

**THE EIGHTIETH DAY**

---

CARSON CITY (Wednesday), April 24, 2013

Senate called to order at 11:46 a.m.

President Krolicki presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Chris White.

Let us pray.

Dear God, let our land be a land where men and women can hold their heads up high; a land where our leaders will have the courage and the permission to lead this great State; where Americans have faith in our land, our leaders, our neighbors and You. Let it be a land safe for our children and the generations to come.

May the Lord bless us and keep us. May the Lord cause His face to shine upon us. May the Lord bless our country with peace and prosperity.

Thank you Lord for the brave men and women who fight to keep our country the land of the free and the home of the brave. Bring peace and safety to them and their loved ones. Protect them as they serve this great Nation. Lord, please bless our lawmakers, our leaders and all who assist them, as well as their families.

In the Name of the One who is alive forevermore.

AMEN.

Pledge of Allegiance to the Flag.

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

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 23, 2013

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 441.

Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bills Nos. 17, 35, 36, 48, 50, 61, 77, 86, 87, 90, 99, 117, 150, 187, 189, 199, 202, 205, 207, 210, 223, 227, 230, 248, 251, 288, 321, 326, 332, 333, 339, 341, 345, 348, 363, 374, 382, 386, 395, 418, 421, 440, 459, 486, 494, 496.

MATTHEW BAKER

*Assistant Chief Clerk of the Assembly*

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Denis, Atkinson, Brower, Cegavske, Ford, Goicoechea, Gustavson, Hammond, Hardy, Hutchison, Jones, Kieckhefer, Kihuen, Manendo, Parks, Roberson, Segerblom, Settlemeyer, Smith, Spearman and Woodhouse:

Senate Resolution No. 7—Expressing appreciation to the staff of the Senate for their dedication and outstanding performance during the 77th Legislative Session of the Nevada Legislature.

WHEREAS, April 21 to 27 is nationally observed as Administrative Professionals Week and, specifically, April 24 is nationally observed as Administrative Professionals Day; and

WHEREAS, The Nevada Legislature is constitutionally bound to a 120-day calendar, creating a professional environment highly dependent on an efficient and effective staff to assist the members in the performance of their legislative duties on behalf of the residents of the State of Nevada; and

WHEREAS, The Senate's Front Office, Front Desk, Sergeants at Arms, Legislative Assistants, Clerical Services Staff, Proofreaders, Committee Managers, Committee Assistants and Committee Secretaries have performed at a tremendous level during the 2013 Legislative Session, exhibiting the highest standards of professionalism and excellence; and

WHEREAS, It is altogether fitting and proper that the Senate should recognize this service, on this and every day, as the Senate staff represent the residents of this great State, and all that is good and honorable about Nevadans; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the members of the Senate of the 77th Session of the Nevada Legislature do hereby express their sincere appreciation and commend the exceptional administrative staff of the Senate, which includes Judith Anker-Nissen, Michael Archer, Wayne Archer, Karen Baggett, Martha Barnes, Gwendolyn Barrett, Jennie Bear, Lynn Berry, Stella Blood, Caitlin Brady, Jan Brase, Lauren Brooks, Maureen Brower, Ardyss Canon, Sheri Carlsen, Jackie Cheney, Cindy Clampitt, Ruth Condray, Cynthia Cook, Patricia Devereux, Lona Domenici, Suzanne Efford, Linda Fehr, Sheri Fletcher, Susan Gaither, Laureen Garcia, Linda Gentry, John Griffin, Shelle Grim-Brooks, Lynn Hendricks, Gail Herstead, Joyce Hess, Linda Hiller, Joyce Hinton, Joyce Hollister, Barbara Honey, Sherwood Howard, Thomas Hutton-Potts, Judy Jackson, Diana Jones, Leah Jones, Betty Kaminski, RJ Keetch, Kaci Kerfeld, Rebecca Lawson-Harris, Lydia Lee, Berdine Leuwer, Ilena Madraso, Wynona Majied-Martinez, Lezlie Mayville, Emily McIlveene, Toshiko McIntosh, Janet Meredith, Terri Miller, Leslie Mix, Mary Moak, Julie Mogensen, Arzella Moots, Juliet Newman, Blayne Osborn, Alysia Peters, Jerry Pieretti, Ruth Pierini, Gena Plummer, Jodi Poley, Steve Pozzi, Dee Ramsey, Gayle Rankin, Lora Robb, Sherry Rodriguez, Marion Sandoval, Paula Saponaro, Leslie Sexton, Jerry Stacy, Riley Sutton, Kathleen Swain, Melodie Swan-Fisher, Timothy Taycher, Annette Teixeira, Judy Toscano, Adrian Viesca, Sara Weaver, Norm Wessel, Todd Westergard, Lindsay Wheeler, Michelle White, Susan Whitford and Mike Wiley; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to each member of the staff of the Senate.

Senator Denis moved the adoption of the resolution.

Remarks by Senators Denis and Roberson.

SENATOR DENIS:

Thank you, Mr. President. Senate Resolution No. 5 expresses appreciation to our great staff. Without them we would not be able to do anything in this building. I appreciate the intent of this resolution very much. We should really be showing appreciation to our staff throughout Session, not just this day. We get very busy, but we need to take time out to express our thanks. Thank you.

When I was first elected to the Nevada Legislature and I joined the Assembly, I was told that in order to be successful in this building, we would have to have good people. It was important to have someone there you can trust and who can also get the work done. I remember being assigned my first staff person in the Assembly; from that day until today, I have realized how important it is to have good people.

We are blessed to have great people work here. These are people who are willing to put their lives on hold for four to six months, every other year. They get compensated for what they are doing, but we can't possibly compensate them for all they put up with in working with us. All of our staff does great work.

These are people who have stepped up and done the work that needs to be done; the work we do here—not everybody understands what all we do here. Everyone knows what a city councilman does when he fixes the potholes on their streets and we know what the dogcatcher does. But the work we do here impacts people's lives each and every day. Even though it may not be realized, we do this work because we know it makes a difference. Our staff, they are the

ones who do much of that work for us. They know we can't possibly get it all done without them. I am so very thankful for each and every one of the staff and for all that they do each day.

SENATOR ROBERSON:

Thank you, Mr. President. I would like to echo the comments of the Majority Leader. We truly could not do this work without the staff. We get the credit because we are the elected officials, we get the headlines. But all of you are every bit as valuable as public servants to the people of the State of Nevada as we are. Senate Resolution No. 5 is just one small way we can tell you we appreciate you. Hopefully we tell you every day, and if we don't, we should. You are all terrific. It is a sacrifice, and you mean a lot to us. We truly could not do it without you. Cheers to all of you.

Resolution adopted unanimously.

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

Senate in recess at 12:04 p.m.

#### SENATE IN SESSION

At 12:07 p.m.

President Krolicki presiding.

Quorum present.

#### INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 17.

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

Motion carried.

Assembly Bill No. 35.

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

Motion carried.

Assembly Bill No. 36.

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

Motion carried.

Assembly Bill No. 48.

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

Motion carried.

Assembly Bill No. 50.

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

Motion carried.

Assembly Bill No. 61.

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

Motion carried.

Assembly Bill No. 77.

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

Motion carried.

Assembly Bill No. 86.

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

Motion carried.

Assembly Bill No. 87.

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

Motion carried.

Assembly Bill No. 90.

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

Motion carried.

Assembly Bill No. 99.

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

Motion carried.

Assembly Bill No. 117.

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

Motion carried.

Assembly Bill No. 150.

Recommended to be referred to the Committee on Legislative Operations and Elections.

Motion carried.

Assembly Bill No. 187.

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

Motion carried.

Assembly Bill No. 189.

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

Motion carried.

Assembly Bill No. 199.

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

Motion carried.

Assembly Bill No. 202.

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

Motion carried.

Assembly Bill No. 205.

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

Motion carried.

Assembly Bill No. 207.

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

Motion carried.

Assembly Bill No. 210.

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

Motion carried.

Assembly Bill No. 223.

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

Motion carried.

Assembly Bill No. 227.

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

Motion carried.

Assembly Bill No. 230.

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

Motion carried.

Assembly Bill No. 248.

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

Motion carried.

Assembly Bill No. 251.

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

Motion carried.

Assembly Bill No. 288.

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

Motion carried.

Assembly Bill No. 321.

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

Motion carried.

Assembly Bill No. 326.

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

Motion carried.

Assembly Bill No. 332.

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

Motion carried.

Assembly Bill No. 333.

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

Motion carried.

Assembly Bill No. 339.

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

Motion carried.

Assembly Bill No. 341.

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

Motion carried.

Assembly Bill No. 345.

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

Motion carried.

Assembly Bill No. 348.

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

Motion carried.

Assembly Bill No. 363.

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

Motion carried.

Assembly Bill No. 374.

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

Motion carried.

Assembly Bill No. 382.

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

Motion carried.

Assembly Bill No. 386.

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

Motion carried.

Assembly Bill No. 395.

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

Motion carried.

Assembly Bill No. 418.

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

Motion carried.

Assembly Bill No. 421.

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

Motion carried.

Assembly Bill No. 440.

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

Motion carried.

Assembly Bill No. 441.

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

Motion carried.

Assembly Bill No. 459.

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

Motion carried.

Assembly Bill No. 486.

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

Motion carried.

Assembly Bill No. 494.

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

Motion carried.

Assembly Bill No. 496.

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

Motion carried.

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

Motion carried.

Senate in recess at 12:33 p.m.

#### SENATE IN SESSION

At 12:37 p.m.

President Krolicki presiding.

Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

Senator Smith moved that the action whereby Assembly Bill No. 223, was referred to the Committee on Judiciary be rescinded.

Motion carried.

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

Motion carried.

#### MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 24, 2013

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 6.

MATTHEW BAKER

*Assistant Chief Clerk of the Assembly*

#### MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 6—Expressing appreciation of the Legislative Counsel Bureau.

WHEREAS, The dedicated work of the staff of the Legislative Counsel Bureau is readily apparent upon entering the Legislative Building where the fastidiously clean and maintained surroundings welcome visitors throughout the year; and

WHEREAS, Without the outstanding service and continued cooperation of the staff of the Legislative Counsel Bureau, the Legislature could not function or fulfill its obligations to the people of the State of Nevada; and

WHEREAS, The goal of the Legislative Counsel Bureau is to continue to meet the ever-increasing challenges of providing nonpartisan, centralized services to members of both Houses of the Legislature and their constituents in the most efficient, professional manner possible; and

WHEREAS, Through the years, the Legislative Counsel Bureau has evolved into an organization of public servants who provide a full range of services for the “people’s branch” of government; and



WHEREAS, In the Administrative Division of the Legislative Counsel Bureau, the staff of Information Technology Services and Broadcast and Production Services maintain and improve technology for the legislative process, the staff of the Buildings Unit, the Grounds Unit and the Janitorial Unit prepare and meticulously maintain the building and its grounds as a showplace in Carson City, and the staff of the Accounting Unit, the General Services Unit, the Legislative Police, the Las Vegas Office and the Director's Office, and the session staff in the message center, the bill mail room and the lobbyist registration center keep the Legislature functioning smoothly; and

WHEREAS, The Legislative Auditor and staff of the Audit Division provide the Legislature with independent and reliable information about the operations of state agencies, programs, activities and functions by conducting high quality performance audits to promote accountability in State Government, and by overseeing the annual single audit of State Government to ensure continued funding of federal programs; and

WHEREAS, The Senate and Assembly Fiscal Analysts and the staff of the Fiscal Analysis Division review the Governor's Executive Budget and related bills and amendments while maintaining their usual accuracy and efficiency, obtain and review fiscal notes, provide expenditure and revenue analyses, provide staff support for the Senate Committee on Revenue and Economic Development and the Assembly Committee on Taxation, and respond to the Legislators' requests for information concerning budgets and taxation; and

WHEREAS, The Legislative Counsel and the staff of the Legal Division, including the State Printing Office, Publications and the Gift Shop, draft bills and amendments and produce reprints with meticulous attention to detail, while staffing standing committees and providing legal advice on the usual wide range of issues to the Legislature and its staff, and print letterhead, business cards, and bills and resolutions and publish Nevada Revised Statutes and other legislative publications; and

WHEREAS, The Research Director and the staff of the Research Division, including the Research Library and Constituent Services Unit, provide research and analysis of current and proposed public programs and policies, furnish thorough and prompt background information for use in committees and on the Floor of each House of the Legislature, aid committee chairs by providing administrative and technical assistance in the hearing and processing of bills to meet the rigorous scheduling demands of the legislative session, and respond to an increased number of Legislator and constituent requests in a timely, efficient and thorough manner; and

WHEREAS, During legislative sessions, the staff of the Legislative Counsel Bureau provide services eagerly and professionally, regardless of the time of day or number of hours required, and willingly sacrifice time with family and loved ones to ensure that legislative business can be completed in a timely and efficient manner; now, therefore be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the Assembly and the Senate of the 77th Legislative Session do hereby express their sincere appreciation and commend the outstanding staff of the Legislative Counsel Bureau; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to Rick Combs, Director of the Legislative Counsel Bureau.

Senator Smith moved the adoption of the resolution.

Remarks by Senator Smith.

Thank you, Mr. President. We just finished acknowledging the amazing work of the Senate staff. Assembly Concurrent Resolution No. 6 acknowledges the amazing staff we have working for us at the Legislative Counsel Bureau. Along with our staff who are seated with us here on the Floor today, we all know that every day there are hundreds of people working behind the scenes to help us look good; to help us draft, amend and produce our bills. They also help us work through budgets, fiscal notes and all of the challenges around the money issues. They help us do research, find out what is going on in other states, help us with our floor statements and more. It seems like things magically appear before us each day, but in reality, the very amazing staff of the Legislative Counsel Bureau has done that work. I urge your support.

Resolution adopted unanimously.

Resolution ordered transmitted to the Assembly.

REMARKS FROM THE FLOOR

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

SECRETARY BYERMAN:

Thank you very much, Mr. President. I would like to thank Senator Denis for speaking on behalf of the Democrats and Senator Roberson for speaking on behalf of the Republicans. As nonpartisan staff, we serve everyone here as best we can without regard to party affiliation.

I look at this whole building as a place where miracles happen. It is amazing that this works if you think about it. Through the wisdom of the voters, we have a 120-day Session every two years. The people want that citizen legislature. That creates tremendous challenges for finding 63 people to somehow make it work. They make the sacrifices to serve for 120 days every two years. They come from all walks of life to Carson City to serve.

In a similar way, I think it is a miracle that we find staff who can make this work. We are tremendously fortunate to find 90 Senate staff members who can take time out of their lives to serve their State in this very special way. I am reminded every day of the small miracles that happen in this building. One happened in full view of everyone else about 45 minutes ago. The Front Desk received nearly 50 Assembly Bills at 11:10 a.m. and somehow this team was able to process all of them, and our Recording Clerk was able to publish a new agenda on very short notice. We will be able to get those bills introduced today and sent upstairs. The Front Desk staff made it look easy but it was not easy, I guarantee you.

I know this Chamber has applauded the Front Desk in the past and has recognized me too; you see us every day. The people who are sitting with you today, these are the folks that make your life easier in a much more direct and tangible way. It is the little things they do: it's the customer service they bring to their work with your constituents, and it is the can-do attitude that is necessary for the success of a 120-day Legislative Session. Those are examples of the small miracles that we recognize and appreciate.

I would be remiss if I did not specifically call out two people who serve on the Senate permanent staff—there are only three of us who are permanent. We are fortunate to get Sherry Rodriguez on leave from the Legal Division during the Interim at times; but unfortunately, the Assistant Secretary is not on the permanent staff. But two other people are. Many of the staff report to me through Shelle Grim-Brooks, our Director of Senate Staffing. I know all of you working on the second floor count on her every single day for guidance, advice and for information. She does a tremendous job of working with all of you. Shelle, thank you. We came on board the same day over two and a half years ago and you have been a terrific partner. Alysia Peters is my Executive Assistant. When we hired her last summer, she already spoke the language and understood how we wanted to run things here. She shared my passion for bringing people into this process and making the political process much more accessible and understandable to people. Alysia, you have been a fantastic partner for me and I really appreciate having you by my side each day. Thank you.

SENATOR DENIS:

Thank you, Mr. President. I would like us all to take a moment and reflect on the fact that today is Denim Day. Many of us wore jeans today in honor of sexual violence prevention. Please think about that as you go throughout your day today. Sexual violence is a very real thing that happens, and we need to prevent it.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Denis, the privilege of the Floor of the Senate Chamber for this day was extended to the Senate staff of the 77th Legislative Session.

On request of Senator Ford, the privilege of the Floor of the Senate Chamber for this day was extended to the members of his constituency seated in the Senate Gallery.

On request of Senator Smith, the privilege of the Floor of the Senate Chamber for this day was extended to Lincoln Park Elementary School students and advisors; students: Gilberto Aguiera, Bryan Arce Gomez, Omar Carrillo, Rafeal Garcia, Erick Gasca, Alexzandria Mastin, Horacio Milo, Justin Morse, Laree Murillo, Ramses Rangel, Erik Vasquez, Mia Villarosa, Schylar Rain Weideman; and advisors: Dawn Miller and Deeann Roberts.

Senator Denis moved that the Senate adjourn until Thursday, April 25, 2013, at 11:00 a.m.

Motion carried.

Senate adjourned at 12:43 p.m.

Approved:

BRIAN K. KROLICKI  
*President of the Senate*

Attest: DAVID A. BYERMAN  
*Secretary of the Senate*