

THE SEVENTY-SECOND DAY

CARSON CITY (Tuesday), April 16, 2013

Senate called to order at 11:26 a.m.

President pro Tempore Parks presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Larry Unterseher.

Let us pray.

Father God, our hearts are broken to hear of the senseless attack in Boston on the innocent citizens of this great Country. We pray Lord for healing and comfort for the victims and their families and friends. Wrap them tightly in Your arms of love.

We pray also for the city of Boston as it copes with this tragedy. Help them know that all attending in the Senate Chamber today are individually and corporately lifting them up in our thoughts and prayers.

Father, guide each of these Senators as they make decisions today that will affect the safety and well-being of the citizens of this great State for generations to come. Give them wisdom and courage as they move forward with this day's agenda.

We pray in Your most holy and precious Name.

AMEN.

Pledge of Allegiance to the Flag.

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

REPORTS OF COMMITTEES

Mr. President pro Tempore:

Your Committee on Commerce, Labor and Energy, to which were referred Senate Bills Nos. 47, 268, 287, 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 pro Tempore:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 2, 440, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Government Affairs, to which was referred Senate Bill No. 376, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, and re-refer to the Committee on Finance.

Also, your Committee on Government Affairs, to which were referred Senate Bills Nos. 68, 74, 122, 174, 236, 272, 273, 436, 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 pro Tempore:

Your Committee on Health and Human Services, to which were referred Senate Bills Nos. 258, 315, 450, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Health and Human Services, to which were referred Senate Bills Nos. 205, 340, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and re-refer to the Committee on Finance.

JUSTIN C. JONES, *Chair*

Mr. President pro Tempore:

Your Committee on Natural Resources, to which were referred Senate Bills Nos. 65, 134, 183; Senate Joint Resolution No. 1, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

AARON D. FORD, *Chair*

Mr. President pro Tempore:

Your Committee on Transportation, to which were referred Senate Bills Nos. 143, 313, 508, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARK A. MANENDO, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 15, 2013

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bill No. 121.

Also, I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bills Nos. 22, 40, 183, 206, 249, 262, 352.

Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bills Nos. 2, 13, 14, 16, 19, 30, 39, 45, 55, 66, 69, 75, 79, 82, 84, 85, 102, 108, 110, 116, 128, 132, 154, 155, 156, 158, 170, 173, 174, 175, 212, 217, 240, 252, 277, 365, 366, 381, 383.

Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Joint Resolutions Nos. 3, 4, 5.

MATTHEW BAKER

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Joint Resolution No. 3.

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

Motion carried.

Assembly Joint Resolution No. 4.

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

Motion carried.

Assembly Joint Resolution No. 5.

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

Motion carried.

Senator Smith moved that Senate Bill No. 376, just reported out of Committee, be re-referred to the Committee on Finance.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 2.

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

Motion carried.

Assembly Bill No. 13.

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

Motion carried.

Assembly Bill No. 14.

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

Motion carried.

Assembly Bill No. 16.

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

Motion carried.

Assembly Bill No. 19.

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

Motion carried.

Assembly Bill No. 22.

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

Motion carried.

Assembly Bill No. 30.

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

Motion carried.

Assembly Bill No. 39.

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

Motion carried.

Assembly Bill No. 40.

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

Motion carried.

Assembly Bill No. 45.

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

Motion carried.

Assembly Bill No. 55.

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

Motion carried.

Assembly Bill No. 66.

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

Motion carried.

Assembly Bill No. 69.

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

Motion carried.

Assembly Bill No. 75.

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

Motion carried.

Assembly Bill No. 79.

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

Motion carried.

Assembly Bill No. 82.

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

Motion carried.

Assembly Bill No. 84.

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

Motion carried.

Assembly Bill No. 85.

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

Motion carried.

Assembly Bill No. 102.

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

Motion carried.

Assembly Bill No. 108.

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

Motion carried.

Assembly Bill No. 110.

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

Motion carried.

Assembly Bill No. 116.

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

Motion carried.

Assembly Bill No. 128.

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

Motion carried.

Assembly Bill No. 132.

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

Motion carried.

Assembly Bill No. 154.

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

Motion carried.

Assembly Bill No. 155.

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

Motion carried.

Assembly Bill No. 156.

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

Motion carried.

Assembly Bill No. 158.

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

Motion carried.

Assembly Bill No. 170.

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

Motion carried.

Assembly Bill No. 173.

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

Motion carried.

Assembly Bill No. 174.

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

Motion carried.

Assembly Bill No. 175.

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

Motion carried.

Assembly Bill No. 183.

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

Motion carried.

Assembly Bill No. 206.

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

Motion carried.

Assembly Bill No. 212.

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

Motion carried.

Assembly Bill No. 217.

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

Motion carried.

Assembly Bill No. 240.

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

Motion carried.

Assembly Bill No. 249.

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

Motion carried.

Assembly Bill No. 252.

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

Motion carried.

Assembly Bill No. 262.

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

Motion carried.

Assembly Bill No. 277.

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

Motion carried.

Assembly Bill No. 352.

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

Motion carried.

Assembly Bill No. 365.

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

Motion carried.

Assembly Bill No. 366.

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

Motion carried.

Assembly Bill No. 381.

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

Motion carried.

Assembly Bill No. 383.

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

Motion carried.

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

Senate in recess at 12:19 p.m.

SENATE IN SESSION

At 12:24 p.m.

President pro Tempore Parks presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 59.

Bill read second time and ordered to third reading.

Senate Bill No. 83.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 192.

"SUMMARY—Revises provisions relating to animal fighting. (BDR 50-148)"

"AN ACT relating to cruelty to animals; increasing the penalties for certain offenses related to the use of an animal or a bird for baiting or fighting; prohibiting a person from manufacturing, owning or possessing a gaff, spur or other sharp implement designed for attachment to a cock or other bird with the intent that it be used in fighting another cock or other bird under certain circumstances; providing penalties; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Under existing law, a person who owns, occupies or is otherwise connected in certain ways to a house, apartment, pit or place kept or used for baiting or fighting any bird or animal is subject to criminal penalties. A first offense is punishable as a gross misdemeanor, a second offense is punishable as a category E felony and a third or subsequent offense is punishable as a category D felony. (NRS 574.060) Section 1 of this bill increases those penalties to make the first offense punishable as a category E felony and a second or subsequent offense punishable as a category D felony. Section 1 also revises the offense to impose criminal penalties against a person only if he or she knowingly owns, occupies or is connected with the house, apartment, pit or place kept or used for baiting or fighting any bird or animal.

Existing law imposes criminal penalties against a person who: (1) takes certain actions in furtherance of a fight between animals under certain circumstances; (2) owns, possesses, keeps, trains, promotes or purchases an animal with the intent to use it to fight another animal; or (3) sells an animal knowing that it is intended to be used to fight another animal. A first offense is punishable as a gross misdemeanor, a second offense is punishable as a category E felony and a third or subsequent offense is punishable as a category D felony. (NRS 574.070) Section 2 of this bill increases those penalties to make the first offense punishable as a category E felony and a second or subsequent offense punishable as a category D felony.

Existing law also imposes criminal penalties against a person who knowingly witnesses a fight between animals in an exhibition or for amusement or gain. A first offense is punishable as a misdemeanor, a second offense is punishable as a gross misdemeanor and a third or subsequent offense is punishable as a category E felony. (NRS 574.070) Section 2 of this bill increases those penalties to make the first offense punishable as a gross misdemeanor and a second or subsequent offense punishable as a category E felony. Section 2 also revises the offense to impose criminal penalties against a person who, instead of witnessing such a fight, attends such a fight.

Section 2 also imposes the same criminal penalties ~~for~~ against a person who manufactures, owns, possesses, sells, barter or exchanges, or advertises for sale, barter or exchange, certain sharp instruments designed to be attached to certain fighting birds.

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

Section 1. NRS 574.060 is hereby amended to read as follows:

574.060 1. A person shall not knowingly keep or use, or in any manner be connected with, or be interested in the management of, or receive money for the admission of any person to, a house, apartment, pit or place kept or used for baiting or fighting any bird or animal, or be an owner or occupant of a house, apartment, pit or place who willfully procures or permits the same to be used or occupied for such baiting or fighting.

2. A person who violates any provision of subsection 1 is guilty of:

(a) For a first offense, a ~~gross misdemeanor~~ category E felony and shall be punished as provided in NRS 193.130.

(b) For a second ~~offense, a category E felony and shall be punished as provided in NRS 193.130.~~

~~(c) For a third~~ or subsequent offense, a category D felony and shall be punished as provided in NRS 193.130.

3. Upon complaint under oath or affirmation to any magistrate authorized to issue warrants in criminal cases that the complainant has just and reasonable cause to suspect that any provision of law relating to or in any way affecting animals is being or is about to be violated in any particular building or place, the magistrate shall immediately issue and deliver a warrant to any person authorized by law to make arrests for such offenses, authorizing the person to enter and search the building or place, to arrest any person there present found violating any such law and to bring the person before the nearest magistrate of competent jurisdiction to be dealt with according to law.

Sec. 2. NRS 574.070 is hereby amended to read as follows:

574.070 1. Except as otherwise provided in this section, a person shall not begin, cause, instigate, promote, carry on or do any act as an assistant, umpire or principal, or in any way aid in or engage in the furtherance of any fight between animals in an exhibition or for amusement or gain which is premeditated by a person owning or having custody of the animals.

2. A person shall not:

(a) Own, possess, keep, train, promote or purchase an animal with the intent to use it to fight another animal; or

(b) Sell an animal knowing that it is intended to be used to fight another animal.

3. A person shall not ~~knowingly~~ :

(a) Knowingly ~~with~~ attendant any fight between animals in an exhibition or for amusement or gain ~~;~~ ; or

(b) *Manufacture, own, possess, purchase, sell, barter or exchange, or advertise for sale, barter or exchange, any gaff, spur or other sharp implement designed for attachment to a cock or other bird with the intent that the implement be used in fighting another cock or other bird.*

4. Except as otherwise provided in subsection 7, a person who violates any provision of subsection 1 is guilty of:

(a) For a first offense, a ~~gross misdemeanor~~ category E felony and shall be punished as provided in NRS 193.130.

(b) For a second ~~offense, a category E felony and shall be punished as provided in NRS 193.130.~~

~~(c) For a third~~ or subsequent offense, a category D felony and shall be punished as provided in NRS 193.130.

5. A person who violates any provision of subsection 2 is guilty of:

(a) For a first offense, a ~~gross misdemeanor~~ category E felony and shall be punished as provided in NRS 193.130.

(b) For a second ~~offense, a category E felony and shall be punished as provided in NRS 193.130.~~

~~(c) For a third~~ or subsequent offense, a category D felony and shall be punished as provided in NRS 193.130.

6. A person who violates any provision of subsection 3 is guilty of:

(a) For a first offense, a *gross misdemeanor*.

(b) For a second ~~offense, a gross misdemeanor.~~

~~(c) For a third~~ or subsequent offense, a category E felony and shall be punished as provided in NRS 193.130.

7. If a violation of subsection 1 involves a dog, a person who commits such a violation is guilty of:

(a) For a first offense, a category D felony and shall be punished as provided in NRS 193.130.

(b) For a second offense, a category C felony and shall be punished as provided in NRS 193.130.

(c) For a third or subsequent offense, a category B felony and shall be punished 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.

8. If a person who violates this section is not a natural person, the person shall be punished by a fine of not more than \$10,000.

9. This section does not prohibit the use of dogs or birds for:

(a) The management of livestock by the owner thereof, the owner's employees or agents or any other person in the lawful custody of the livestock; or

(b) Hunting as permitted by law.

Senator Manendo moved the adoption of the amendment.

Remarks by Senator Manendo.

Thank you, Mr. President pro Tempore. Amendment No. 192 to Senate Bill No. 83 revises Section 1 regarding the imposition of a penalty against a person relating to animal cruelty only if

that person knowingly owns, occupies or is connected with a house, apartment or place used for baiting or fighting a bird or animal.

It also clarifies that a person who attends, as opposed to witnessing, an animal fight is subject to the criminal penalties for knowingly attending an animal fight.

Amendment adopted.

Senator Smith moved that Senate Bill No. 83 be re-referred to the Committee on Finance upon return from reprint.

Motion carried.

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

Senate Bill No. 176.

Bill read second time.

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

Amendment No. 371.

"SUMMARY—Revises various provisions concerning investigations of reports of abuse or neglect of a child. (BDR 38-66)"

"AN ACT relating to children; requiring an agency which provides child welfare services to determine whether certain reports concerning the possible abuse or neglect of a child are substantiated or unsubstantiated; setting forth that if such an agency substantiates a report alleging the person responsible for a child's welfare has abused or neglected the child, the agency must notify that person in writing of its intent to place the person's name in the Statewide Central Registry for the Collection of Information Concerning the Abuse or Neglect of a Child, and that the person may administratively appeal the substantiation of the report; requiring the findings of fact in certain adjudicatory hearings to be included as part of the disposition of the case in the report required to be made to the Central Registry; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Existing law requires, with certain exceptions, an agency which provides child welfare services to investigate each report of abuse or neglect received or referred to the agency. (NRS 432B.300) Section 7 of this bill requires an agency which provides child welfare services to determine whether a report concerning the possible abuse or neglect of a child that the agency has determined warrants an investigation is substantiated or unsubstantiated. The definitions set forth in section 7 provide that a report that was investigated is "substantiated" if credible evidence of the abuse or neglect exists and is "unsubstantiated" if no credible evidence of the abuse or neglect exists. If the agency determines a report is substantiated, section 3 of this bill requires the agency to provide to the person responsible for the child's welfare and who is named in the report as allegedly causing the abuse or neglect, written notification which includes statements indicating: (1) that the report which was made against the person has been substantiated and the agency intends to place the person's name in the Statewide Central Registry

for the Collection of Information Concerning the Abuse or Neglect of a Child; (2) that the person has the right to request an administrative appeal of the substantiation of the report and the agency's intention to place the person's name in the Central Registry; and (3) the manner for requesting such an appeal.

Section 4 of this bill sets forth the process for such an administrative appeal and provides that the appeal is stayed upon written notice to the agency of a pending ~~criminal proceeding or~~ adjudicatory hearing on a petition alleging that a child is in need of protection, which ~~proceeding or~~ hearing arose out of the same incident as the report. Section 4 also sets forth the circumstances establishing a conclusive presumption that the substantiation of the report ~~[(1)]~~ will be affirmed and the person's name will be placed in the Central Registry ~~[(1) and (2) will be rejected and the person's name will not be placed in the Central Registry.]~~

Existing law requires the agency investigating a report of abuse or neglect of a child to report certain information to the Central Registry after completing the investigation, including the disposition of the case. (NRS 432B.310) Section 9 of this bill requires such an agency to include the findings of fact recorded by the court in certain adjudicatory hearings and certain specific allegations admitted to by the parties as part of the disposition of the case in the report the agency makes to the Central Registry.

Existing law further prohibits an agency which provides child welfare services from reporting to the Central Registry any information concerning a child identified as being affected by prenatal illegal substance abuse or as having withdrawal symptoms resulting from prenatal drug exposure, unless the agency determines that a person has abused or neglected the child. (NRS 432B.310) Section 8 of this bill specifies that such abuse or neglect of the child must have occurred after the child was born.

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

Section 1. Chapter 432B of NRS is hereby amended by adding thereto the provisions set forth as sections 2, 3 and 4 of this act.

Sec. 2. *"Central Registry" has the meaning ascribed to it in NRS 432.0999.*

Sec. 3. *If an agency which provides child welfare services determines pursuant to NRS 432B.300 that a report made pursuant to NRS 432B.220 is substantiated, the agency shall provide written notification to the person responsible for the child's welfare who is named in the report as allegedly causing the abuse or neglect of the child which includes statements indicating that:*

1. *The report which was made against the person has been substantiated and the agency which provides child welfare services intends to place the person's name in the Central Registry pursuant to NRS 432B.310; and*

2. *The person may request an administrative appeal of the substantiation of the report and the agency's intention to place the person's name in the*

Central Registry by submitting a written request to the agency which provides child welfare services within the time required pursuant to section 4 of this act.

Sec. 4. 1. A person to whom a written notification is sent pursuant to section 3 of this act may request an administrative appeal of the substantiation of the report and the agency's intention to place the person's name in the Central Registry by submitting a written request to the agency which provides child welfare services within 15 days after the date on which the agency sent the written notification as required pursuant to section 3 of this act.

2. Except as otherwise provided in subsection 3, if an agency which provides child welfare services receives a request for an administrative appeal within 15 days after the agency sent the written notification pursuant to subsection 1, a hearing before a hearing officer must be held in accordance with chapter 233B of NRS.

3. An administrative appeal is stayed upon the receipt of written notification to the agency which provides child welfare services of a pending adjudicatory hearing pursuant to NRS 432B.530 ~~for a pending criminal proceeding~~ which arose out of the same incident as the incident upon which the report made pursuant to NRS 432B.220 was premised. The stay of the administrative appeal is lifted when:

(a) A final determination is made in the adjudicatory hearing ~~for criminal proceeding, as appropriate, if the administrative appeal was stayed pending only an adjudicatory hearing or a criminal proceeding;~~ or

(b) The adjudicatory hearing ~~for criminal proceeding, as appropriate,~~ is dismissed or terminated if the adjudicatory hearing ~~for criminal proceeding~~ does not result in a final determination being made, ~~and the administrative appeal was stayed pending only an adjudicatory hearing or a criminal proceeding; or~~

~~(c) Any combination of a final determination or dismissal or termination of an adjudicatory hearing or a criminal proceeding set forth in paragraphs (a) and (b) if the administrative appeal was stayed pending an adjudicatory hearing and a criminal proceeding.~~

4. If a request for an administrative appeal is not submitted pursuant to subsection 1, the agency which provides child welfare services shall place the person's name in the Central Registry pursuant to NRS 432B.310.

5. If the hearing officer in a hearing that is held pursuant to this section:

(a) Affirms the substantiation of the report, the agency which provides child welfare services shall place the person's name in the Central Registry pursuant to NRS 432B.310; or

(b) Rejects the substantiation of the report, the agency which provides child welfare services shall not place the person's name in the Central Registry pursuant to NRS 432B.310.

6. A conclusive presumption that the substantiation of the report will be affirmed and the person's name will be placed in the Central Registry

pursuant to NRS 432B.310 is established if there is a final determination in an adjudicatory hearing that the child was in need of protection ~~for a final determination in a criminal proceeding that the child was subjected to abuse or neglect.~~

7. ~~For a conclusive presumption that the substantiation of the report will be rejected and the person's name will not be placed in the Central Registry pursuant to NRS 432B.310 is established if:~~

~~(a) There is a final determination in an adjudicatory hearing that the allegations in the petition do not establish that the child was in need of protection and the administrative appeal was stayed pursuant to subsection 3 pending;~~

~~(1) Only an adjudicatory hearing; or~~

~~(2) An adjudicatory hearing and a criminal proceeding and there is a final determination in the criminal proceeding that the child was not subjected to abuse or neglect; or~~

~~(b) There is a final determination in a criminal proceeding that the child was not subjected to abuse or neglect and the administrative appeal was stayed pursuant to subsection 3 pending only a criminal proceeding.~~

~~8.~~ The decision of a hearing officer in a hearing that is held pursuant to this section is a final decision for the purposes of judicial review.

~~9.~~ ~~8.~~ As used in this section ~~is~~

~~(a) "Final determination in a criminal proceeding" means a finding made by a court in a criminal proceeding as to whether a child was subjected to abuse or neglect by the person to whom a written notice was sent pursuant to section 3 of this act.~~

~~(b) "Final", "final determination in an adjudicatory hearing" means a finding made by a court pursuant to subsection 5 of NRS 432B.530 as to whether a child was in need of protection at the time of the removal of the child from the home that is based on the child being subjected to abuse or neglect by the person to whom a written notice was sent pursuant to section 3 of this act.~~

Sec. 5. NRS 432B.010 is hereby amended to read as follows:

432B.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 432B.020 to 432B.110, inclusive, and section 2 of this act have the meanings ascribed to them in those sections.

Sec. 6. NRS 432B.260 is hereby amended to read as follows:

432B.260 1. Upon the receipt of a report concerning the possible abuse or neglect of a child, an agency which provides child welfare services or a law enforcement agency shall promptly notify the appropriate licensing authority, if any. A law enforcement agency shall promptly notify an agency which provides child welfare services of any report it receives.

2. Upon receipt of a report concerning the possible abuse or neglect of a child, an agency which provides child welfare services or a law enforcement agency shall immediately initiate an investigation if the report indicates that:

(a) The child is 5 years of age or younger;

- (b) There is a high risk of serious harm to the child;
- (c) The child has suffered a fatality; or
- (d) The child is living in a household in which another child has died, or the child is seriously injured or has visible signs of physical abuse.

3. Except as otherwise provided in subsection 2, upon receipt of a report concerning the possible abuse or neglect of a child or notification from a law enforcement agency that the law enforcement agency has received such a report, an agency which provides child welfare services shall conduct an evaluation not later than 3 days after the report or notification was received to determine whether an investigation is warranted. For the purposes of this subsection, an investigation is not warranted if:

- (a) The child is not in imminent danger of harm;
- (b) The child is not vulnerable as the result of any untreated injury, illness or other physical, mental or emotional condition that threatens the immediate health or safety of the child;
- (c) The alleged abuse or neglect of the child or the alleged effect of prenatal illegal substance abuse on or the withdrawal symptoms resulting from any prenatal drug exposure of the newborn infant could be eliminated if the child and the family of the child are referred to or participate in social or health services offered in the community, or both; or

(d) The agency determines that the:

(1) Alleged abuse or neglect was the result of the reasonable exercise of discipline by a parent or guardian of the child involving the use of corporal punishment, including, without limitation, spanking or paddling; and

(2) Corporal punishment so administered was not so excessive as to constitute abuse or neglect as described in NRS 432B.150.

4. If the agency determines that an investigation is warranted, the agency shall initiate the investigation not later than 3 days after the evaluation is completed.

5. If an agency which provides child welfare services investigates a report of alleged abuse or neglect of a child pursuant to NRS 432B.010 to 432B.400, inclusive, *and sections 2, 3 and 4 of this act*, the agency shall inform the person responsible for the child's welfare who is named in the report as allegedly causing the abuse or neglect of the child of any allegation which is made against the person at the initial time of contact with the person by the agency. The agency shall not identify the person responsible for reporting the alleged abuse or neglect.

6. Except as otherwise provided in this subsection, if the agency determines that an investigation is not warranted, the agency may, as appropriate:

(a) Provide counseling, training or other services relating to child abuse and neglect to the family of the child, or refer the family to a person who has entered into an agreement with the agency to provide those services; or

(b) Conduct an assessment of the family of the child to determine what services, if any, are needed by the family and, if appropriate, provide any

such services or refer the family to a person who has entered into a written agreement with the agency to make such an assessment.

↪ If an agency determines that an investigation is not warranted for the reason set forth in paragraph (d) of subsection 3, the agency shall take no further action in regard to the matter and shall delete all references to the matter from its records.

7. If an agency which provides child welfare services enters into an agreement with a person to provide services to a child or the family of the child pursuant to subsection 6, the agency shall require the person to notify the agency if the child or the family refuses or fails to participate in the services, or if the person determines that there is a serious risk to the health or safety of the child.

8. ~~8. An~~ *If an agency which provides child welfare services that* determines pursuant to paragraph (a), (b) or (c) of subsection 3 that an investigation is not warranted, *the agency may, at any time, reverse that determination and initiate an investigation.*

9. An agency which provides child welfare services and a law enforcement agency shall cooperate in the investigation, if any, of a report of abuse or neglect of a child.

Sec. 7. NRS 432B.300 is hereby amended to read as follows:

432B.300 ~~[Except as otherwise provided in]~~

1. *If an agency which provides child welfare services determines that an investigation of a report concerning the possible abuse or neglect of a child is warranted pursuant to NRS 432B.260, ~~an agency which provides child welfare services shall investigate each report of abuse or neglect received or referred to it to~~ the agency shall ~~before completing the investigation,~~ determine ~~the~~*

~~1.~~ without limitation:

(a) The composition of the family, household or facility, including the name, address, age, sex and race of each child named in the report, any siblings or other children in the same place or under the care of the same person, the persons responsible for the children's welfare and any other adult living or working in the same household or facility;

~~2.~~ (b) Whether there is reasonable cause to believe any child is abused or neglected or threatened with abuse or neglect, the nature and extent of existing or previous injuries, abuse or neglect and any evidence thereof, and the person apparently responsible;

~~3.~~ (c) Whether there is reasonable cause to believe that a child has suffered a fatality as a result of abuse or neglect regardless of whether or not there are any siblings of the child or other children who are residing in the same household as the child who is believed to have suffered a fatality as a result of abuse or neglect;

~~4.~~ (d) If there is reasonable cause to believe that a child is abused or neglected, the immediate and long-term risk to the child if the child remains in the same environment; ~~and~~

~~5.~~ (e) The treatment and services which appear necessary to help prevent further abuse or neglect and to improve the environment of the child and the ability of the person responsible for the child's welfare to care adequately for the child ~~[-]~~; and

~~6.~~ (f) Whether the report concerning the possible abuse or neglect of a child is substantiated or unsubstantiated.

2. As used in this section:

(a) "Substantiated" means that a report made pursuant to NRS 432B.220 was investigated and that credible evidence of the abuse or neglect exists.

(b) "Unsubstantiated" means that a report made pursuant to NRS 432B.220 was investigated and that no credible evidence of the abuse or neglect exists. The term includes efforts made by an agency which provides child welfare services to prove or disprove an allegation of abuse or neglect that the agency is unable to prove because it was unable to locate the child or the person responsible for the welfare of the child.

Sec. 8. NRS 432B.310 is hereby amended to read as follows:

432B.310 1. Except as otherwise provided in subsection 6 of NRS 432B.260, the agency investigating a report of abuse or neglect of a child shall, upon completing the investigation, report to the Central Registry:

(a) Identifying and demographic information on the child alleged to be abused or neglected, the parents of the child, any other person responsible for the welfare of the child and the person allegedly responsible for the abuse or neglect;

(b) The facts of the alleged abuse or neglect, including the date and type of alleged abuse or neglect, the manner in which the abuse was inflicted, the severity of the injuries and, if applicable, any information concerning the death of the child; and

(c) The disposition of the case.

2. An agency which provides child welfare services shall not report to the Central Registry any information concerning a child identified as being affected by prenatal illegal substance abuse or as having withdrawal symptoms resulting from prenatal drug exposure unless the agency determines that a person has abused or neglected the child ~~[-]~~.

~~3. As used in this section, "Central Registry" has the meaning ascribed to it in NRS 432.0999.} after the child was born.~~

Sec. 9. NRS 432B.530 is hereby amended to read as follows:

432B.530 1. An adjudicatory hearing must be held within 30 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.

6. *The findings of fact recorded by the court pursuant to subsection 5 and any specific allegations in the petition admitted to by the parties must be included as part of the disposition of the case in the report required to be made to the Central Registry pursuant to NRS 432B.310.*

Senator Kieckhefer moved the adoption of the amendment.

Remarks by Senator Kieckhefer.

Thank you, Mr. President pro Tempore. Amendment No. 371 to Senate Bill No. 176 specifies that a report concerning the possible abuse or neglect of a child that was investigated is substantiated if credible evidence of the abuse or neglect exists and is unsubstantiated if no credible evidence of the abuse or neglect exists.

It further clarifies that an administrative appeal is stayed pending the outcome of an adjudication hearing but not a criminal proceeding, and that a person's placement on the Central Registry for Child Abuse or Neglect must be affirmed by an adjudication hearing and not a criminal proceeding.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 229.

Bill read second time and ordered to third reading.

Senate Bill No. 240.

Bill read second time and ordered to third reading.

Senator Smith moved that Senate Bill No. 240 be taken from General File and re-referred to the Committee on Finance.

Motion carried.

Senate Bill No. 276.

Bill read second time.

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

Amendment No. 232.

"SUMMARY—Directs the Legislative Committee on Health Care to conduct an interim study of the delivery of supported living services and jobs and day training services to recipients of Medicaid. (BDR S-891)"

"AN ACT relating to health care; directing the Legislative Committee on Health Care to conduct an interim study of the delivery of supported living services and jobs and day training services to recipients of Medicaid; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

The federal Patient Protection and Affordable Care Act provides incentives for states to offer home and community-based services as an alternative to nursing homes for Medicaid recipients in need of long-term care. (Patient Protection and Affordable Care Act, Pub. L. No. 111-148, § 10202, 124 Stat. 119, 923-27) Existing law requires the Department of Health and Human Services to establish and administer a program to provide community-based services, including supported living services, to Medicaid recipients with physical disabilities. (NRS 422.395, 422.396, 422.397) Existing law also requires the Division of Mental Health and Developmental Services of the Department to adopt regulations governing the provision of jobs and day training services, which are services provided to persons with mental retardation or related conditions to enhance self-sufficiency and success in employment. (NRS 435.176, 435.220)

This bill directs the Legislative Committee on Health Care to conduct an interim study of the delivery of supported living services and jobs and day training services to recipients of Medicaid. This bill also requires the Division of Health Care Financing and Policy of the Department to provide all information necessary to conduct the study and to assist in the study.

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

Section 1. 1. The Legislative Committee on Health Care shall conduct an interim study of the delivery of supported living services and jobs and day training services to recipients of Medicaid.

2. The Legislative Committee on Health Care shall appoint:

(a) A subcommittee for the study, consisting of members of the Legislative Committee on Health Care or Legislators other than members of the Legislative Committee on Health Care, or both; and

(b) A chair of the subcommittee from among the members of the subcommittee.

3. The study must include, without limitation:

(a) An evaluation of:

(1) The needs of recipients of Medicaid for supported living services ~~and~~ and jobs and day training services;

(2) The availability of supported living services and jobs and day training services to recipients of Medicaid;

(3) The rate of reimbursement provided by Medicaid to providers of supported living services and jobs and day training services in this State;

(4) The rates of reimbursement provided by Medicaid to providers of supported living services and jobs and day training services in other states; and

(5) The adequacy of the rate of reimbursement provided by Medicaid to providers of supported living services and jobs and day training services in this State.

(b) A proposed plan for the delivery of supported living services and jobs and day training services to recipients of Medicaid in this State.

(c) Recommendations regarding the rates of reimbursement that are necessary to ensure an adequate number of providers of supported living services and jobs and day training services to address the needs of Medicaid recipients within this State.

(d) Recommendations to improve the delivery of supported living services and jobs and day training services to recipients of Medicaid in this State.

4. The Division of Health Care Financing and Policy of the Department of Health and Human Services shall:

(a) Provide to the subcommittee established pursuant to subsection 2 all data and information necessary to conduct the study;

(b) Assist the subcommittee in evaluating the information and developing a plan for the delivery of supported living services and jobs and day training services to recipients of Medicaid in this State;

(c) Assist the subcommittee in making recommendations regarding the rates of reimbursement that are necessary to ensure an adequate number of providers of supported living services and jobs and day training services to address the needs of Medicaid recipients within this State; and

(d) Assist the subcommittee in developing recommendations for legislation to improve the delivery of supported living services and jobs and day training services to recipients of Medicaid in this State.

5. The Legislative Committee on Health Care shall submit a report of the results of the study and any recommendations for legislation to the 78th Session of the Nevada Legislature.

6. As used in this section, "jobs and day training services" has the meaning ascribed to it in NRS 435.176.

Sec. 2. This act becomes effective on July 1, 2013.

Senator Kieckhefer moved the adoption of the amendment.

Remarks by Senator Kieckhefer.

Thank you, Mr. President pro Tempore. Amendment No. 232 to Senate Bill No. 276 requires the proposed study to include a review of jobs and day training services, in addition to the other areas already outlined in the bill. Jobs and day training consist of services provided to persons with mental retardation or related conditions to enhance self-sufficiency and success in employment.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 291.

Bill read second time and ordered to third reading.

Senator Smith moved that Senate Bill No. 291 be taken from General File and re-referred to the Committee on Finance.

Motion carried.

Senate Bill No. 309.

Bill read second time.

The following amendment was proposed by the Committee on Education:
Amendment No. 195.

"SUMMARY—Urges the establishment of certain mentoring programs.
(BDR S-768)"

"AN ACT relating to mentoring programs; urging the Nevada System of Higher Education and various business organizations to establish mentoring programs; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

The Nevada System of Higher Education and various business organizations in this State, such as chambers of commerce, together possess human and other resources which could be used to establish mentoring programs for business entrepreneurs. This bill urges the Nevada System of Higher Education and business organizations in this State to so use their resources.

WHEREAS, Mentors can be crucial to the success of new, aspiring or struggling business entrepreneurs by supporting the efforts of those entrepreneurs through teaching, training and consulting; and

WHEREAS, Mentors can help business entrepreneurs develop business plans, project growth and tackle tough issues; and

WHEREAS, A mentor can be one of the most valuable resources for a business entrepreneur seeking to start a business, grow a business or create jobs; and

WHEREAS, Many business organizations throughout this State are made up of Nevadans who have the expertise and willingness to serve as mentors for business entrepreneurs; and

WHEREAS, The Nevada System of Higher Education possesses the resources to identify aspiring business entrepreneurs, advertise mentoring programs and facilitate the matching of such entrepreneurs with people willing and able to serve as mentors; now, therefore,

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

Section 1. The Legislature finds and declares that:

1. Mentoring programs are needed and valuable for the growth and development of business entrepreneurs and a robust business community in this State; and

2. The Legislature hereby urges the Nevada System of Higher Education and business organizations in this State, including, without limitation, the chambers of commerce within the State of Nevada, to:

(a) Work together to establish mentoring programs ~~for~~ :

(1) For the purpose of matching up mentors who are successful business entrepreneurs with new, aspiring or struggling business entrepreneurs in this State, especially those new, aspiring or struggling business entrepreneurs who are veterans, small business owners or minority business owners; and

(2) That allow a business to make a financial contribution to the Nevada System of Higher Education to support scholarship awards, based on a combination of merit and need, for students studying business that give the students both a financial award and an opportunity to work closely with the business that made the financial contribution for the award;

(b) Work together to consider and establish best practices for providing other mentoring programs, including, without limitation, a mentoring program that allows business students and graduates from any college or university to receive peer mentoring and training in management to turn business ideas into viable businesses; and

(c) Identify and reach out to other business organizations in this State to participate in and assist with establishing mentoring programs and providing mentors.

Sec. 2. This act becomes effective upon passage and approval.

Senator Spearman moved the adoption of the amendment.

Remarks by Senator Spearman.

Thank you, Mr. President pro Tempore. Amendment No. 195 to Senate Bill No. 309 urges the Nevada System of Higher Education and business organizations in Nevada to work together to establish a mentoring program in which businesses contribute to scholarship awards for certain business students based upon merit and need, which will then allow the student to work closely with the business making the contribution.

It also urges Nevada System of Higher Education and businesses to work together to establish best practices for providing other mentoring programs.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 344.

Bill read second time.

The following amendment was proposed by the Committee on Finance:

Amendment No. 211.

"SUMMARY—Revises provisions relating to the education of certain children who are ~~placed in child care institutions,~~ patients or residents of certain hospitals or facilities. (BDR 34-933)"

"AN ACT relating to education; authorizing certain ~~child care institutions,~~ hospitals and facilities to request reimbursement, under certain circumstances, for providing educational services to children in their care; authorizing the Department of Education, the county school districts, charter schools and the Health Division of the Department of Health and Human Services to enter into a cooperative agreement for the provision of ~~education,~~ educational services to children ~~placed in certain child care institutions,~~ at certain hospitals and facilities; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Section 1 of this bill authorizes ~~["a child care institution"]~~ certain hospitals or other facilities that are licensed by the Health Division of the Department of Health and Human Services and that ~~["operates an elementary or secondary educational institution"]~~ operate a licensed private school to request reimbursement, under certain circumstances, from the Department of Education for the cost of providing educational services to a child who attends the ~~["elementary or secondary educational institution"]~~ licensed private school.

Section 2 of this bill authorizes the Department of Education, the county school districts, charter schools and the Health Division of the Department of Health and Human Services to enter into a cooperative agreement for the provision of ~~["education"]~~ educational services at ~~["any child care institution"]~~ certain hospitals or other facilities that ~~["is"]~~ are licensed by the Health Division.

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

Section 1. Chapter 387 of NRS is hereby amended by adding thereto a new section to read as follows:

1. A ~~["child care institution"]~~ hospital or other facility which is licensed by the Health Division of the Department of Health and Human Services that provides residential treatment to children and which operates ~~["an elementary or secondary educational institution"]~~ a private school licensed pursuant to chapter 394 of NRS may request reimbursement from the Department for the cost of providing educational services to a child who ~~["attends the elementary or secondary educational institution"]~~ .:

(a) The Department verifies is a patient or resident of the hospital or facility; and

(b) Attends the private school for more than 7 school days.

2. Upon receiving a request for reimbursement, the Department shall determine the amount of reimbursement to which the ~~["child care institution"]~~ hospital or facility is entitled as a percentage of the basic support guarantee per pupil and ~~["request"]~~ withhold that amount from the county school district or charter school where the child would attend school if the child were not placed in ~~["a child care institution"]~~ the hospital or facility. The Department shall distribute the money withheld from the county school district or charter school to the hospital or facility.

3. The Department shall adopt any regulations necessary to carry out the provisions of this section.

4. As used in this section:

(a) ~~["Child care institution"]~~ "Hospital" has the meaning ascribed to it in NRS ~~["432A.0245"]~~ 449.012.

(b) ~~["Elementary or secondary educational institution"]~~ includes an academic, vocational, technical, correspondence, business or other school or other person offering educational credentials, diplomas or certificates, or

~~offering instruction or educational services. This term includes an institution providing instruction to pupils in any grade levels from kindergarten through grade 12.~~ "Private school" has the meaning ascribed to it in NRS 394.103.

Sec. 2. Chapter 277 of NRS is hereby amended by adding thereto a new section to read as follows:

1. ~~The Department of Education, the county school districts of the various counties, charter schools and the Health Division of the Department of Health and Human Services may enter into cooperative agreements for the provision of education~~ educational services at any ~~child care institution that~~ hospital or other facility which is licensed by the Health Division ~~and operated pursuant to chapter 432A of NRS.~~ that provides residential treatment to children and which operates a private school licensed pursuant to chapter 394 of NRS.

2. ~~The authorization provided by subsection 1 includes the right to pay over money appropriated to a county school district or charter school for the education of a child placed in a child care institution.~~ such a hospital or facility.

3. ~~As used in this section, "child care institution" has the meaning ascribed to it in NRS 432A.0245.~~ "hospital" has the meaning ascribed to it in NRS 449.012.

Sec. 3. This act becomes effective:

1. Upon passage and approval for the purposes of entering into cooperative agreements pursuant to section 2 of this act, adopting regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. On July 1, 2013, for all other purposes.

Senator Smith moved the adoption of the amendment.

Remarks by Senator Smith.

Thank you, Mr. President pro Tempore. Amendment No. 211 to Senate Bill No. 344 clarifies the types of hospitals that are affected by this particular bill.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 345.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 450.

"SUMMARY—Creates the Advisory Council on Science, Technology, Engineering and Mathematics. (BDR S-700)"

"AN ACT relating to education; creating the Advisory Council on Science, Technology, Engineering and Mathematics; prescribing the membership and duties of the Council; requiring the Council to submit to the State Board of Education, the Governor and the Legislature a written report which includes recommendations concerning the instruction and curriculum in courses of study in science, technology, engineering and mathematics in public schools

in this State; ~~making an appropriation;~~ and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Section 1 of this bill creates the Advisory Council on Science, Technology, Engineering and Mathematics ~~and~~ within the Department of Education. The members of the Council include: (1) the Superintendent of Public Instruction or his or her designee; (2) the Chancellor of the Nevada System of Higher Education or his or her designee; (3) the Executive Director of the Office of Economic Development or his or her designee; (4) the Director of the Department of Employment, Training and Rehabilitation or his or her designee; and (5) 11 members appointed by the Governor, the Majority Leader of the Senate and the Speaker of the Assembly from among persons who are professional educators in the fields of science, technology, engineering and mathematics or persons who represent businesses that employ persons in careers which are enhanced by education in science, technology, engineering and mathematics. Section 2 of this bill requires the Council to develop: (1) a strategic plan for the development of educational resources in the fields of science, technology, engineering and mathematics to serve as a foundation for workforce development, college preparedness and economic development in this State; (2) a plan for identifying and awarding recognition to pupils in this State who demonstrate exemplary achievement in the fields of science, technology, engineering and mathematics; and (3) a plan for identifying and awarding recognition to not more than 15 schools in this State that demonstrate exemplary performance in the fields of science, technology, engineering and mathematics. Section 2 also requires the Council to conduct a survey of education programs and proposed programs relating to the fields of science, technology, engineering and mathematics in this State and in other states to identify recommendations for the implementation of such programs by public schools in this State. Section 2 further requires the Council to submit to the State Board of Education, the Governor and the Legislature a report which includes recommendations concerning the instruction and curriculum in courses of study in science, technology, engineering and mathematics in public schools in this State. Additionally, section 2 requires the Council to apply for grants on behalf of the State of Nevada relating to the development and expansion of education programs in the fields of science, technology, engineering and mathematics and to identify a nonprofit corporation to assist in the implementation of the programs developed by the Council. ~~Section 3 of this bill makes an appropriation from the State General Fund to the Council for the purpose of obtaining the services of a person with experience in writing grant proposals and in developing strategic plans to assist the Council in carrying out its duties.~~ Section 2 also requires the State Board to consider the plans and reports of the Council and adopt such regulations to carry out the Council's recommendations as the State Board deems necessary.

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

Section 1. 1. The Advisory Council on Science, Technology, Engineering and Mathematics is hereby created ~~+~~ within the Department of Education. The Council consists of:

(a) The following ex officio members:

- (1) The Superintendent of Public Instruction or his or her designee;
- (2) The Chancellor of the Nevada System of Higher Education or his or her designee;
- (3) The Executive Director of the Office of Economic Development or his or her designee; and
- (4) The Director of the Department of Employment, Training and Rehabilitation or his or her designee;

(b) Three members appointed by the Governor from among the persons described in subsection 2;

(c) Four members appointed by the Majority Leader of the Senate from among the persons described in subsection 2; and

(d) Four members appointed by the Speaker of the Assembly from among the persons described in subsection 2.

2. The members appointed pursuant to paragraphs (b), (c) and (d) of subsection 1 must be persons who are professional educators in the fields of science, technology, engineering and mathematics or persons who represent businesses that employ persons in careers which are enhanced by education in science, technology, engineering and mathematics, including, without limitation, careers relating to manufacturing, information technology, aerospace engineering, health sciences and mining.

3. Any vacancy occurring in the membership of the Council must be filled in the same manner as the original appointment not later than 30 days after the vacancy occurs.

4. The Council shall hold its first regular meeting as soon as practicable on or after July 1, 2013, at the call of the Governor. At the first regular meeting of the Council, the members of the Council shall elect a Chair by majority vote.

5. The Council shall meet not more than four times each year at the call of the Chair.

6. A majority of the members of the Council constitutes a quorum for the transaction of business, and a majority of those members present at any meeting is sufficient for any official action taken by the Council.

7. The Chair may appoint such subcommittees of the Council as the Chair determines necessary to carry out the duties of the Council.

8. The members of the Council serve without compensation.

Sec. 2. 1. The Advisory Council on Science, Technology, Engineering and Mathematics created by section 1 of this act shall:

(a) Develop a strategic plan for the development of educational resources in the fields of science, technology, engineering and mathematics to serve as

a foundation for workforce development, college preparedness and economic development in this State;

(b) Develop a plan for identifying and awarding recognition to pupils in this State who demonstrate exemplary achievement in the fields of science, technology, engineering and mathematics;

(c) Develop a plan for identifying and awarding recognition to not more than 15 schools in this State that demonstrate exemplary performance in the fields of science, technology, engineering and mathematics;

(d) Conduct a survey of education programs and proposed programs relating to the fields of science, technology, engineering and mathematics in this State and in other states to identify recommendations for the implementation of such programs by public schools in this State, ~~§~~ and report the information gathered by the survey to the State Board of Education;

(e) Apply for grants on behalf of the State of Nevada relating to the development and expansion of education programs in the fields of science, technology, engineering and mathematics;

(f) Identify a nonprofit corporation to assist in the implementation of the plans developed pursuant to paragraphs (a), (b) and (c); and

(g) Prepare a written report which includes, without limitation, recommendations based on the survey conducted pursuant to paragraph (d) and any other recommendations concerning the instruction and curriculum in courses of study in science, technology, engineering and mathematics in public schools in this State and, on or before January 31 ~~[, 2015,]~~ of each odd-numbered year, submit a copy of the report to the State Board of Education, the Governor and the Director of the Legislative Counsel Bureau for transmittal to the ~~[78th Session of the]~~ Legislature.

2. The Council or a subcommittee of the Council may seek the input, advice and assistance of persons and organizations that have knowledge, interest or expertise relevant to the duties of the Council.

3. The State Board of Education shall consider the plans developed by the Advisory Council on Science, Technology, Engineering and Mathematics pursuant to paragraphs (a), (b) and (c) of subsection 1 and the written report submitted pursuant to paragraph (g) of subsection 1 and adopt such regulations as the State Board deems necessary to carry out the recommendations in the written report.

~~Sec. 3. [1. There is hereby appropriated from the State General Fund to the Advisory Council on Science, Technology, Engineering and Mathematics created by section 1 of this act the sum of \$50,000 for the purpose of obtaining the services of a person with experience in writing grant proposals and in developing strategic plans to assist the Council in carrying out its duties pursuant to section 2 of this act.~~

~~2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2015, by the entity to which the appropriation is made or any entity to which money from the~~

~~appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 18, 2015, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 18, 2015.] (Deleted by amendment.)~~

Sec. 4. ~~[1.]~~ This act becomes effective on July 1, 2013, ~~[2.]~~ ~~Sections 1 and 2 of this act expire]~~, and expires by limitation on June 30, ~~[2015.]~~ 2017.

Senator Woodhouse moved the adoption of the amendment.

Remarks by Senator Woodhouse.

Amendment No. 450 makes several changes to Senate Bill No. 345: (1) it creates the Science Technology Engineering Math, or "STEM," Advisory Council within the State Department of Education. The State Board of Education is directed to consider the plans, surveys and reports of the Council and adopt regulations as it deems necessary; (2) it requires that the reports specified in the bill also be provided to the State Board of Education and the Governor; (3) the amendment deletes the appropriation in the bill for a grant writer; and (4) it shifts the sunset provision of the bill from June 30, 2015, to June 30, 2017.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 350.

Bill read second time.

The following amendment was proposed by the Committee on Finance:

Amendment No. 233.

"SUMMARY—Revises provisions relating to the ~~[capital projects of]~~ ~~issuance of general obligations by school districts.~~ (BDR 34-1059)"

"AN ACT relating to school districts; ~~[authorizing additional uses of money in a school district's fund for capital projects;]~~ expanding the authority of the board of trustees of a school district to issue general obligations; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

~~[Existing law provides that the proceeds of certain taxes deposited in a school district's fund for capital projects may be pledged to the payment of bonds and other obligations issued to finance the construction of buildings for schools and other capital projects, and the purchase of furniture and equipment for schools. (NRS 387.328, 387.335) To the extent that the proceeds have not been pledged, section 1 of this bill additionally authorizes the use of such proceeds to make payments pursuant to installment purchase agreements or lease-purchase agreements entered into for those purposes.]~~

Existing law enumerates the purposes for which a school district may issue its general obligations. (NRS 387.335) ~~[Section 2 of this]~~ This bill expands the list of authorized purposes to include the purchase of motor vehicles and other ~~[transportation-related equipment, and]~~ equipment used ~~[to educate]~~ for the transportation of pupils.

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

Section 1. ~~NRS 387.328 is hereby amended to read as follows:~~

~~387.328 1. The board of trustees of each school district shall establish a fund for capital projects for the purposes set forth in subsection 1 of NRS 387.335. The money in the fund for capital projects may be transferred to the debt service fund to pay the cost of the school district's debt service.~~

~~2. The board of trustees may accumulate money in the fund for capital projects for a period not to exceed 20 years.~~

~~3. That portion of the governmental services tax whose allocation to the school district pursuant to NRS 482.181 is based on the amount of the property tax levy attributable to its debt service must be deposited in the county treasury to the credit of the fund established under subsection 1 or the school district's debt service fund.~~

~~4. No money in the fund for capital projects at the end of the fiscal year may revert to the county school district fund, nor may the money be a surplus for any other purpose than those specified in subsection 1.~~

~~5. The proceeds of the taxes deposited in the fund for capital projects pursuant to NRS 244.3354, 268.0962 and 375.070 may be [pledged]:~~

~~(a) Pledged to the payment of the principal and interest on bonds or other obligations issued for one or more of the purposes set forth in NRS 387.335. The proceeds of such taxes so pledged may be treated as pledged revenues for the purposes of subsection 3 of NRS 350.020, and the board of trustees of a school district may issue bonds for those purposes in accordance with the provisions of chapter 350 of NRS.~~

~~(b) To the extent that they have not been pledged pursuant to paragraph (a), used to make payments pursuant to installment purchase agreements or lease purchase agreements entered into for one or more of the purposes set forth in NRS 387.335 and in accordance with the provisions of chapter 350 of NRS.~~ (Deleted by amendment.)

Sec. 2. NRS 387.335 is hereby amended to read as follows:

387.335 1. The board of trustees of a county school district may issue its general obligations to raise money for the following purposes, and no others:

(a) Construction, design or purchase of new buildings for schools, including, but not limited to, teacherages, dormitories, dining halls, gymnasiums and stadiums.

(b) Enlarging, remodeling or repairing existing buildings or grounds for schools, including, but not limited to, teacherages, dormitories, dining halls, gymnasiums and stadiums.

(c) Acquiring sites for building schools, or additional real property for necessary purposes related to schools, including, but not limited to, playgrounds, athletic fields and sites for stadiums.

(d) Paying expenses relating to the acquisition of school facilities which have been leased by a school district pursuant to NRS 393.080.

(e) Purchasing necessary *motor vehicles and other equipment to be used for the transportation of pupils ~~and~~ or furniture and equipment for schools ~~and~~* ~~including, without limitation, equipment to be used to educate pupils.~~ If money from the issuance of general obligations is used to purchase ~~vehicles ~~and~~ and other equipment used for the transportation of pupils or~~ furniture and equipment to replace existing ~~vehicles ~~and~~ and equipment or~~ furniture and equipment, *as applicable*, and ~~that~~ the existing ~~vehicles ~~and~~ and equipment or~~ furniture and equipment subsequently ~~is~~ are sold, the proceeds from the sale must be applied toward the retirement of those obligations.

2. Any one or more of the purposes enumerated in subsection 1 may, by order of the board of trustees entered in its minutes, be united and voted upon as one single proposition.

3. Any question submitted pursuant to this section and any question submitted pursuant to NRS 387.3285 may, by order of the board of trustees entered in its minutes, be united and voted upon as a single proposition.

Sec. 3. The amendatory provisions of section 2 of this act apply only to money raised by general obligations issued by the board of trustees of a school district on or after July 1, 2013.

Sec. 4. This act becomes effective on July 1, 2013.

Senator Smith moved the adoption of the amendment.

Remarks by Senator Smith.

Thank you, Mr. President pro Tempore. Amendment No. 233 to Senate Bill No. 350 removes some provisions from the bill regarding the availability of lease-purchase arrangements for building school facilities.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 382.

Bill read second time and ordered to third reading.

Senate Bill No. 442.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 200.

"SUMMARY—Eliminates certain mandates relating to schools. (BDR 34-1078)"

"AN ACT relating to education; eliminating various mandates relating to schools; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

This bill deletes and repeals certain provisions relating to education and thereby eliminates: (1) a requirement that the Superintendent of Public Instruction prescribe a certain form of school register, prepare pamphlet copies of laws relating to schools for various school officials and provide a certain memorandum to the board of trustees of each school district and to the governing body of each charter school (NRS 385.210); (2) a description

of the duties of the board of trustees of a school district and the governing body of a charter school in response to a memorandum transmitted to it pursuant to NRS 385.210 (NRS 386.360, 386.552); (3) requirements relating to the duties of the board of trustees of a school district in response to the policies prescribed by the Department of Education for school districts and public schools regarding bullying, cyber-bullying, harassment and intimidation (NRS 388.134, 388.139); (4) a requirement, effective on July 1, 2013, that the boards of trustees of certain school districts adopt a pilot program to provide a program of small learning communities for middle school and junior high school students (NRS 388.171); (5) a requirement that the board of trustees of each school district adopt a policy for each middle school and junior high school in the district to provide a program of peer mentoring (NRS 388.176); (6) a requirement that the board of trustees of each school district adopt a policy for certain pupil-led conferences (NRS 388.181); (7) requirements relating to small learning communities for ninth grade pupils in certain larger schools (NRS 388.215); (8) certain requirements for a policy for peer mentoring (NRS 388.221); (9) a requirement that the board of trustees of each school district and the governing body of each charter school submit the results of a certain examination of achievement and proficiency of pupils to certain persons and entities (NRS 389.560); (10) a requirement that school districts conduct examinations of the height and weight of a representative sample of certain pupils (Chapter 285, Statutes of Nevada 2009, p. 1203); (11) provisions relating to the establishment of school attendance councils (NRS 392.129); ~~and~~ (12) a reporting requirement relating to alternative schedules (Chapter 489, Statutes of Nevada 2003, p. 3219) ~~;~~ and (13) reporting requirements relating to the use of environmentally sensitive cleaning and maintenance products within school districts. (Chapter 244, Statutes of Nevada 2009, p. 985)

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

Section 1. NRS 388.1325 is hereby amended to read as follows:

388.1325 1. The Bullying Prevention Fund is hereby created in the State General Fund, to be administered by the Superintendent of Public Instruction. The Superintendent of Public Instruction may accept gifts and grants from any source for deposit into the Fund. The interest and income earned on the money in the Fund must be credited to the Fund.

2. In accordance with the regulations adopted by the State Board pursuant to NRS 388.1327, a school district that applies for and receives a grant of money from the Bullying Prevention Fund shall use the money for one or more of the following purposes:

(a) The establishment of programs to create a school environment that is free from bullying, cyber-bullying, harassment and intimidation;

(b) The provision of training on the policies adopted by the school district pursuant to ~~[NRS 388.134 and]~~ the provisions of NRS 388.121 to 388.139, inclusive; or

(c) The development and implementation of procedures by which the public schools of the school district and the pupils enrolled in those schools can discuss the policies adopted pursuant to ~~[NRS 388.134 and]~~ the provisions of NRS 388.121 to 388.139, inclusive.

Sec. 2. NRS 388.139 is hereby amended to read as follows:

388.139 Each school district shall include the text of the provisions of NRS 388.121 to 388.139, inclusive, ~~[and the policies adopted by the board of trustees of the school district pursuant to NRS 388.134 under the heading "Bullying, Cyber-Bullying, Harassment and Intimidation Is Prohibited in Public Schools,"]~~ within each copy of the rules of behavior for pupils that the school district provides to pupils pursuant to NRS 392.463.

