

THE FORTIETH DAY

CARSON CITY (Friday), March 13, 2015

Assembly called to order at 11:54 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Gardner and Nelson, who were excused.

Prayer by the Chaplain, Reverend Richard Snyder.

God, give us clear minds, open spirits, and loving hearts.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Hansen moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 62, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOHN C. ELLISON, *Chair*

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 11:59 a.m.

ASSEMBLY IN SESSION

At 12:04 p.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Elliot Anderson, Kirkpatrick, Diaz, Benitez-Thompson, Carlton, Paul Anderson, Araujo, Bustamante Adams, Carrillo, Flores, Hambrick, Joiner, Munford, Neal, Ohrenschall, Oscarson, Spiegel, Sprinkle, Swank and Thompson:

Assembly Bill No. 278—AN ACT relating to education; requiring the Department of Education to develop certain policies, procedures and guidance related to class-size reduction; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Sprinkle, Kirkpatrick, Araujo, Benitez-Thompson, Diaz, Joiner and Thompson; Senator Denis:

Assembly Bill No. 279—AN ACT relating to controlled substances; requiring each person who registers with the State Board of Pharmacy to prescribe or dispense a controlled substance to be provided access to the database of the computerized program to track prescriptions for certain controlled substances that are filled by pharmacies; requiring a pharmacy to upload certain information to the database; requiring a pharmacist to report fraudulent or illegal activity concerning controlled substances to certain licensing boards or law enforcement agencies; requiring each person who prescribes a controlled substance to register with the State Board of Pharmacy; authorizing the Board to impose a fee for such registration; requiring each person registered by the Board to receive annual training concerning the misuse and abuse of controlled substances; requiring the Board of Medical Examiners and the State Board of Osteopathic Medicine to include information concerning fraudulent or illegal activity in certain reports; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblymen Nelson, Dickman, Jones, Wheeler, Ellison, Gardner and Titus; Senator Gustavson:

Assembly Bill No. 280—AN ACT relating to relations between local governments and public employees; providing for the expiration of collective bargaining agreements between local governments and employee organizations; authorizing a local government to choose not to negotiate with an employee organization; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Fiore, Moore, Gardner, Elliot Anderson, Ohrenschall, Paul Anderson, Araujo, Armstrong, Bustamante Adams, Carlton, Carrillo, Diaz, Dickman, Dooling, Ellison, Flores, Hambrick, Hickey, Jones, Kirkpatrick, Kirner, Munford, Neal, Nelson, O'Neill, Oscarson, Seaman, Shelton, Silberkraus, Spiegel, Sprinkle, Stewart, Swank, Thompson, Titus, Trowbridge, Wheeler and Woodbury; Senators Kihuen, Ford, Spearman, Atkinson, Parks, Farley, Gustavson, Hardy, Manendo, Segerblom, Settlemeyer and Woodhouse:

Assembly Bill No. 281—AN ACT relating to vehicles; providing that violations of certain traffic laws and ordinances must be treated as civil matters; providing that violations of certain laws relating to drivers' licenses, the registration of motor vehicles and insurance on motor vehicles must be treated as civil matters; establishing procedures for the imposition of civil penalties for violations of certain traffic laws and certain laws relating to vehicles; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Seaman, Shelton, Fiore, Jones, Dooling, Dickman, Ellison, Gardner, Hambrick, Hickey, O'Neill, Oscarson, Silberkraus, Stewart, Trowbridge, Wheeler and Woodbury; Senator Settlemeyer:

Assembly Bill No. 282—AN ACT relating to real property; revising provisions governing mediation of a judicial foreclosure action; revising provisions requiring certain actions related to the foreclosure of owner-occupied property securing a residential mortgage loan to be rescinded after a certain period; revising provisions governing civil actions brought by a borrower for certain violations of law governing the foreclosure of owner-occupied property securing a residential mortgage loan; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman Hansen:

Assembly Bill No. 283—AN ACT relating to criminal procedure; establishing the circumstances under which state and local law enforcement agencies may recognize the exercise of law enforcement authority by certain federal employees; authorizing state and local law enforcement agencies to enter into agreements with federal agencies concerning the enforcement of federal, state and local laws under certain circumstances; prohibiting state and local governmental agencies from allowing a federal agency to access or use certain correctional and communication facilities and equipment without the express written consent of the appropriate responsible official; requiring a county sheriff to review the duties and activities of federal agencies that have law enforcement responsibilities within his or her jurisdiction; designating the county sheriff as the primary law enforcement officer in certain areas of a county; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Woodbury, Ohrenschall and Armstrong:

Assembly Bill No. 284—AN ACT relating to persons with disabilities; requiring certain pupils with disabilities to take an adaptive behavior assessment; requiring the results of an adaptive behavior assessment to be incorporated in a summary of performance provided to a pupil by a school district; including persons who may benefit from certain services provided to persons with autism spectrum disorders as determined by an initial screening for autism spectrum disorders within the Autism Treatment Assistance Program; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Woodbury, Oscarson and Titus:

Assembly Bill No. 285—AN ACT relating to pupils; allowing pupils to self-administer prescribed medications for diabetes under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Armstrong, Edwards, Moore, Stewart, Wheeler, Fiore, Gardner, Hickey, Kirner, O'Neill, Shelton, Silberkraus, Titus and Trowbridge:

Assembly Bill No. 286—AN ACT relating to the Office of the Attorney General; creating the Office of Military Legal Assistance within the Office of the Attorney General to provide certain services to current and former military personnel in this State; providing that an attorney who renders pro bono services for the Office of Military Legal Assistance is not liable for civil damages in certain circumstances; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Flores, O'Neill, Jones, Moore, Carrillo, Dickman, Dooling, Ellison, Fiore, Gardner, Joiner, Seaman, Silberkraus, Spiegel, Sprinkle, Trowbridge, Wheeler and Woodbury; Senators Spearman, Denis and Kihuen:

Assembly Bill No. 287—AN ACT relating to crimes; prohibiting a person from making or causing to be made a 311 nonemergency telephone call under certain circumstances; providing penalties; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Jones, Dickman, Flores, Gardner and Trowbridge:

Assembly Bill No. 288—AN ACT relating to real property; revising exceptions to certain requirements related to the servicing of residential mortgage loans and the foreclosure of owner-occupied housing securing a residential mortgage loan; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Araujo, Kirkpatrick, Benitez-Thompson, Joiner, Paul Anderson, Armstrong, Bustamante Adams, Carlton, Carrillo, Diaz, Flores, Hambrick, Munford, Neal, Nelson, Ohrenschall, O'Neill, Oscarson, Silberkraus, Spiegel, Sprinkle, Stewart, Swank and Thompson; Senators Denis, Atkinson, Kihuen, Harris and Hardy:

Assembly Bill No. 289—AN ACT relating to mental health services; directing the Legislative Commission to appoint a committee to conduct an interim study concerning issues related to the provision of mental health services; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Assemblywoman Diaz:

Assembly Bill No. 290—AN ACT relating to education; revising provisions governing the annual reports of accountability concerning pupil achievement and school performance relating to certain pupils who are limited English proficient; requiring the State Board of Education to develop a list of supplemental instructional materials for pupils who are limited English proficient; revising provisions governing the policies of school districts for the instruction to teach English to certain pupils who are limited English proficient; making an appropriation to provide certain programs and services at Zoom middle schools and junior high schools and other middle schools and junior high schools; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Diaz, Kirkpatrick, Carlton, Bustamante Adams, Elliot Anderson, Paul Anderson, Araujo, Benitez-Thompson, Carrillo, Hambrick, Joiner, Neal, Ohrenschall, Spiegel, Sprinkle, Stewart, Swank, Thompson and Woodbury; Senators Denis, Ford, Spearman, Woodhouse, Kihuen and Segerblom:

Assembly Bill No. 291—AN ACT relating to education; authorizing school districts to apply to the Department of Education for an allocation of money to

provide early childhood education programs; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblyman Oscarson; Senators Hardy and Goicoechea:

Assembly Bill No. 292—AN ACT relating to public health; requiring a provider of health care who provides services to certain patients through telehealth to have a valid license or certificate in this State; making persons who provide services through telehealth to certain patients subject to the laws and jurisdiction of this State; requiring certain insurers to provide coverage to insureds for services provided through telehealth to the same extent as though provided in person; authorizing a hospital to provide staff privileges to certain providers of health care to provide services through telehealth; requiring the Commissioner of Insurance to consider health care services that may be provided by providers through telehealth when evaluating certain network plans; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Oscarson and Senator Goicoechea (by request):

Assembly Bill No. 293—AN ACT relating to public administrators; setting forth certain qualifications for deputy public administrators; requiring a public administrator to obtain permission from the board of county commissioners before transporting certain property outside of the county; requiring a public administrator to submit an independent audit report on an annual basis to the board of county commissioners; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Thompson, Elliot Anderson, Flores, Benitez-Thompson, Sprinkle, Araujo, Bustamante Adams, Carrillo, Diaz, Joiner, Moore, Munford, Neal, O'Neill, Spiegel, Swank and Wheeler; Senators Spearman, Parks, Ford, Atkinson, Kihuen, Denis, Manendo and Woodhouse:

Assembly Bill No. 294—AN ACT relating to public health; requiring providers of health care to receive training relating to suicide assessment, screening and referral; requiring the Department of Health and Human Services to report information concerning the suicide mortality rate of veterans to the Interagency Council on Veterans Affairs; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Kirner (by request):

Assembly Bill No. 295—AN ACT relating to healing arts; limiting the scope of services which may be performed by providers of complementary and alternative health care; requiring certain disclosures by such providers; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 296—AN ACT relating to crimes; revising provisions pertaining to the criminal liability of parties to certain crimes; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 297—AN ACT relating to controlled substances; revising provisions governing the crime of trafficking in controlled substances; providing penalties; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman Carrillo:

Assembly Bill No. 298—AN ACT relating to building codes; requiring any construction, alteration or change in the use of a building or other structure to be in compliance with the Uniform Mechanical Code; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblyman Edwards:

Assembly Bill No. 299—AN ACT relating to education; providing for the formation and operation of military charter schools; requiring the State Public Charter School Authority to solicit applications for charter schools for certain purposes; requiring the Department of Education to take actions to encourage the establishment of Junior Reserve Officers' Training Corps units throughout the State; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Edwards, Silberkraus, Armstrong, Ellison, Hickey, Stewart, Trowbridge and Wheeler; Senators Hardy, Goicoechea, Lipparelli and Settlemeyer:

Assembly Bill No. 300—AN ACT relating to governmental administration; creating the Office of the Inspector General in the Department of Administration; setting forth the powers and duties of the Inspector General; transferring the Division of Internal Audits of the Department to the Office; requiring a state agency or local government to cooperate with and provide assistance to the Inspector General in carrying out those duties; abolishing the Executive Branch Audit Committee; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Stewart, Oscarson, Hickey and Spiegel:

Assembly Bill No. 301—AN ACT relating to common-interest communities; prohibiting restrictions on the freedom to display the flag of the State of Nevada in a common-interest community; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Hambrick and Silberkraus (by request):

Assembly Bill No. 302—AN ACT relating to elections; providing in certain circumstances for a presidential preference primary election to be held in conjunction with the statewide primary election; revising the date of the statewide primary election to the Tuesday immediately preceding the last Tuesday in January of each even-numbered year; requiring the Secretary of State, under certain circumstances and with the approval of the Legislative Commission, to select an earlier date for the statewide primary election; making corresponding changes to various pre-election deadlines; revising requirements for the reporting of campaign contributions and expenditures; establishing requirements for participation by major political parties and candidates in a presidential preference primary election; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Assemblymen Jones, Dickman, Fiore, Moore, Shelton, Armstrong, Ellison, Gardner, Munford, Ohrenschall and Trowbridge; Senator Gustavson:

Assembly Bill No. 303—AN ACT relating to education; removing the requirement that a pupil pass current end-of-course examinations in certain subject areas; requiring the State Board of Education to prescribe an examination to determine whether a pupil has mastered certain standards of content and performance; voiding the regulations through which the State Board of Education adopted the Common Core State Standards; providing for certain former standards in this State to become effective; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Benitez-Thompson, Carlton, Diaz, Kirkpatrick, Bustamante Adams, Elliot Anderson, Araujo, Carrillo, Flores, Joiner, Neal, Ohrenschall, Spiegel, Sprinkle, Swank and Thompson:

Assembly Bill No. 304—AN ACT relating to employment; making it an unlawful employment practice for an employer, employment agency or labor organization to discriminate against a person for inquiring about, discussing or disclosing information about wages in certain circumstances; revising provisions relating to unlawful employment practices; revising provisions governing the filing of complaints of employment discrimination with the Nevada Equal Rights Commission; revising the relief that the Commission may order if it determines that an unlawful employment practice has occurred; revising provisions relating to the time in which an employee may seek relief in district court for a claim of unlawful employment practices; and providing other matters properly relating thereto.

Assemblyman Hansen moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Oscarson:

Assembly Bill No. 305—AN ACT relating to public health; providing for an endorsement on the permit of an ambulance service, air ambulance service or fire-fighting agency to allow them to provide community paramedicine services in certain cases; authorizing certain providers of emergency medical services employed by such an ambulance service, air ambulance service or fire-fighting agency to provide community paramedicine services; requiring an annual report to be prepared concerning the provision of community paramedicine services; repealing a provision which prohibited certain fire-fighting agencies from obtaining a permit to provide intermediate or advanced medical care; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Oscarson moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 150.

Bill read second time and ordered to third reading.

Senate Bill No. 85.

Bill read second time and ordered to third reading.

Senate Bill No. 101.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Hansen moved that Assembly Bill No. 58 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 41.

Bill read third time.

Remarks by Assemblyman Moore.

