will attract to Nevada: The jobs of today and tomorrow, not the jobs of yesterday.

But we cannot stop there.

The foundation upon which all of this is based will always be education. We cannot forget that the next generation of teachers, engineers, scientists and computer programmers are in our schools right now.

Again, Governor Sandoval and members of this Legislative Body are rightly focused on improving education, and I want to continue to work with all of you to ensure the federal government is a willing and cooperative partner as we work on education issues. I believe that we need to put our students in a position to receive a high quality education which will prepare them for a good job in today's competitive global marketplace, and that means they must graduate career or college ready.

All three of my children are products of the Clark County School District, with the third currently enrolled at Coronado High School; so I approach these issues not just as a lawmaker, but as a father.

In the Education and Workforce Committee, we are committed to giving students every opportunity to access a great education. That means reauthorizing the Elementary and Secondary Education Act. The Elementary and Secondary Education Act is now five years overdue and the shortcomings of No Child Left Behind are well-identified. Now is our chance in Washington to have a great impact on the education of our children.

Currently, only about 10 percent of a school district's operating budget comes from the federal government, but that funding comes with all sorts of strings attached as to how districts are able to use the funds. Based on the issues we face, something needs to be done to provide flexibility to states and school districts and empower educators and parents at the local level to make decisions in the allocation of federal funds to best educate their students. We can no longer "stove-pipe" federal funds and force districts to spend them in places where those funds are not needed, but where they are told they must by the federal government. Through a combination of effective state and local education policies and the federal government providing funding with fewer strings attached, we can and will have a real impact on what happens in Nevada's classrooms.

I hope that if you take one thing away from my remarks tonight it is that you have an advocate and willing partner in Washington to champion policies that are going to benefit Nevada. While we serve in different legislative bodies, we are all colleagues. We have a shared interest—a better Nevada for all of our constituents, our families and future generations. The Nevada I envision for my children and grandchildren is one full of opportunity and prosperity where people have the same access to the opportunities we have had. The best way we can achieve that shared goal is if we—State, local, and federal officials—work together and are pulling on the same side of the rope to lift Nevada to new heights. Together, we have already made great strides to create a Nevada primed for the twenty-first century. I look forward to continuing that work together.

I thank you for your time tonight and for your service, dedication and commitment to the Silver State.

May God bless each of you and provide you with wisdom, discernment and guidance as you serve our great State.

Good night.

Assemblyman Wheeler moved that the Senate and Assembly in Joint Session extend a vote of thanks to Representative Heck for his timely, able and constructive message.

Motion carried.

The Committee on Escort escorted Representative Heck from the bar of the Assembly.

Senator Woodhouse moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 5:58 p.m.

#### SENATE IN SESSION

At 6:04 p.m.

President Krolicki presiding.

Quorum present.

#### REMARKS FROM THE FLOOR

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

Thank you, Mr. President. I would like to welcome everyone who is here today in support of Latino Lobby Day at the Nevada Legislature. I know most of you personally so I want to thank you for taking the time to come to the Legislative Building today.

Often in my speeches, I talk about Hispanics fighting for our community, but when we look back sometimes, we don't see anyone there. I can honestly say that today we have an army here. Thank you so much.

#### 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 Denise Hernandez.

On request of Senator Brower, the privilege of the Floor of the Senate Chamber for this day was extended to Carla Castedo and Laura Martinez.

On request of Senator Denis, the privilege of the Floor of the Senate Chamber for this day was extended to Jose Macias, Leo Murrieta, Johnny Rodriguez and Rudy Zamora.

On request of Senator Ford, the privilege of the Floor of the Senate Chamber for this day was extended to Manny Andasol.

On request of Senator Goicoechea, the privilege of the Floor of the Senate Chamber for this day was extended to Jaelee Greiner.

On request of Senator Gustavson, the privilege of the Floor of the Senate Chamber for this day was extended to Hilaria Martinez, Misael Martinez, Omar Martinez and Elizabeth Pintor.

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



On request of Senator Hutchison, the privilege of the Floor of the Senate Chamber for this day was extended to Eliana Amador and Elia Barrientos. Also to the Liberty Baptist Academy: Angelina Guerrero, Nehemiah Guerrero, Rachael Guerrero, Alfredo Navarro, Kaitlyn Nichols, Benjamin Paredes, Dana Paredes, Kevin Paredes and Brendan Webb.

On request of Senator Kieckhefer, the privilege of the Floor of the Senate Chamber for this day was extended to Carlos Martinez, Evan Prospero and Maritza Rodriguez.

On request of Senator Kihuen, the privilege of the Floor of the Senate Chamber for this day was extended to Flor Macias and Vicenta Montoya.

On request of Senator Manendo, the privilege of the Floor of the Senate Chamber for this day was extended to Marvin Campos and Jessica Padron.

On request of Senator Parks, the privilege of the Floor of the Senate Chamber for this day was extended to Dr. Sylvia Lazos and Fernando Romero.

On request of Senator Segerblom, the privilege of the Floor of the Senate Chamber for this day was extended to Maria Castillo and Marimar Reyes.

On request of Senator Settelmeyer, the privilege of the Floor of the Senate Chamber for this day was extended to Frankie Perez and Sabrina Settelmeyer.

On request of Senator Smith, the privilege of the Floor of the Senate Chamber for this day was extended to Giancarlo Gonzales.

Senator Denis moved that the Senate adjourn until Thursday, April 4, 2013, at 11:00 a.m.

Motion carried.

Senate adjourned at 6:05 p.m.

Approved:

BRIAN K. KROLICKI  
*President of the Senate*

Attest: DAVID A. BYERMAN  
*Secretary of the Senate*