Sec. 3. NRS 388.221 is hereby amended to read as follows:

388.221 1. The board of trustees of each school district may adopt a policy for the public high schools in the district to provide a program of teen mentoring, which may include a component of adult mentoring, designed to:

(a) Increase pupil participation in school activities, community activities and all levels of government; or

(b) Increase the ability of ninth grade pupils enrolled in high school to successfully make the transition from middle school or junior high school to high school,

↪ or both.

2. ~~[Any such policy must include, without limitation:~~

~~(a) Guidelines for establishing:~~

~~(1) Eligibility requirements for pupils who participate in the program as mentors or mentees, including, without limitation, any minimum grade level for pupils who serve as mentors and any minimum grade point average that must be maintained by pupils who serve as mentors. The guidelines may not require a pupil who participates in the program to maintain a grade point average that is higher than the grade point average required for a pupil to participate in sports at the high school the pupil attends.~~

~~(2) Training requirements for pupils who serve as mentors.~~

~~(3) Incentives for pupils who serve as mentors.~~

~~(b) A requirement that each public high school which establishes a program for teen mentoring must also establish a committee to select each pupil mentor who participates in the program. The policy must provide that the committee may select a pupil who does not meet the general eligibility requirements for mentors if the members of the committee determine that the pupil is otherwise qualified to serve as a mentor.~~

~~(c) Any other provisions that the board of trustees deems appropriate.~~

~~3.]~~ If the board of trustees of a school district has adopted a policy pursuant to subsection 1, the principal of each public high school in the district may:

(a) Carry out a program of teen mentoring in accordance with the policy prescribed by the board of trustees pursuant to subsection 1;

(b) Adopt other policies for the program of teen mentoring that are consistent with this section and the policy prescribed by the board of trustees pursuant to subsection 1; and

(c) On a date prescribed by the board of trustees, submit an annual report to the board of trustees and the Legislature that sets forth a summary of:

(1) The specific activities of the program of teen mentoring; and

(2) The effectiveness of the program in increasing pupil participation in school activities, community activities and all levels of government or in increasing the ability of ninth grade pupils to successfully make the transition from middle school or junior high school to high school, as applicable to the type of program in effect at the school.

~~{4-}~~ 3. If the board of trustees of a school district has not adopted a policy pursuant to subsection 1, the principal of a public high school in the district may carry out a program of teen mentoring and take any action described in paragraph (b) or (c) of subsection ~~{3}~~ 2 if:

(a) The principal submits to the board of trustees for its approval a plan for such a program of teen mentoring that is consistent with the provisions of this section; and

(b) The board of trustees approves the plan.

~~{5-}~~ 4. A plan submitted to a board of trustees of a school district pursuant to subsection ~~{4}~~ 3 shall be deemed approved if the board of trustees does not act upon the plan within 60 days after the date on which the board of trustees receives the plan.

~~{6-}~~ 5. The board of trustees of each school district and each public high school may apply for and accept gifts, grants and donations from any source for the support of the board of trustees or a public high school in carrying out a program of teen mentoring pursuant to the provisions of this section. Any money received pursuant to this subsection may be used only for purposes of carrying out a program of teen mentoring pursuant to the provisions of this section.

~~{7-}~~ 6. This section does not preclude a board of trustees of a school district or a public high school from continuing any other similar program of teen mentoring that exists on May 22, 2009.

Sec. 4. NRS 392.127 is hereby amended to read as follows:

392.127 The board of trustees of each school district shall provide administrative support to ~~{~~

~~1. Each} each~~ advisory board to review school attendance created in its county pursuant to NRS 392.126.

~~{2. If applicable, each school attendance council established pursuant to NRS 392.129.}~~

Sec. 5. Section 5 of chapter 285, Statutes of Nevada 2009, at page 1204, is hereby amended to read as follows:

Sec. 5. 1. This act becomes effective on July 1, 2009.

2. Section 1 of this act expires by limitation on June 30, ~~{2015.}~~ 2013.

Sec. 6. Section 38 of chapter 509, Statutes of Nevada 2011, at page 3504, is hereby amended to read as follows:

Sec. 38. 1. This section and section 36.7 of this act become effective upon passage and approval.

2. Sections 1 to 21, inclusive, 21.5 to 36.5, inclusive, and 37 of this act become effective on July 1, 2011.

~~{3. Section 21.3 of this act becomes effective on July 1, 2011, for the purpose of adopting the pilot program required by that section and on July 1, 2013, for all other purposes.}~~

Sec. 7. 1. NRS 385.210, 386.360, 386.552, 388.134, 388.171, 388.176, 388.181, 388.215, 389.560 and 392.129 are hereby repealed.

2. Section 7 of chapter 489, Statutes of Nevada 2003, at page 3219 is hereby repealed.

3. Section 6 of chapter 244, Statutes of Nevada 2009, at page 985 is hereby repealed.

4. Section 21.3 of chapter 509, Statutes of Nevada 2011, at page 3499 is hereby repealed.

Sec. 8. This act becomes effective on July 1, 2013.

LEADLINES OF REPEALED SECTIONS OF NRS AND
TEXT OF REPEALED SECTIONS OF STATUTES OF NEVADA

385.210 Form of school register; dissemination of information regarding statutes and regulations relating to schools; memorandum to school districts and charter schools; preparation and publication of Department bulletin.

386.360 Preparation of plan for implementation of statutes; transmittal of information concerning statutes to parents and teachers; rules.

386.552 Preparation of plan for implementation of statutes; written notice to parents and teachers concerning statutes and plan for implementation.

388.134 Policy by school districts for provision of safe and respectful learning environment and policy for ethical, safe and secure use of computers; provision of training to school personnel; posting of policies on Internet website; annual review and update of policies.

388.171 Pilot program for small learning communities required in certain schools.

388.176 Adoption of policy for peer mentoring.

388.181 Adoption of policy for pupil-led conferences.

388.215 Program of small learning communities required for ninth grade pupils enrolled in larger schools.

389.560 Reporting of results of examinations; reconciliation of number of pupils taking examinations.

392.129 Establishment of school attendance councils; membership; duties; annual report.

Section 7 of chapter 489, Statutes of Nevada 2003:

Sec. 7. 1. If the board of trustees of a school district provides a program of instruction based upon an alternative schedule pursuant to subsection 2 of section 2 of this act, the board of trustees shall, on or before December 31, 2004, submit a written report to the Superintendent of Public Instruction. The report must include:

- (a) A description of the alternative schedule; and
- (b) An evaluation of the effect of the alternative schedule on the pupils, parents and legal guardians and community.

2. The Superintendent of Public Instruction shall:

- (a) Compile the reports, if any, submitted pursuant to subsection 1; and
- (b) On or before February 1, 2005, submit a written report of the compilation to the Director of the Legislative Counsel Bureau for transmission to the 73rd Session of the Nevada Legislature.

Section 6 of chapter 244, Statutes of Nevada 2009:

Sec. 6. 1. On or before January 1, 2011, the board of trustees of each school district shall prepare and submit to the Department of Education a written report regarding the implementation of the use of environmentally sensitive cleaning and maintenance products for use in the cleaning of all floor surfaces in the public schools within the school district. The report must include, without limitation:

(a) A description of the cleaning and maintenance products that were replaced, if any;

(b) A description of the environmentally sensitive cleaning and maintenance products that are used in the public schools within the school district;

(c) A description of any requests for a waiver that the school district submitted to the Department and the status of the request; and

(d) An evaluation of the effectiveness of the use of environmentally sensitive cleaning and maintenance products on the health and safety of the pupils and school personnel in the school district.

2. On or before February 1, 2011, the Department of Education shall submit a written report to the Director of the Legislative Counsel Bureau for transmission to the 76th Session of the Nevada Legislature regarding the implementation of the use of environmentally sensitive cleaning and maintenance products in the cleaning of all floor surfaces in the public schools within the school districts in this State. The report must include, without limitation:

(a) A compilation of the reports submitted by each school district pursuant to subsection 1; and

(b) A description of the requests for a waiver submitted by school districts to the Department pursuant to section 3 of this act, including, without limitation:

(1) The number of waivers that were granted by the Department and the justification for each waiver; and

(2) The number of waivers that were denied by the Department and the reasons for each denial.

Section 21.3 of chapter 509, Statutes of Nevada 2011:

Sec. 21.3. NRS 388.215 is hereby amended to read as follows:

388.215 1. The board of trustees of each school district which includes at least one high school with an enrollment of 1,200 pupils or more, including pupils enrolled in ninth grade, shall adopt a ~~policy for each of those high schools~~ *pilot program* to provide a program of small learning communities. The ~~policy~~ *pilot program must be implemented in at least 50 percent of the high schools in the school district with an enrollment of 1,200 pupils or more and* must require:

(a) Where practicable, the designation of a separate area geographically within the high school where the pupils enrolled in ninth grade attend classes;

(b) The collection and maintenance of information relating to pupils enrolled in ninth grade, including, without limitation, credits earned, attendance, truancy and indicators that a pupil may be at risk of dropping out of high school;

(c) Based upon the information collected pursuant to paragraph (b), the timely identification of any special needs of a pupil enrolled in ninth grade, including, without limitation, any need for programs of remedial study for a particular subject area and appropriate counseling;

(d) Methods to increase the involvement of parents and legal guardians of pupils enrolled in ninth grade in the education of their children; and

(e) The assignment of:

(1) Guidance counselors;

(2) At least one licensed school administrator; and

(3) Appropriate adult mentors,

↪ specifically for the pupils enrolled in ninth grade.

2. The principal of ~~each~~ *a* high school in which 1,200 pupils or more are enrolled, including pupils enrolled in ninth grade, *and which the board of trustees of the school district has designated to participate in the pilot program adopted pursuant to subsection 1* shall:

(a) Carry out a program of small learning communities in accordance with the ~~policy prescribed by the board of trustees pursuant to subsection 1;~~ *pilot program*; and

(b) Submit an annual report, on a date prescribed by the board of trustees, that sets forth the specific strategies, programs and methods that are used to focus on the pupils enrolled in ninth grade at the school.

Senator Woodhouse moved the adoption of the amendment.

Remarks by Senator Woodhouse.

Thank you, Mr. President pro Tempore. Amendment No. 200 to Senate Bill No. 442 repeals an additional report that school districts must make. Specifically, it deletes certain provisions requiring reports about the use of environmentally-sensitive cleaning and maintenance products within school districts.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 446.

Bill read second time and ordered to third reading.

Senator Smith moved that Senate Bill No. 446 be taken from General File and re-referred to the Committee on Finance.

Motion carried.

Senate Bill No. 455.

Bill read second time and ordered to third reading.

Senator Smith moved that Senate Bill No. 455 be taken from General File and re-referred to the Committee on Finance.

Motion carried.

Senate Bill No. 465.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 223.

"SUMMARY—Revises provisions governing the special tax on certain livestock. (BDR 50-1147)"

"AN ACT relating to livestock; increasing the minimum and maximum rates at which an owner of livestock must pay for certain annual special taxes imposed on livestock; authorizing the State Department of Agriculture to assess the special tax within a certain period after the ~~end of the fiscal year~~ ~~in~~ date on which the taxes were due; increasing the amount of the penalty for failure to pay the special tax; revising the circumstances under which the Department may waive the penalty or any interest owed for failure to pay the special tax; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Under existing law, each owner of livestock is required to pay an annual special tax on livestock. The State Department of Agriculture is required to fix the amount of the tax based on each head of stock cattle, dairy cattle, horses, mules, burros, asses, hogs, pigs and goats owned by the owner of livestock. Existing law also: (1) sets forth the maximum rates that the Department may set for each head of livestock; and (2) sets the minimum amount of the tax that an owner of livestock must pay each year at \$5. (NRS 571.035) Section 1 of this bill increases the maximum rate the Department may set for stock cattle, dairy cattle, hogs, pigs and goats and increases the minimum amount of the tax to \$10 each year.

Under existing law, any person who fails to pay the special tax on livestock is required to pay, in addition to the tax, a penalty of not more than 10 percent of the amount of the tax that is owed, plus interest at the rate of 1.5 percent per month or fraction of a month from the date the tax was due until the date of payment. The Department may waive or reduce the payment

of the interest or penalty for good cause shown. (NRS 575.205) Section 2 of this bill: (1) authorizes the Department, if the Department determines that an owner of livestock was not assessed the tax for any ~~[[fiscal]]~~ year ~~[[]]~~ in which the tax became due, to assess the tax at any time within ~~[[the 5 fiscal]]~~ 5 years ~~[[immediately following the fiscal year in]]~~ after the date on which the tax was due; (2) authorizes the Department to waive or reduce the payment of the interest or penalty if the Department finds extenuating circumstances sufficient to justify the waiver or reduction; and (3) prohibits the Department from providing certain services to an owner of livestock who is delinquent in the payment of the tax.

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

Section 1. NRS 571.035 is hereby amended to read as follows:

571.035 1. Upon approval of the report of owners of livestock and sheep pursuant to NRS 575.180, the Department shall fix the amount of the annual special tax on each head of the following specified classes of livestock, which, except as otherwise provided in subsection 3, must not exceed the following rates per head for each class:

| Class | Rate per head |
|-----------------------|--------------------------------|
| Stock cattle | [[\$0.28]] \$0.50 |
| Dairy cattle | [[.53]] .60 |
| Horses | .75 |
| Mules | .75 |
| Burros or asses | .75 |
| Hogs and pigs | [[.07]] .30 |
| Goats | [[.06]] .10 |

2. As used in subsection 1:

(a) "Dairy cattle" are bulls, cows and heifers of the dairy breeds that are more than 6 months old.

(b) "Stock cattle" are:

(1) Steers of any breed and other weaned calves of the beef breeds that are more than 6 months old; and

(2) Bulls, cows and older heifers of the beef breeds.

(c) The classes consisting of horses, mules, and burros and asses exclude animals that are less than 1 year old.

3. The minimum special tax due annually pursuant to this section from each owner of livestock is ~~[[\$5.]]~~ \$10.

4. Upon the receipt of payment of the special tax and the report thereof by the State Controller, the Department shall credit the amount of the tax as paid on its records.

5. The special taxes paid by an owner of livestock, when transmitted to the State Treasurer, must be deposited in the Livestock Inspection Account.