ASSEMBLYMAN MOORE:

Assembly Bill 41 provides that any money remaining in the Fund for Hospital Care to Indigent Persons at the end of each fiscal year does not revert to the State General Fund and must be carried over to the next fiscal year. The bill removes certain limitations on agreements entered into by the Board of Trustees of the Fund for Hospital Care to Indigent Persons. The Supplemental Account for Medical Assistance to Indigent Persons is replaced with the Fund for Hospital Care to Indigent Persons, allowing each board of county commissioners to remit the amount previously reverted to the Supplemental Account directly to the Fund. Assembly Bill 41 also repeals provisions authorizing the Board to require certain hospitals to pay an assessment thereby preventing a reduction in federal participation for Nevada Medicaid. Lastly, the bill repeals the inactive Fund for the Institutional Care of the Medically Indigent.

Roll call on Assembly Bill No. 41:

YEAS—40.

NAYS—None.

EXCUSED—Gardner, Nelson—2.

Assembly Bill No. 41 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REMARKS FROM THE FLOOR

Assemblywoman Spiegel requested that the following proclamation be entered in the journal.

PROCLAMATION

WHEREAS, Women of Diversity Productions, Inc., a 501(c)(3) nonprofit organization, has served Nevada for two decades by expanding the visibility of women in Nevada and producing and disseminating media materials that recognize the importance of women to Nevada's history; and

WHEREAS, In celebration of the Las Vegas Centennial in 2005, Women of Diversity Productions, Inc. produced a series of exhibits titled "100 Years of Influence, the Role of Women in Shaping the First Hundred Years of Las Vegas," which honored 256 Las Vegas women and 23 women's organizations; and

WHEREAS, Women of Diversity Productions, Inc. has produced and shared events, such as "First Ladies First of Nevada," a panel of five former first ladies of Nevada who shared their experiences and contributions regarding life in the Governor's Mansion; and

WHEREAS, In collaboration with women's organizations and leadership groups from all Nevada counties, Women of Diversity Productions, Inc. coordinated the "Nevada Women's Legacy-150 Years of Excellence" project in celebration of the 150 years of Nevada statehood; and

WHEREAS, Women of Diversity Productions, Inc. published a book titled Nevada Women's Legacy-150 Years of Excellence, which commemorates the roles of women in Nevada and their importance in shaping Nevada; and

WHEREAS, Women of Diversity Productions, Inc. created and maintains a website for the Nevada Women's Virtual Center (NWVC), www.nevadawomensvirtualcenter.org, which includes 200 video clips of women of Nevada; and

WHEREAS, Women of Diversity Productions, Inc. gives visibility to the women of Nevada and is creating a woman-appreciated future by continually creating and producing projects and events at the NWVC and through two exhibits on display at the Nevada State Library and Archives and the atrium of the Nevada legislative building; now, therefore, be it **PROCLAIMED**, That the Women of Diversity Productions, Inc. is hereby recognized and commended for its dedication and efforts to present and preserve the achievements of the many women who have helped shape the history of Nevada, including the women who are continuing to affect that legacy today.

DATED this 13th day of March, 2015.

ELLEN B. SPIEGEL
Nevada State Assemblywoman

DAVID R. PARKS
Nevada State Senator

PATRICIA (PAT) SPEARMAN
Nevada State Senator

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Dickman, the privilege of the floor of the Assembly Chamber for this day was extended to Audra Hindes and Bambi Wood.

On request of Assemblyman Edwards, the privilege of the floor of the Assembly Chamber for this day was extended to Starla Espinoza.

On request of Assemblyman Hambrick, the privilege of the floor of the Assembly Chamber for this day was extended to Joseph A. Pepe and Randolph R. Calvo.

On request of Assemblyman O'Neill, the privilege of the floor of the Assembly Chamber for this day was extended to Richard Snyder.

On request of Assemblyman Oscarson, the privilege of the floor of the Assembly Chamber for this day was extended to Laura Palma-Lopez.

On request of Assemblywoman Seaman, the privilege of the floor of the Assembly Chamber for this day was extended to Paul Espinoza.

On request of Assemblywoman Shelton, the privilege of the floor of the Assembly Chamber for this day was extended to Patti Chick.

On request of Assemblywoman Spiegel, the privilege of the floor of the Assembly Chamber for this day was extended to Marlene Adrian.

On request of Assemblywoman Titus, the privilege of the floor of the Assembly Chamber for this day was extended to Stewart Ferry.

On request of Assemblyman Trowbridge, the privilege of the floor of the Assembly Chamber for this day was extended to Brenda McCarthy.

Assemblyman Hansen moved that the Assembly adjourn until Monday, March 16, 2015, at 1:30 p.m.

Motion carried.

Assembly adjourned at 12:30 p.m.

Approved:

JOHN HAMBRICK
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly