

THE FORTY-THIRD DAY

CARSON CITY (Monday), March 16, 2015

Assembly called to order at 1:52 p.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblywoman Swank, who was excused.

Prayer by the Chaplain, Pastor Norm Milz.

Almighty God, You have placed before us and the Legislature as a whole, a large number of bills for consideration, discussion, and decision. In this process, guide and help us keep our minds open and directed to the good of one group of people, the citizens of Nevada.

As we look at each bill, may we critically and carefully decide what would be the best for the citizens of this state. May we also put aside our own political leaning and work together across the aisle to forward bills that would advance the state and its people in the eyes of the nation.

May the work we do together today in this Assembly session set a pattern that will improve the lives of all Nevadans. All these things we bring to You, trusting in Your grace and mercy, in the Name of Your Son, Jesus Christ.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Paul Anderson 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 Education, to which was referred Assembly Bill No. 76, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MELISSA WOODBURY, *Chair*

Mr. Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 21, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JIM WHEELER, *Chair*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 265, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAUL ANDERSON, *Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 16, 2015

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 3.

SHERRY RODRIGUEZ
Assistant Secretary of the Senate

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

Assembly in recess at 1:57 p.m.

ASSEMBLY IN SESSION

At 1:59 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Paul Anderson moved that Assembly Bill No. 76, just reported out of committee, be placed on the Second Reading File.

Motion carried.

Assemblyman Paul Anderson moved the Assembly Bill No. 62 be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Paul Anderson moved the Senate Bill No. 85 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

By Assemblymen Dickman, Wheeler, Armstrong, Jones, Fiore, Paul Anderson, Edwards, Ellison, Gardner, O'Neill, Oscarson, Seaman, Shelton, Silberkraus, Titus and Trowbridge; Senators Gustavson and Goicoechea:

Assembly Joint Resolution No. 8—Proposing to amend the Nevada Constitution to require that an initiative petition which creates, generates or increases any public revenue be approved by the affirmative vote of not less than two-thirds of the voters voting on the question.

Assemblywoman Dickman moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Assemblymen Moore and Jones:

Assembly Joint Resolution No. 9—Proposing to amend the Nevada Constitution to revise provisions governing the selection of district court judges.

Assemblyman Moore moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

NOTICE OF EXEMPTION

March 16, 2015

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Assembly Bill No. 265.

CINDY JONES
Fiscal Analysis Division

March 16, 2015

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 196, 202, 204, 206, 210 and 227.

MARK KRMPOTIC
Fiscal Analysis Division

By Senators Roberson and Ford; Assemblymen Hambrick and Kirkpatrick: Senate Concurrent Resolution No. 3—Temporarily suspending subparagraph (1) of paragraph (d) of subsection 1 of Joint Standing Rule No. 14.2.

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That subparagraph (1) of paragraph (d) of subsection 1 of Joint Standing Rule No. 14.2 is hereby temporarily suspended and the last day for introduction of a bill or joint resolution that was requested by a Legislator is the 44th calendar day of the 78th Regular Session of the Legislature.

Assemblyman Paul Anderson moved the adoption of the resolution.

Remarks by Assemblyman Paul Anderson.

ASSEMBLYMAN PAUL ANDERSON:

Senate Concurrent Resolution 3 allows us to temporarily suspend Joint Standing Rule 14.2 and gives Legal an extra day to get our bill drafts completed.

Resolution adopted and ordered transmitted to the Senate.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Spiegel, Diaz, Carrillo, Ohrenschall, Joiner, Benitez-Thompson, Bustamante Adams, Carlton and Swank:

Assembly Bill No. 306—AN ACT relating to public health; requiring an employer to provide a reasonable break time and a clean, private place for an employee who is a nursing mother to express breast milk; prohibiting an employer from retaliating against an employee for certain actions relating to this requirement; creating a right of action for a public employee who is aggrieved by her employer's failure to comply with this requirement or by such retaliation by the employer; exempting certain small employers from this requirement if compliance would cause an undue hardship; authorizing a local board of health to establish a program to mediate disputes concerning a violation of this requirement; authorizing the Labor Commissioner to enforce the requirement against private employers; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Spiegel, Ohrenschall, Benitez-Thompson, Bustamante Adams, Carlton, Diaz, Joiner, Oscarson and Swank:

Assembly Bill No. 307—AN ACT relating to mental health; revising provisions concerning certain support, education and care for children with intellectual disabilities and children with related conditions required to be provided by counties; providing for the establishment of a pilot program to provide certain wrap-around services to children with intellectual disabilities and children with related conditions who reside in certain larger counties; requiring the Department of Health and Human Services to take any actions necessary to use money from the State Plan for Medicaid to pay for the pilot program; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Woodbury and Senator Hardy:

Assembly Bill No. 308—AN ACT relating to emergency medical services; revising provisions relating to the provision of emergency medical services at certain special events; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Sprinkle, Carrillo, Araujo, Benitez-Thompson, Diaz, Joiner and Swank:

Assembly Bill No. 309—AN ACT relating to peace officers; providing that certain communications between parties during a peer support counseling session are confidential and not admissible in certain proceedings; conferring a privilege to refuse to disclose those communications upon certain law enforcement and public safety personnel; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Paul Anderson:

Assembly Bill No. 310—AN ACT relating to Medicaid; requiring the Department of Health and Human Services to cover Medicaid recipients who are aged, blind or disabled and who reside in certain larger counties through a Medicaid managed care program; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Araujo, Neal and Thompson:

Assembly Bill No. 311—AN ACT relating to mortgage lending; requiring a mortgage banker, mortgage broker, mortgage loan originator and mortgage servicer to obtain a private money endorsement before engaging in the solicitation of private money investors to fund residential mortgage loans; providing for the licensure and regulation of mortgage bankers, mortgage brokers, mortgage loan originators and mortgage servicers who originate, broker and service residential mortgage loans secured by real property located in this State; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Trowbridge, Moore, Dickman, Dooling, Jones, O'Neill, Seaman and Shelton:

Assembly Bill No. 312—AN ACT relating to the Public Employees' Retirement System; revising provisions governing the minimum age at which a person who becomes a member of the System on or after July 1, 2016, may retire and receive an unreduced benefit; revising provisions governing the calculation of the average compensation of a person who becomes a member of the System on or after July 1, 2016; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Munford and Trowbridge:

Assembly Bill No. 313—AN ACT relating to unarmed combat; providing for the collection of additional fees on each ticket sold for admission to a live professional contest of unarmed combat to fund the payment of medical expenses for retired contestants; requiring the Nevada Athletic Commission to adopt regulations governing such payments; and providing other matters properly relating thereto.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Munford, Elliot Anderson, Benitez-Thompson, Neal and O'Neill:

Assembly Bill No. 314—AN ACT relating to education; requiring the board of trustees of a school district to consider certain matters that are

submitted by the general public; requiring the board of trustees of a school district to approve certain matters enacted by the superintendent of a school district before such matters may be implemented; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Sprinkle:

Assembly Bill No. 315—AN ACT relating to cruelty to animals; requiring a court to order a child adjudicated delinquent for an unlawful act that involves cruelty to or torture of an animal to participate in counseling; requiring a court to order a person convicted of certain violations of law concerning cruelty to animals to submit to a psychiatric evaluation and participate in counseling or therapy as a condition of probation; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Dickman, Wheeler, Moore, Jones, Fiore, Ellison, Flores, Gardner, O'Neill, Oscarson, Seaman, Shelton, Titus and Trowbridge; Senators Gustavson and Settlemeyer:

Assembly Bill No. 316—AN ACT relating to taxation; exempting from the sales and use taxes the occasional sale of a firearm; and providing other matters properly relating thereto.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Munford, Moore, Fiore, Gardner, Neal, Ohrenschall, O'Neill and Shelton:

Assembly Bill No. 317—AN ACT relating to common-interest communities; requiring approval before certain actions relating to capital improvements may be made by a unit-owners' association; requiring the Real Estate Division of the Department of Business and Industry to employ certain persons; authorizing certain employees of the Real Estate Division to conduct investigations and issue citations; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Swank, Diaz, Kirkpatrick, Kirner, Elliot Anderson, Paul Anderson, Araujo, Armstrong, Benitez-Thompson, Bustamante Adams, Carlton, Carrillo, Dickman, Edwards, Ellison, Flores, Hambrick, Joiner,

Jones, Moore, Munford, Neal, Ohrenschall, O'Neill, Oscarson, Seaman, Shelton, Silberkraus, Spiegel, Sprinkle, Stewart, Thompson, Titus, Trowbridge and Wheeler; Senators Woodhouse, Parks, Gustavson, Denis, Ford, Manendo, Segerblom and Smith:

Assembly Bill No. 318—AN ACT relating to financial services; providing that any deferred deposit loan, high-interest loan, refund anticipation loan or title loan made to a current or former member of the military must conform to the requirements of the federal Military Lending Act; and providing other matters properly relating thereto.

Assemblyman Paul Anderson moved that the bill be referred to the Commerce and Labor.

Motion carried.

By Assemblymen Moore, Jones, Dickman, Ellison, Fiore and Trowbridge:

Assembly Bill No. 319—AN ACT relating to education; requiring the board of trustees of each school district to prepare and submit to the Legislature quarterly financial reports; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Silberkraus, Woodbury, Gardner and Seaman:

Assembly Bill No. 320—AN ACT relating to elections; designating certain elective offices as nonpartisan offices; providing that an unopposed candidate who is declared elected at a primary election shall be deemed elected at a general election; authorizing a board of county commissioners to fill a vacancy on the board by special election; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Silberkraus, Dooling, Trowbridge, Gardner, Seaman, Paul Anderson, Armstrong, Dickman, Edwards, Ellison, Fiore, Flores, Hambrick, Hickey, Jones, Kirner, Moore, Nelson, O'Neill, Oscarson, Stewart, Titus, Wheeler and Woodbury; Senators Manendo and Harris:

Assembly Bill No. 321—AN ACT relating to schools; clarifying that the jurisdiction of school police officers extends to all charter school property, buildings and facilities; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Sprinkle:

Assembly Bill No. 322—AN ACT relating to tobacco; prohibiting the smoking of tobacco inside any motor vehicle in which a child under the age of 18 years is present; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Wheeler:

Assembly Bill No. 323—AN ACT relating to business associations; eliminating the fees for the application for and renewal of a state business license; eliminating fees relating to certain filings by certain business associations; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Sprinkle:

Assembly Bill No. 324—AN ACT relating to child welfare; revising provisions concerning required requests for the credit report of a child in the custody of an agency which provides child welfare services; revising provisions concerning missing and runaway children; requiring an agency which provides child welfare services that receives information concerning a missing child in the custody of the agency to report such information to a law enforcement agency; requiring the Division of Child and Family Services of the Department of Health and Human Services to adopt certain procedures concerning children who have run away from a foster home; revising requirements concerning permanency hearings; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Sprinkle, Kirkpatrick and O'Neill:

Assembly Bill No. 325—AN ACT relating to private professional guardians; requiring licensing for persons engaged in the business of a private professional guardian; establishing the requirements for the licensing and operation of a private professional guardian company; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Carrillo:

Assembly Bill No. 326—AN ACT relating to motor vehicle registration; revising provisions relating to the requirements for certain special license plates; revising the depreciation schedule used for calculating the governmental services tax imposed on certain vehicles upon registration; and providing other matters properly relating thereto.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Elliot Anderson and Thompson:

Assembly Bill No. 327—AN ACT making an appropriation to the Eighth Judicial District Court for a Veterans Court Coordinator; and providing other matters properly relating thereto.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Elliot Anderson:

Assembly Bill No. 328—AN ACT relating to education; requiring the Superintendent of Public Instruction to select a hearing officer from a list provided by the Hearings Division of the Department of Administration to administer certain hearings relating to pupils with disabilities; requiring the Department of Education to designate an employee to provide certain training to such hearing officers; requiring the Department of Education to post certain information relating to such hearings on its Internet website; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Kirkpatrick, Carrillo, Araujo, Carlton, Diaz, Joiner, Neal, Ohrenschall, Spiegel, Sprinkle, Swank and Thompson:

Assembly Bill No. 329—AN ACT relating to common-interest communities; requiring members of the executive board of a unit-owners' association to complete certain courses of instruction; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Kirkpatrick:

Assembly Bill No. 330—AN ACT relating to energy; requiring a person who sells or installs certain systems for the generation of electricity to provide a warranty for each such system; requiring agreements for the financing, sale or lease of such systems to include or be accompanied by

certain information, statements and disclosures; requiring sellers or lessors of such systems to maintain certain records; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywomen Kirkpatrick, Benitez-Thompson, Diaz and Neal:

Assembly Bill No. 331—AN ACT relating to Medicaid; requiring the Director of the Department of Health and Human Services to include in the State Plan for Medicaid a voluntary program of reimbursement through which certain governmental entities and Indian tribes may obtain supplemental reimbursements for costs arising from the provision of ground emergency medical transportation services to recipients of Medicaid; requiring a participating governmental entity or Indian tribe to reimburse the Department for the costs of administering the program; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Kirkpatrick, Benitez-Thompson, Carlton and Hickey:

Assembly Bill No. 332—AN ACT relating to public works; prohibiting a public body from entering into certain contracts for public works which allow for purchase by the public body of the construction materials or goods to be used in the public work; providing that the Attorney General is to enforce the prohibition against such a contract for a public work; directing the Department of Taxation to withhold certain money payable to a public body which violates such a prohibition in a contract for a public work; removing an exemption for certain construction projects of the Nevada System of Higher Education from provisions governing public works; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Kirner:

Assembly Bill No. 333—AN ACT relating to fire protection districts; providing for the consolidation of certain fire protection districts located in a county whose population is less than 700,000 under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Wheeler:

Assembly Bill No. 334—AN ACT relating to the Legislature; authorizing an association of elected sheriffs and other chief executive officers of city, county or state law enforcement agencies to request the drafting of a certain number of legislative measures for each regular session; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Wheeler:

Assembly Bill No. 335—AN ACT relating to trapping; amending certain restrictions on the use of traps to apply only to certain steel leghold traps; and providing other matters properly relating thereto.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By Assemblymen Benitez-Thompson and Hambrick:

Assembly Bill No. 336—AN ACT relating to human trafficking; requiring certain businesses and other establishments to post an informational sign relating to the National Human Trafficking Resource Center Hotline; providing a civil penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Hambrick:

Assembly Bill No. 337—AN ACT relating to domestic relations; removing the requirement concerning the period that a plaintiff or defendant must reside in this State to enable a court to have jurisdiction to grant a divorce or annulment; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Hansen:

Assembly Bill No. 338—AN ACT relating to wildlife; revising the scope of certain regulations that the Board of Wildlife Commissioners is required to adopt; revising provisions relating to the registration and marking of traps, snares and similar devices used in the taking of wild mammals; revising provisions relating to the frequency of visits required for a trap, snare or device; and providing other matters properly relating thereto.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By Assemblyman Hickey:

Assembly Bill No. 339—AN ACT relating to education; providing for the appointment of certain members of the board of trustees of a school district by the State Board of Education who will either replace or supplement the existing membership; providing the manner in which a board of trustees may return to its prior composition; providing for the reduction or addition of election districts or election areas, as applicable, if the elected membership of the board of trustees is revised; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Joiner:

Assembly Bill No. 340—AN ACT relating to health care; establishing a health professional workforce liaison program within the Division of Public and Behavioral Health of the Department of Health and Human Services; setting forth the duties of the Health Professional Workforce Liaison; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Ohrenschall, Diaz, Silberkraus, Spiegel, Carrillo, Elliot Anderson, Araujo, Carlton, Joiner, Jones, Munford, Neal, Stewart, Swank and Thompson; Senator Ford:

Assembly Bill No. 341—AN ACT relating to education; requiring reports of accountability to include the results of early literacy screening assessments; requiring each school district and charter school to administer such an assessment to certain pupils and provide notice regarding the results of the assessment; authorizing certain persons to perform additional testing for dyslexia; requiring a school district and a charter school to provide dyslexia therapy and the accommodations or modifications required by federal law to a pupil with dyslexia; requiring each school district to employ certain professionals with training in dyslexia; requiring each school district to provide professional development regarding dyslexia; requiring the Department of Education to prepare and publish a Dyslexia Resource Guide; requiring certain standards relating to the education of pupils with disabilities to include provisions concerning dyslexia; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywomen Neal, Bustamante Adams and Diaz:

Assembly Bill No. 342—AN ACT relating to economic development; requiring the Office of Economic Development to create, develop and operate a system to track and predict the education and skills needed by employers in this State and to inventory and project the supply of the needed education and skills; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Neal, Diaz, Bustamante Adams and Flores (by request):

Assembly Bill No. 343—AN ACT making an appropriation to the Office of Minority Health of the Office for Consumer Health Assistance of the Department of Health and Human Services; and providing other matters properly relating thereto.

Assemblyman Paul Anderson moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblywoman Neal:

Assembly Bill No. 344—AN ACT relating to Medicaid; prohibiting a managed care organization from requiring a provider of services to possess certain qualifications as a condition of entering into a contract to provide services to recipients of Medicaid; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Neal and Senator Ford:

Assembly Bill No. 345—AN ACT relating to government contracts; authorizing the State and local governments to accept certain alternate forms of security; providing circumstances under which an individual surety may provide such security; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Jones, Moore, Fiore and Shelton:

Assembly Bill No. 346—AN ACT relating to health care; requiring a hospital to make its uniform list of billed charges available for public inspection; requiring a provider of health care who has staff privileges at a

hospital to maintain and use a uniform list of charges for all services and goods provided to patients at a hospital; authorizing disciplinary action against a hospital or provider of health care for failing to comply with requirements concerning charges and billing; requiring a hospital to provide a patient with all bills relating to hospital care and related services provided by other providers in one mailing; requiring certain providers of health care who have staff privileges at a hospital and emergency transportation providers to provide bills for certain services to the hospital for inclusion in such a mailing; revising provisions governing collection efforts on amounts owed for hospital care and related services; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Ohrenschall:

Assembly Bill No. 347—AN ACT relating to water; revising provisions relating to the drilling of domestic wells; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Thompson, Flores, Araujo, Carrillo and Munford; Senators Atkinson, Denis, Ford, Manendo and Parks:

Assembly Bill No. 348—AN ACT relating to public employment; providing generally that the criminal history of an applicant or other qualified person under consideration for a position in the unclassified or classified service of the State may be considered only after the applicant has been certified by the Administrator of the Division of Human Resource Management of the Department of Administration or after a conditional offer of employment has been made to the applicant; prohibiting the Administrator, when examining an applicant for a position in the classified service of the State, from considering the criminal history of the applicant; providing that, except in certain circumstances, the criminal history of a person may serve as the basis for the Administrator to refuse to certify an applicant or for rescission of a conditional offer of employment in the unclassified or classified service of the State only after consideration of certain factors relating to the criminal history of the person; providing for written notice to a person if the criminal history of the person is the basis for the Administrator's refusal to certify the person or for the rescission of a conditional offer of employment; establishing similar provisions relating to the consideration by the governing body of a county or incorporated city of the criminal history of an applicant for employment by a county or incorporated city; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 76.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 121.

AN ACT relating to education; requiring the Department of Education to share certain aggregate data concerning certain pupils with the Interagency Council on Veterans Affairs; revising provisions concerning the assessment of tuition charges against veterans of the Armed Forces of the United States who were honorably discharged within a certain period; requiring the Board of Regents of the University of Nevada to submit certain reports to the Legislature; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Department of Education to establish and maintain an automated system of accountability information for Nevada. In part, existing law requires the system, to the extent money is available for this purpose, to include a unique identifier for each pupil whose parent or guardian is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard. (NRS 386.650) **Section 1** of this bill requires the Department to share with the Interagency Council on Veterans Affairs, on an annual basis, aggregate data collected under the system concerning those pupils.

Section 2 of this bill requires the Board of Regents to submit ~~la biennial~~ **an annual** report to the Legislature **, or to the Legislative Committee on Education when the Legislature is not in regular session,** which includes: (1) the number of students who are veterans or who are receiving payments or benefits from the United States Department of Veterans Affairs; (2) information about how policy changes may have affected the number of students who are veterans enrolled in the Nevada System of Higher Education; (3) the number of students who are veterans who graduated during ~~each of the~~ **the immediately preceding** academic ~~years covered by the report,~~ **year;** and (4) the efforts undertaken by each institution within the System to retain and graduate students who are veterans.

Under existing law, any provision of state legislation enacted on or after July 1, 2013, which adds or revises a requirement to submit a report to the Legislature must: (1) expire by limitation 5 years after the effective date of the addition or revision; or (2) contain a statement justifying the extension of the requirement for more than 5 years. (NRS 218D.380) Pursuant to that requirement, **section 5** of this act expires **section 2** by limitation on July 1, 2020.

Existing law encourages the Board of Regents to implement measures pursuant to which the educational needs of students and prospective students will be met. (NRS 396.504) **Section 3** of this bill encourages the Board of Regents to implement measures pursuant to which the educational needs of students and prospective students who are veterans will be met by fostering a culture that recognizes the unique challenges of those students.

Existing law authorizes the Board of Regents to assess charges against students who are not residents of Nevada at all campuses of the System. The charges are in addition to registration fees and other fees assessed against students who are residents of Nevada. Existing law also provides that a veteran of the Armed Forces of the United States who has been honorably discharged within the 2 years immediately preceding the date of the veteran's matriculation is eligible for free tuition at a university, state college or community college within the System. (NRS 396.540) **Section 4** of this bill extends that period from 2 years to ~~4~~ 5 years. (NRS 396.540)

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

Section 1. NRS 386.650 is hereby amended to read as follows:

386.650 1. The Department shall establish and maintain an automated system of accountability information for Nevada. The system must:

(a) Have the capacity to provide and report information, including, without limitation, the results of the achievement of pupils:

(1) In the manner required by 20 U.S.C. §§ 6301 et seq., and the regulations adopted pursuant thereto, and NRS 385.347 and 385.3572; and

(2) In a separate reporting for each group of pupils identified in the statewide system of accountability for public schools;

(b) Include a system of unique identification for each pupil:

(1) To ensure that individual pupils may be tracked over time throughout this State;

(2) That, to the extent practicable, may be used for purposes of identifying a pupil for both the public schools and the Nevada System of Higher Education, if that pupil enrolls in the System after graduation from high school; and

(3) Which must, to the extent money is available for this purpose, include, without limitation, a unique identifier for each pupil whose parent or guardian is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard in a manner that will allow for the disaggregation of each category;