Sec. 2. NRS 575.205 is hereby amended to read as follows:

575.205 1. *If the Department determines that an owner of livestock was not assessed the tax required pursuant to NRS 571.035* ~~for any fiscal year,~~

~~4.~~ *in any year in which the tax became due, the Department may assess the tax at any time within ~~the 5 fiscal~~ 5 years ~~immediately following the end of the fiscal year in~~ after the date on which ~~it was~~ the tax became due.*

2. Except as otherwise provided in subsection ~~{2,}~~ 3, any person who fails to pay the tax levied by the Department pursuant to NRS 571.035, within the time required, shall pay, *in addition to the tax*, a penalty ~~[of not more than 10]~~ equal to 20 percent of the amount of the tax that is owed ~~[, in addition to]~~ for each ~~fiscal~~ year the person fails to pay the tax, plus interest at the rate of 1.5 percent per month, or fraction of a month, from the date the tax was due until the date of payment.

~~{2,}~~ 3. The Department may ~~[, for good cause shown,]~~ waive or reduce the payment of the interest or penalty, or both, that is required to be paid pursuant to subsection ~~{1-}~~ 2, *if the Department finds extenuating circumstances sufficient to justify the waiver or reduction.* The Department shall, upon the request of any person, disclose:

(a) The name of the person whose interest or penalty was waived or reduced; and

(b) The amount so waived or the amount of the reduction.

~~{3-}~~ 4. All taxes levied by the Department on livestock pursuant to NRS 571.035, and all penalties and interest accrued thereon, constitute a lien upon the livestock until paid.

5. *Except as otherwise provided in NRS 575.230, the Department shall not provide inspection or other services to an owner of livestock who is delinquent in the payment of the tax levied by the Department pursuant to NRS 571.035.*

Sec. 3. This act becomes effective on July 1, 2013.

Senator Goicoechea moved the adoption of the amendment.

Remarks by Senator Goicoechea.

Thank you, Mr. President pro Tempore. Amendment No. 223 to Senate Bill No. 465 clarifies how the State Department of Agriculture may assess a tax that has remained unpaid for a period of five years by providing that unpaid taxes assessed by the Department can only be collected for a period of five years after the tax was due as opposed to “five fiscal years immediately following the end of the fiscal year in which it was due.”

Amendment adopted.

Senator Smith moved that Senate Bill No. 465 be re-referred to the Committee on Finance upon return from reprint.

Motion carried.

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

Senate Bill No. 470.

Bill read second time and ordered to third reading.

Senate Bill No. 505.

Bill read second time and ordered to third reading.

Senator Denis moved that the Senate recess until 2:00 p.m.

Motion carried.

Senate in recess at 12:52 p.m.

SENATE IN SESSION

At 2:16 p.m.

President pro Tempore Parks presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 19.

Bill read third time.

Remarks by Senator Hardy.

Senate Bill No. 19 enables the Department of Motor Vehicles to revoke the license of a person convicted under a city or county ordinance of driving under the influence, under the same or similar laws as set forth in *Nevada Revised Statutes*. As currently written, the Department of Motor Vehicles can revoke the license of any person convicted of driving under the influence. However, current law does not give the same authority to the Department of Motor Vehicles when a person is convicted of a local ordinance that prohibits driving under the influence.

Roll call on Senate Bill No. 19:

YEAS—21.

NAYS—None.

Senate Bill No. 19 having received a constitutional majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 66.

Bill read third time.

Remarks by Senators Goicoechea and Settlemeyer.

SENATOR GOICOECHEA:

Senate Bill No. 66 makes various changes related to the powers and duties of counties. It specifies that a county may recover costs associated with abating a nuisance or other condition such as graffiti and that civil penalties may be established by local ordinance. It also requires a local ordinance for county equipment to be used on private roads or property, that a county employee must operate certain county equipment and that county equipment can only be used in the absence of a private contractor who could perform the work.

Senate Bill No. 66 also allows a Board of County Commissioners in a county whose population is less than 15,000, currently Esmeralda, Eureka, Lander, Lincoln, Mineral, Pershing, Storey and White Pine Counties, to authorize the use of county equipment on the property of any local government within the county if the board deems by ordinance that it is in the best interest of the county and the board and governing body of the local government enter into an inter-local agreement. This bill is effective on January 1, 2014.

SENATOR SETTELMAYER:

Thank you, Mr. President pro Tempore. I have a clarifying question for my esteemed colleague from Senate District No. 19. The whole bill is under the population cap, correct?

SENATOR GOICOECHEA:

I believe that was the case when Senate Bill No. 66 originally came forward. However, in looking at the bill, I am not certain. I will talk with the bill's sponsor and if that is not clear, it will be fixed as it continues through the process.

Roll call on Senate Bill No. 66:

YEAS—21.

NAYS—None.

Senate Bill No. 66 having received a two-thirds majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 90.

Bill read third time.

Remarks by Senator Settelmeyer.

Senate Bill No. 90 establishes an expedited process by which an applicant for a special use permit or other type of permit or license can assert confidentiality of certain records submitted to a local government entity and obtain a determination of that claim from the chief legal officer or attorney of the entity. Records are confidential if they are already recognized as confidential by a State or federal statute or regulation, are submitted to a local government in connection with an application to that local government, and submission of the records are required in order for the application to be considered. If the legal officer agrees that the records are confidential, the bill requires the local government to hold them as such. Records submitted by an applicant are presumed not to be confidential until they are determined to be confidential.

This issue arose in dealing with some of the larger geothermal programs in some of the rural areas. The geothermal companies did not want to give proprietary information to the county; this bill would allow them to keep the information proprietary. Thank you, and I urge your support.

Roll call on Senate Bill No. 90:

YEAS—21.

NAYS—None.

Senate Bill No. 90 having received a constitutional majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 109.

Bill read third time.

Remarks by Senators Settelmeyer, Smith and Denis.

SENATOR SETTELMEYER:

Senate Bill No. 109 makes various changes concerning off-highway vehicles. We had a piece of legislation last Session addressing off-highway vehicles that needed a little bit of cleanup; this bill tries to address those issues related to the registration program.

It creates an off-highway vehicle dealer plate, similar to an automobile dealer plate. The plate allows dealers to operate unregistered vehicles for the purposes of demonstrations and test drives. Additionally, the bill specifically limits the use of the dealer plate under certain circumstances. For personally-owned vehicles of the dealer or the personal use of a vehicle by a dealership's employees, a standard registration is required.

Further provisions include: (1) rentals offered by a dealership must have a regular off-highway vehicle registration; (2) the Department of Motor Vehicles must issue a reasonable number of dealer plates to each licensed off-highway vehicle dealership; (3) an existing vehicle dealer's bond may only be used for the off-highway vehicles dealer's license if the undertaking on the existing bond covers the activities referenced in Chapter 490 of the *Nevada Revised Statutes*; and (4) off-highway vehicles operated during daylight hours are exempted from certain requirements related to head lamps and tail lamps.

Senate Bill No. 109 also creates new exemptions from the off-highway vehicle registration process for vehicles operated solely in an organized race, festival or other event conducted under

the direction of a sanctioning body or by permit; operated or stored on privately owned or leased land; operated while engaged in an approved search-and-rescue operation; or have an engine displacement of not more than 70 cubic centimeters. I urge your support on this legislation.

SENATOR SMITH:

Thank you, Mr. President pro Tempore. I have a question for the sponsor of Senate Bill No. 109. On page 5, line 25, which lists the size of the vehicles, can I get an explanation as to what that is relevant and the reason for it?

SENATOR SETTELMEYER:

I don't have Senate Bill No. 109 directly in front of me, but off-highway vehicles are smaller, quad-like vehicles and sand-dune buggies that are not allowed to go on the highway.

SENATOR SMITH:

Thank you, Mr. President pro Tempore. I am interested in the reference to a certain size of off-highway vehicles. Why would we exempt certain vehicles? Why does the size provide an exemption if we are trying to get off-highway vehicles registered?

SENATOR SETTELMEYER:

I now have the bill, and it references an off-highway vehicle that "has a displacement of not more than 70 cubic centimeters." That is a reference to the engine size. This bill only applies to small-engine vehicles.

The discussion was held by an interim group on off-highway vehicles that has worked on these issues. They indicated that generally engines at-or-under 70 cubic centimeter size are for children and they would be riding along with someone else. Engines larger than 70 cubic centimeters may be operated by teens or adults so it makes sense to register them. The Interim Committee felt that for the purpose of encouraging people to ride with their parents, the smaller off-highway vehicle engines, as referenced, should be exempted.

SENATOR DENIS:

Thank you, Mr. President pro Tempore. This discussion reminded me of two things. First, how does this bill change any penalties on the dealer plate?

SENATOR SETTELMEYER:

Senate Bill No. 109 creates the dealer plates. Currently, off-highway vehicle dealers do not have a dealer plate. I am not familiar with the penalties. I assume they would be structured consistent with the Department of Motor Vehicles. The discussion I recall was to make everything similar and consistent.

SENATOR DENIS:

How does this impact the larger off-highway vehicles such as the Rangers and similar models that have four wheels and seat multiple people? Is that a licensing issue?

SENATOR SETTELMEYER:

To my knowledge, off-highway vehicles such as the Rhino, the Odyssey as well as quads and dune buggies, they would not be exempt. They would apply for registration. If they are the type that can be driven on the highway, they go through different channels.

Roll call on Senate Bill No. 109:

YEAS—20.

NAYS—Smith—1.

Senate Bill No. 109 having received a constitutional majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 155.

Bill read third time.

Remarks by Senator Gustavson.

Senate Bill No. 155 expands a clinical professional counselor's scope of practice to include the assessment and treatment of couples or families if he or she has demonstrated competency as determined by the Board of Examiners for Marriage and Family Therapists and Clinical Professional Counselors.

Roll call on Senate Bill No. 155:

YEAS—21.

NAYS—None.

Senate Bill No. 155 having received a constitutional majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 157.

Bill read third time.

Remarks by Senator Hutchison.

Senate Bill No. 157 revises provisions relating to school budgets. It requires that the board of trustees of each school district establish criteria for determining budgetary priorities that are directed at improving the achievement of pupils and improving classroom instruction. The legislation also requires a school district superintendent to use the criteria established in making recommendations to the board of trustees regarding the school district budget. The bill requires the school district board of trustees to prioritize expenditures in a manner consistent with budgetary priorities and to carry out those priorities. Senate Bill No. 157, as amended, passed the Senate Committee on Finance unanimously, and I ask for your support.

Roll call on Senate Bill No. 157:

YEAS—21

NAYS—None.

Senate Bill No. 157 having received a constitutional majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 158.

Bill read third time.

Remarks by Senator Settelmeyer.

Senate Bill No. 158 voids or makes otherwise unenforceable any contractual provisions in motor carrier transportation contracts that indemnify a shipper for the shipper's own negligent or intentional acts or omissions. It does not apply to a contract concerning motor carrier transportation if the party to be indemnified, defended or held harmless is a motor carrier. In addition, provisions of the bill do not apply to an agreement that provides for the exchange, use or possession of certain shipping equipment. Senate Bill No. 158 is effective on October 1, 2013.

Larger companies are sometimes able to make smaller shippers sign contracts that make them liable for the mistakes of the larger shipper. This bill seeks to make sure companies are not putting the negligence of their own activities onto someone else. Thank you, and I urge your support.

Roll call on Senate Bill No. 158:

YEAS—21.

NAYS—None.

Senate Bill No. 158 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 180.

Bill read third time.

Remarks by Senators Segerblom and Settlemeyer.

SENATOR SEGERBLOM:

Senate Bill No. 180 is important because it provides the damages which are available under federal discrimination law under our State anti-discrimination statutes: Section 330 of Chapter 613 of *Nevada Revised Statutes*. Our State law is more expansive than federal law; it covers sexual orientation and gender identity issues.

Also under federal law, federal age discrimination laws don't apply to State employees so Senate Bill No. 180 will take care of those separate cases and provide the damages for other victims of discrimination who want to go State court as opposed to federal court. I urge your support.

SENATOR SETTELMAYER:

When Senate Bill No. 180 came up in Committee, I had some issues and concerns about the concept of giving remedies without limitation, with no liability limits. Attorney's fees always scare me a bit. I wish we could put it in statute that whichever side wins gets the attorney's fees. I worry that just one side gets the fees if they prevail. I am concerned this issue will create more litigation rather than not. I will not be supporting this bill.

SENATOR SEGERBLOM:

Thank you, Mr. President pro Tempore. There are limitations. The cap is \$300,000 and is dependent on the number of employees. Attorney's fees are awarded more to the prevailing party which is more likely the plaintiff. However, if it is a frivolous case, which often happens, the attorney's fees are awarded against the plaintiff on behalf of the employer.

Roll call on Senate Bill No. 180:

YEAS—11.

NAYS—Brower, Cegavske, Goicoechea, Gustavson, Hammond, Hardy, Hutchison, Kieckhefer, Roberson, Settlemeyer—10.

Senate Bill No. 180 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 185.

Bill read third time.

Senator Kieckhefer moved that Senate Bill No. 185 be taken from the General File and placed on the Secretary's Desk.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Smith moved that Senate Bill No. 238 be taken from General File and be re-referred to the Committee on Finance.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 244.

Bill read third time.

Remarks by Senator Brower.

Senate Bill No. 244 is the veteran's driver's license bill that was amended yesterday. It simply allows honorably discharged veterans of the United States Armed Forces, if they choose, to have their veteran status reflected on their Nevada driver's license. Many states have already done this. It is very popular with veterans groups. I want to thank the informal Veterans' Caucus within this Body for co-sponsoring this bill along with the other co-sponsors. It was unanimously passed out of the Senate Committee on Transportation, and I urge your support.

Roll call on Senate Bill No. 244:

YEAS—21.

NAYS—None.

Senate Bill No. 244 having received a constitutional majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 288.

Bill read third time.

Remarks by Senator Brower.

Senate Bill No. 288 is a minor cleanup bill. In 2009, the Nevada Legislature passed a uniform act dealing with debt collection. As they say, no good deed goes unpunished. Shortly thereafter, the Federal Trade Commission changed its regulations dealing with this issue, thus resulting in the uniform act and the *Nevada Revised Statutes* no longer making sense. This bill is intended to remedy that problem. It received unanimous support in the Senate Committee on Commerce, Labor and Energy. I would like to thank the Chair of that Committee for shepherding this bill. I urge your support.

Roll call on Senate Bill No. 288:

YEAS—21.

NAYS—None.

Senate Bill No. 288 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 302.

Bill read third time.

Remarks by Senator Brower.

Senate Bill No. 302 provides that if a taxicab company regulated by the Nevada Transportation Authority requires an employee, prospective employee, lessee or prospective lessee to submit to a test for the presence of alcohol or a controlled substance and the person tests positive, the taxicab company is required to: (1) maintain a record of the results of the test; (2) provide a record of the results of the test to the Nevada Transportation Authority; and (3) release a record of the test results to another taxicab company upon request and certain conditions. This is a common-sense passenger safety bill. I would like to thank my friend, the Chair of the Senate Committee on Transportation for his leadership on this issue over the years and the Committee as a whole for its support.

Roll call on Senate Bill No. 302:

YEAS—21.

NAYS—None.

Senate Bill No. 302 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 310.

Bill read third time.

Remarks by Senator Ford.

Thank you, Mr. President pro Tempore. Senate Bill No. 310 deletes the requirement that a financial institution operating an electronic terminal must disclose certain fees on a sign posted on or in clear view of the electronic terminal. It also authorizes a State-chartered bank to engage in a derivative transaction with the consent and written approval of the Commissioner of Financial Institutions. Senate Bill No. 310 provides that the total outstanding loans of such a bank, for the purpose of calculating the lending limit of the bank, must include the credit exposure of the bank arising from certain transactions including derivative transactions. This bill is effective upon passage and approval.

Roll call on Senate Bill No. 310:

YEAS—21.

NAYS—None.

Senate Bill No. 310 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 316.

Bill read third time.

Remarks by Senators Denis, Settelmeyer and Manendo.

SENATOR DENIS:

Senate Bill No. 316 requires a contractor to dispose of solid waste produced by the construction, alteration, repair, maintenance or demolition of any building, structure or other improvement work at a materials recovery facility that has been approved to operate pursuant to regulations of the State Environmental Commission if such a facility is located within 30 miles of the work site. Thank you, and I urge your support.

SENATOR SETTELMAYER:

I spoke with the Majority Leader earlier about this bill. I received an email from a constituent who works in Reno who expressed concern about creating a situation where you tell someone that everything in a certain mile radius has to go to a certain facility, and the result being it enables that facility to set its own price.

I support the concept of this bill completely. Perhaps, as the bill moves forward through the legislative process, this price concern can be addressed. I appreciate the bill working to promote recycling.

SENATOR DENIS:

Currently, there is not a materials' recovery facility in the Reno area so it would not apply today. However, anyone can create a materials' recovery facility. If someone were to create one and try to raise their prices as described by my colleague from Senate District No. 17, a second facility could be created to create competition. We see several facilities in southern Nevada keeping each other in check in just this way.

SENATOR MANENDO:

I rise in support of Senate Bill No. 316. I have been a huge proponent of recycling over the years. I think this is an important piece of legislation. We keep piling everything into our landfills. This is not only a green bill, but it is also a job-creating bill for our State. If we really

get creative in Nevada—and this bill helps us move in that direction—recycling has the potential to create tens of thousands of new jobs. It will expand the business sector as well. I support this legislation, and I thank the Majority Leader for bringing it forward.

Roll call on Senate Bill No. 316:

YEAS—21.

NAYS—None.

Senate Bill No. 316 having received a constitutional majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 364.

Bill read third time.

Remarks by Senator Atkinson.

Senate Bill No. 364 makes permissive, rather than mandatory, the task of governmental agencies ensuring that personal information contained in documents submitted to the agency prior to 2007 is either kept confidential or removed from the documents. It also revises provisions concerning branch offices where marriage licenses may be obtained in a county with a population of 700,000 or more, currently Clark County, such that the county commission may, at the clerk's request, designate up to five branch offices where marriage licenses may be issued.

Senate Bill No. 364 revises a prohibition against soliciting marriage ceremonies while on county courthouse property to apply to any county property where marriage licenses are issued. I urge your support for this clean-up language.

Roll call on Senate Bill No. 364:

YEAS—21.

NAYS—None.

Senate Bill No. 364 having received a constitutional majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 402.

Bill read third time.

Remarks by Senator Roberson.

Thank you, Mr. President pro Tempore. I rise in support of Senate Bill No. 402 which reduces the late fee a real estate broker, broker-salesperson or salesperson must pay to renew a license that has expired to \$100 within one year of expiration, in addition to the amount otherwise required for renewal. It also authorizes a person to renew a permit upon payment of a \$20 fee within one year of expiration, in addition to the amount otherwise required for renewal and compliance with any other requirement relating to the renewal of such a permit. This bill is effective on July 1, 2013. I ask my colleagues for their support.

Roll call on Senate Bill No. 402:

YEAS—21.

NAYS—None.

Senate Bill No. 402 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 432.

Bill read third time.

Remarks by Senator Spearman.

Senate Bill No. 432 requires each operator of a taxicab business to post a sign in each taxicab that it operates notifying passengers of the maximum penalties for committing an assault or battery upon a taxicab driver. This bill is effective on October 1, 2013.

The sign should read as or be similar to: Warning: assault upon a taxicab driver is punishable by up to 6 years in prison. Battery upon a taxicab driver is punishable by up to 15 years in prison.

Roll call on Senate Bill No. 432:

YEAS—21.

NAYS—No.

Senate Bill No. 432 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 477.

Bill read third time.

Remarks by Senator Woodhouse.

Thank you, Mr. President pro Tempore. Senate Bill No. 477 enacts the recommendations of the Committee to Study a New Method of Funding Public Schools by placing in statute the factors currently considered by the Department of Education in the calculation of the basic support guarantee per pupil for each school district. The bill further requires the Department of Education, at least every six years, to conduct a review of these factors and to evaluate, and revise if necessary, the method for allocating special education program units. Lastly, the bill requires the Department of Education to develop and to post on the Department of Education's website, an informational pamphlet concerning the administration of the State's existing school finance model known as the "Nevada Plan."

Roll call on Senate Bill No. 477:

YEAS—21.

NAYS—None.

Senate Bill No. 477 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 489.

Bill read third time.

Remarks by Senator Goicoechea.

Senate Bill No. 489 extends the June 30, 2014, deadline by which the State Board of Finance can issue general obligation bonds to protect, preserve and obtain the benefits of the property and natural resources of this State known as "Q1 bonds," until June 30, 2019, under the same terms and conditions approved by the voters at the general election held on November 5, 2002. This act becomes effective upon passage and approval. We had \$200 million worth of bonding and unfortunately not the bonding capacity. There are a number of worthy projects in the State that are shovel ready if we can get the bonding capacity. I urge your support.

Roll call on Senate Bill No. 489:

YEAS—21.

NAYS—None.

Senate Bill No. 489 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 497.

Bill read third time.

Remarks by Senators Atkinson and Denis.

SENATOR ATKINSON:

Senate Bill No. 497 prohibits a dental-care plan from requiring a dentist to accept a fee set by the plan for any services other than services covered in the plan. In addition, a dental-care organization or third-party administrator is prohibited from making available any dentists in its network to a dental-care plan that sets fees for any dental-care except covered services. The measure also requires a dentist to charge a patient the same fee for a covered service when reimbursement is not available as the dentist would have charged the patient pursuant to the terms of the policy if the benefit provided for the calendar year under the terms of the policy had not been exceeded.

When an individual exceeds his or her dental-care limit with their provider as a result of a procedure such as a bridge which is costly, the patient must pick up the over charges. This bill would provide patient relief by allowing patients to have options within their plan that are at reduced rates.

SENATOR DENIS:

Does Senate Bill No. 497 impact the smaller insurance companies?

SENATOR ATKINSON:

To my knowledge, the bill applies to all insurance plans. It would affect anyone with dental insurance coverage. It would provide for the dental-care facility to charge the patient the same rate as they would charge your insurance.

Roll call on Senate Bill No. 497:

YEAS—21.

NAYS—None.

Senate Bill No. 497 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 506.

Bill read third time.

Remarks by Senator Settlemeyer.

Thank you, Mr. President pro Tempore. Senate Bill No. 506 repeals an obsolete provision of *Nevada Revised Statutes* that excludes from the definition of “unlawful employment practice” any action or measure taken by an employer or certain other entities against a person who is a member of the Communist Party or any other organization required to register as a Communist organization by final order of the Subversive Activities Control Board pursuant to the Subversive Activities Control Act of 1950. This bill comes from the Legislative Commission which is charged with the review of obsolete statutes and proposing to repeal them. Thank you, and I urge your support.

Roll call on Senate Bill No. 506:

YEAS—21.

NAYS—None.

Senate Bill No. 506 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 507.

Bill read third time.

Remarks by Senator Settlemeyer.

Senate Bill No. 507 repeals obsolete provisions in *Nevada Revised Statutes* relating to development corporations and corporations for revitalization and diversification. The bill deletes various statutory references to such corporations including all of Chapters 670 and 670A of *Nevada Revised Statutes*. This bill is effective upon passage and approval.

During Committee testimony, we realized no one has applied for any of these programs for more than 11 years. This bill is proposed by the Legislative Commission which is concerned with eliminating obsolete statutes.

Roll call on Senate Bill No. 507:

YEAS—21.

NAYS—None.

Senate Bill No. 507 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 509.

Bill read third time.

Remarks by Senator Smith.

I rise in support of Senate Bill No. 509 which provides for the continuation of a 2.5-percent room tax rate currently imposed within the City of Sparks. It was originally approved pursuant to Assembly Bill No. 205 during the 2003 Legislative Session and is scheduled to expire upon the repayment of bonds issued using the room tax proceeds. It becomes effective upon passage and approval. The funding from this room tax revenue helps redevelopment in downtown Sparks. I urge your support.

Roll call on Senate Bill No. 509:

YEAS—21.

NAYS—None.

Senate Bill No. 509 having received a two-thirds majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 8.

Resolution read third time.

Remarks by Senators Segerblom, Denis, Cegavske and Settlemeyer.

SENATOR SEGERBLOM:

Thank you, Mr. President pro Tempore. Senate Joint Resolution No. 8 brings Nevada into conformity with the rest of the United States. It is time that we come out of the past history of being a modest little State and recognize we are a large State. We have major problems, and we can no longer afford to come to Carson City every other year. This resolution tries to address the issue by providing for annual legislative sessions without increasing the number of days over the two-year period, but it divides it up to 90 days of legislating in odd years and 30 days of legislating during the even years.

I am sure there will be complaints by some from the northern part of the State who may be concerned this is an effort to move the capital to Southern Nevada. That is not the case. We are trying to allow the people of Southern Nevada—75 percent of the State's population—to have an opportunity to see the Legislature in action for a week or two during each session which is important for this institution.

One of the things that has happened to the Nevada Legislature as a result of term limits and restricting the number of days we meet, we have become more irrelevant and more ineffective. We need to raise our profile. We need to stand up and say we are proud of what we do and we can no longer meet every other year like we have been doing. This State is too big. Our issues are too important. Things move too fast to have to wait two years to have to rectify problems.

I should clarify that we are not voting today to have annual legislative sessions, we are voting to have the voters of Nevada decide if we should have annual sessions. A vote for this resolution does not indicate you support annual sessions. It means you are open to the people of Nevada telling you what they think about it. If it passes this year, it will come back in two years and be on the ballot in 2016. We are talking about the future, but these things need to be planned. We need to modernize, especially by 2017. Thank you. I urge your support.

SENATOR DENIS:

Does Senate Joint Resolution No. 8 also provide for a commission to meet during the Interim? The commission would get input from non-Legislators in the community.

SENATOR SEGERBLOM:

To the Majority Leader, that is in a separate bill. The bill proposes to appoint a commission that will not include any current Legislators. They will be asked to look at this issue around the State and report back to us. They will report back to the Legislature prior to the 2015 Legislative Session which is when the Legislature would vote on this resolution a second time. If they come back and say this is a bad idea, we will follow their recommendation. It allows us to get important public input, but because of the length of time this takes, we don't want to wait any longer. The goal is to push forward this year, have the commission meet and then come back in two years. If everyone agrees we will vote again. If passed, then goes on the 2016 ballot.

SENATOR CEGAUSKE:

I want to thank my colleague from Senate District No. 3 for bringing this issue before Committee. I reluctantly stand today to say I will not be supporting the bill. I have had the time to contemplate, ask more questions and get more information.

I do support annual legislative sessions. I am very supportive of the concept. I spoke with the sponsor of the resolution about my concerns, and he has made many concessions, removing several portions of the original bill that needed to be replaced.

There are items that remain of concern to me. First, I am concerned about the provision addressing calendar days and legislative days. In using legislative days, the proposal will result in adding 45 more days to our time in session. That is a concern. Second, let's talk about voting in Carson City. I look at this historically—this is the capital of Nevada and it is where we should be voting. I am from Las Vegas, and I appreciate that we are able to meet down there. I think we should continue to do that.

I am grateful for my colleague from Senate District No. 3 who was willing to look at, and put into regulation, the removal of the Interim Finance Committee and the Legislative Commission. This is appropriate if annual sessions become a reality. That is important. It is also important to continue interim committees and studies. Those meetings can be held in Las Vegas as well as other parts of the State.

The important part for me in making the decision was considering if we did vote down in Las Vegas, where would we vote? There are no accommodations for all 63 Legislators. It will come with a cost. Even if each House meets separately, I don't think we could get the space to do it without incurring expenses. At this time, I don't think it's prudent to put money toward that. I believe every one of you should be paid for every day you work—every single one of you should be compensated for the days you work.

If a commission is what you feel needs to be added in order to make this sound, I will look for that other bill. I want to reiterate that I thank my colleague from Senate District No. 3 for

proposing this legislation. I think he is on the right track. I offered a few amendments to him, and I still have them on my table if he would like to accept them. I would love to work this out with him. The offer stands.

I also thank the Chair of the Senate Committee on Legislative Operations and Elections for allowing me to change my vote.

SENATOR SETTELMAYER:

I appreciate the concept of this resolution. Within Section 1 of Article 4 of the *Nevada Constitution*, as well as in Section 1 of Article 15, one House of the legislature is prohibited from adjourning to another location during a regular or special session without the consent of the other House. In other words, we could adjourn to a different location today if both Houses agree. We already have that ability. This Body has done this in the past.

We have repeatedly asked the voters at the ballot box about our compensation, and this resolution seeks to change that. See lines 18 and 19 on page 2 of the legislative digest. To me, it is wrong for an employee to tell an employer to change their salaries. Our employers are the citizens of the State of Nevada, and it's not proper to leave that part to our decision. I oppose this legislation.

SENATOR SEGERBLOM

To briefly respond to my colleague from Senate District No. 8 on the issue of calendar days versus legislative days, you are correct that the resolution, as written, would allow 90 legislative days in odd years out of a total of 120. As you know, when we are here in Carson City, we spend time doing very little because we have to allow our staff to catch up. This would allow us to take a week or two break in the middle of things at a crossover time. The number of days we actually work would be very similar, and we would only get paid for the 90 days, so the paid days would be the same.

To my colleague from Senate District No. 17, we have removed the salary piece and there is no provision in here for money. The resolution says the Legislature will, at some point, approve their salary. Again, this will go to a vote of the people so effectively our employer would decide our compensation.

Roll call on Senate Joint Resolution No. 8:

YEAS—11.

NAYS—Brower, Cegavske, Goicoechea, Gustavson, Hammond, Hardy, Hutchison, Kieckhefer, Roberson, Settelmeyer—10.

Senate Joint Resolution No. 8 having received a constitutional majority, Mr. President pro Tempore declared it passed, as amended.

Resolution ordered transmitted to the Assembly.

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

Senate in recess at 3:26 p.m.

SENATE IN SESSION

At 3:55 p.m.

President pro Tempore Parks presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. President pro Tempore:

Your Committee on Commerce, Labor and Energy, to which were referred Senate Bills Nos. 94, 198, 235, 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 pro Tempore:

Your Committee on Education, to which was re-referred Senate Bill No. 305, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOYCE WOODHOUSE, *Chair*

Mr. President pro Tempore:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 314, 356, 420, 476, 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 were referred Senate Bills Nos. 27, 45, 60, 101, 106, 131, 140, 177, 192, 226, 373, 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*

MOTIONS, RESOLUTIONS AND NOTICES

Senator Segerblom moved that Senate Bills Nos. 192, 314, just reported out of Committee, be immediately placed on the Second Reading File for this legislative day.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 192.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 379.

"SUMMARY—Enacts the Nevada Preservation of Religious Freedom Act to prohibit governmental entities from substantially burdening the exercise of religion. (BDR 3-477)"

"AN ACT relating to religious freedom; prohibiting a governmental entity from substantially burdening the exercise of religion of a person under certain circumstances; authorizing a person whose exercise of religion has been so burdened to assert the violation as a claim or defense in a judicial proceeding; authorizing a court to award damages against a governmental entity that substantially burdens the exercise of religion in certain circumstances; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Section 4 of Article 1 of the Nevada Constitution and the First Amendment to the United States Constitution guarantee citizens of this State the free exercise and enjoyment of religious profession and worship. This bill enacts the Nevada Preservation of Religious Freedom Act to further protect those fundamental rights by prohibiting a governmental entity from substantially burdening the exercise of religion of a person. This prohibition applies regardless of whether the burden on religion is the result of a rule that is generally applicable and not specifically directed at religious activity.

However, this bill does not apply to or affect the decision of a governmental entity to grant or deny to religious organizations any appropriation or other money or benefit, or any tax exemption or other type of tax relief. This bill also does not establish or eliminate any claim or

defense in a civil or criminal action brought under a federal or state civil rights law, except that this bill protects the acts of religious organizations regarding the employment, education or volunteer service of a person who performs or will be tasked with performing any religious duties for the religious organization, such as spreading or teaching faith, performing devotional services or participating in internal governance of the religious organization.

This bill authorizes a person whose exercise of religion has been substantially burdened to bring or defend an action in court and to obtain appropriate relief. A governmental entity is only authorized to substantially burden religious exercise if the governmental entity demonstrates that the burden furthers a compelling governmental interest and is the least restrictive means by which the governmental entity can further that interest. In addition, this bill does not restrict the Nevada Legislature from enacting laws which affect religion if the law explicitly makes the provisions of this bill inapplicable to the new law. This bill further requires a court to award costs and attorney's fees to a person who prevails ~~in an action brought~~ pursuant to these provisions on a claim or defense against a governmental entity.

WHEREAS, The right to the free exercise of religion is set out in Section 4 of Article 1 of the Nevada Constitution and the First Amendment to the United States Constitution; and

WHEREAS, The State of Nevada has independent authority to protect the free exercise of religion based on principles that are separate from, complementary to and more expansive than the Nevada and United States Constitutions; and

WHEREAS, Laws that are facially neutral toward religion may burden religious exercise as significantly as laws which directly interfere with the exercise of religion; and

WHEREAS, The United States Supreme Court has upheld facially neutral laws which burden the exercise of religion with little justification by the governmental entity that enacted the law; and

WHEREAS, To balance religious freedom and competing governmental interests, governmental entities must be required to demonstrate compelling justification when it substantially burdens the exercise of religion; now, therefore,

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

Section 1. Chapter 41 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to ~~7~~ 8, inclusive, of this act.

Sec. 2. *Sections 2 to ~~7~~ 8, inclusive, of this act may be cited as the Nevada Preservation of Religious Freedom Act.*

Sec. 3. 1. *Sections 2 to ~~7~~ 8, inclusive, of this act apply to all state and local laws and ordinances and the implementation of those laws and ordinances, whether statutory or otherwise, and whether enacted before, on or after October 1, 2013.*

2. State laws that are enacted on or after October 1, 2013, are subject to the provisions of sections 2 to 8, inclusive, of this act unless the law explicitly excludes such application by reference to this section.

3. The provisions of sections 2 to ~~7~~ 8, inclusive, of this act ~~shall not be construed as authorizing any~~ do not:

(a) Authorize a governmental entity to burden any religious belief of a person.

(b) Apply to or otherwise affect the decision of a governmental entity to grant or deny to a religious organization any:

(1) Appropriation or other money or benefit; or

(2) Tax exemption or other type of tax relief.

(c) Except as otherwise provided in subsection 4, establish or eliminate any claim or defense in a civil or criminal action brought under a federal or state civil rights law.

4. The provisions of sections 2 to 8, inclusive, of this act apply to any claim or defense regarding the employment, education or volunteer service of a person who performs or will be tasked with performing any religious duties for a religious organization, including, without limitation:

(a) Spreading or teaching faith;

(b) Performing devotional services; or

(c) Participating in internal governance.

Sec. 4. As used in sections 2 to ~~7~~ 8, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 5 ~~and~~ , 6 and 7 of this act have the meanings ascribed to them in those sections.

Sec. 5. "Exercise of religion" means the ability to act or to refuse to act in a manner substantially motivated by a religious belief, whether or not the exercise is compulsory or central to a larger system of religious belief.

Sec. 6. "Governmental entity" means the State of Nevada, a political subdivision of the State or an agency of either.

Sec. 7. "Religious organization" means an organization that is:

1. Incorporated, organized or established under law and:

(a) Whose primary purpose and function are religious;

(b) Is a religious school organized primarily for religious and educational purposes; or

(c) Is a religious charity organized primarily for religious and charitable purposes; and

2. Recognized as exempt from taxation pursuant to section 501(c)(3) of the Internal Revenue Code of 1986, 26 U.S.C. § 501(c)(3), as amended, and does not engage in any activities that would disqualify it from such tax-exempt status.

~~Sec. 7.~~ Sec. 8. 1. Except as otherwise provided in subsection 2 or section 3 of this act, a governmental entity shall not substantially burden the exercise of religion of a person regardless of whether the burden is the result of a rule of general applicability.

2. *A governmental entity may substantially burden the exercise of religion of a person only if the governmental entity demonstrates that the burden as applied to the person:*

- (a) *Furthers a compelling governmental interest; and*
- (b) *Is the least restrictive means of furthering that governmental interest.*

3. *Notwithstanding any provision of NRS 41.0305 to 41.039, inclusive, but subject to the limitation on damages set forth in NRS 41.035 when applicable, a person whose religious exercise has been substantially burdened in violation of this section may assert that violation as a claim or defense in a judicial proceeding and obtain appropriate relief against the governmental entity. The court shall award costs and attorney's fees to a person who prevails ~~in an action brought~~ on such a claim or defense against a governmental entity pursuant to this section.*

4. *The court may find that a person is a vexatious litigant if the person makes a claim within the scope of this section which is without merit, fraudulent or otherwise intended to harass or annoy a governmental entity. If a court finds that a person is a vexatious litigant pursuant to this subsection, the court may deny standing to the person to bring further claims which allege a violation of this section.*

~~Sec. 8.~~ Sec. 9. The provisions of this act apply to an action that is:

- 1. Pending on October 1, 2013; or
- 2. Filed on or after October 1, 2013.

Senator Kihuen moved the adoption of the amendment.

Remarks by Senator Kihuen.

Thank you, Mr. President pro Tempore. Amendment No. 379 to Senate Bill No. 192 clarifies that the prohibitions of the measure do not apply to or affect the decision of a governmental entity to grant or deny to religious organizations any appropriation or other money or benefit, or any tax exemption or other type of tax relief. It also clarifies that the prohibitions do not establish or eliminate any claim or defense in a civil or criminal action brought under a federal or state civil rights law.

Finally, it clarifies that the prohibitions protect the acts of religious organizations regarding the employment, education or volunteer service of a person who performs any religious duties for a religious organization, such as spreading or teaching faith, performing devotional services or participating in internal governance of the religious organization.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 314.

Bill read second time and ordered to third reading.

REMARKS FROM THE FLOOR

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

SENATOR DENIS:

Thank you, Mr. President pro Tempore. We have guests here today in honor of Nevada Library Day at the Legislature.

I began my public service as a library trustee. I am not sure where in my life I figured out what a library trustee did, but I grew up always wanting to someday become a library trustee. It

wasn't in my vision to be a State Senator or Assemblyman—I wanted to be a library trustee. Part of that was because I grew up going to libraries. As a little Latino kid, I would go to the library and travel the whole world through reading books and magazines. I learned a lot going to libraries.

As a young adult coming out of college, I was at the library and a club was meeting on computers. I decided to join that club and learn about computers. Within a short period of time—this was back when personal computers were just emerging—I decided I wanted to work with computers for a living. My ultimate career decision started right there in the library.

My wife and I have five kids and we have been taking them from the time they were little and could enjoy “lap sit” to learn to read. They learned about books. We would go to the library as a family and everyone would max out their card with books—like 30 books each! We had a big carrier to haul all of those heavy books home. We would read them all and then go back to the library for another batch. All of my kids love to read and they are also all good students who love to learn. I think a part of that is they have learned to love to read.

I appreciate my service as a library trustee; it opened my eyes to public service. I appreciate the librarians who, each and every day, do so much for the rest of us. Even though we have had substantial budget cuts over the last few years and that has resulted in difficult decisions on closing libraries on certain days, making them inaccessible during certain hours and reducing their materials budgets, libraries still change lives. I appreciate the librarians being here with us today.

PRESIDENT PRO TEMPORE PARKS:

Thank you, Senator Denis. I grew up in a small town in New Hampshire, and the library there was funded through a trust. It was an old gothic building with beautiful architecture. The thing I remember most is the musty smell of the books. It is stuck in my mind. It was surprising how much was there. The librarian was so eager to have young people come into the facility and use it. It is a wonderful memory.

SENATOR ROBERSON:

I appreciate the comments made by the Majority Leader. I have a similar story. I grew up in a small town in Kansas. I was a poor kid in a poor town where no one went to college. I spent many a day and night at the library as a kid. It was a significant reason for why I did go on to college and law school, and may be why I am standing here, today. Thank you for your story. It means a lot to me, and I can certainly relate.

SENATOR BROWER:

I would like to also welcome everyone here for Nevada Library Day. I appreciate the Majority Leader's comments, and I can certainly relate to the Minority Leader's comments. For those of you who are from Las Vegas, I can remember as a kid riding my bike to the little branch library that was located in the strip mall behind the old Wonder World on Decatur. I think it was in Senate District No. 3, but it is no longer there. I have fond memories of that library branch.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Brower, the privilege of the Floor of the Senate Chamber for this day was extended to Dr. James Jempsa.

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

On request of Senator Goicoechea, the privilege of the Floor of the Senate Chamber for this day was extended to Laura Oki.

On request of Senator Jones, the privilege of the Floor of the Senate Chamber for this day was extended to Dr. Veronica Sutherland.

On request of Senator Kieckhefer, the privilege of the Floor of the Senate Chamber for this day was extended to Nancy Cummings and Bob Kieckhefer.

On request of Senator Roberson, the privilege of the Floor of the Senate Chamber for this day was extended to Joan Dalusung.

On request of Senator Segerblom, the privilege of the Floor of the Senate Chamber for this day was extended to Tammy Westergard.

On request of Senator Smith, the privilege of the Floor of the Senate Chamber for this day was extended to Arnie Maurins and Dr. Douglas Vacek.

On request of Senator Woodhouse, the privilege of the Floor of the Senate Chamber for this day was extended to Colleen Bell.

Senator Denis moved that the Senate adjourn until Wednesday, April 17, 2013, at 11:00 a.m.

Motion carried.

Senate adjourned at 4:04 p.m.

Approved:

DAVID R. PARKS

President pro Tempore of the Senate

Attest: DAVID A. BYERMAN

Secretary of the Senate