(c) Have the capacity to provide longitudinal comparisons of the academic achievement, rate of attendance and rate of graduation of pupils over time throughout this State;

(d) Have the capacity to perform a variety of longitudinal analyses of the results of individual pupils on assessments, including, without limitation, the results of pupils by classroom and by school;

(e) Have the capacity to identify which teachers are assigned to individual pupils;

(f) Have the capacity to provide other information concerning schools and school districts that is not linked to individual pupils, including, without limitation, the ratings of schools and, if available, school districts pursuant to the statewide system of accountability for public schools and an identification of which schools, if any, are persistently dangerous;

(g) Have the capacity to access financial accountability information for each public school, including, without limitation, each charter school, for each school district and for this State as a whole; and

(h) Be designed to improve the ability of the Department, the sponsors of charter schools, the school districts and the public schools in this State, including, without limitation, charter schools, to account for the pupils who are enrolled in the public schools, including, without limitation, charter schools.

↪ The information maintained pursuant to paragraphs (c), (d) and (e) must be used for the purpose of improving the achievement of pupils and improving classroom instruction. Except as otherwise provided in subsection 9 of NRS 391.3125 and subsection 8 of NRS 391.3127, information on pupil achievement data, as prescribed by the State Board pursuant to NRS 391.465, must account for at least 50 percent, but must not be used as the sole criterion, in evaluating the performance of or taking disciplinary action against an individual teacher or other employee.

2. The board of trustees of each school district shall:

(a) Adopt and maintain the program prescribed by the Superintendent of Public Instruction pursuant to subsection 3 for the collection, maintenance and transfer of data from the records of individual pupils to the automated system of information, including, without limitation, the development of plans for the educational technology which is necessary to adopt and maintain the program;

(b) Provide to the Department electronic data concerning pupils as required by the Superintendent of Public Instruction pursuant to subsection 3; and

(c) Ensure that an electronic record is maintained in accordance with subsection 3 of NRS 386.655.

3. The Superintendent of Public Instruction shall:

(a) Prescribe a uniform program throughout this State for the collection, maintenance and transfer of data that each school district must adopt, which must include standardized software;

(b) Prescribe the data to be collected and reported to the Department by each school district and each sponsor of a charter school pursuant to subsection 2 and by each university school for profoundly gifted pupils;

(c) Prescribe the format for the data;

(d) Prescribe the date by which each school district shall report the data to the Department;

(e) Prescribe the date by which each charter school shall report the data to the sponsor of the charter school;

(f) Prescribe the date by which each university school for profoundly gifted pupils shall report the data to the Department;

(g) Prescribe standardized codes for all data elements used within the automated system and all exchanges of data within the automated system, including, without limitation, data concerning:

- (1) Individual pupils;
- (2) Individual teachers;
- (3) Individual schools and school districts; and
- (4) Programs and financial information;

(h) Provide technical assistance to each school district to ensure that the data from each public school in the school district, including, without limitation, each charter school and university school for profoundly gifted pupils located within the school district, is compatible with the automated system of information and comparable to the data reported by other school districts; and

(i) Provide for the analysis and reporting of the data in the automated system of information.

4. The Department shall establish, to the extent authorized by the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, a mechanism by which persons or entities, including, without limitation, state officers who are members of the Executive or Legislative Branch, administrators of public schools and school districts, teachers and other educational personnel, and parents and guardians, will have different types of access to the accountability information contained within the automated system to the extent that such information is necessary for the performance of a duty or to the extent that such information may be made available to the general public without posing a threat to the confidentiality of an individual pupil.

5. ***On or before December 31 of each year, the Department shall share with the Interagency Council on Veterans Affairs aggregate data collected pursuant to subsection 1 concerning each pupil whose parent or guardian is a member of the Armed Forces of the United States, a reserve component thereof or the National Guard.***

6. The Department may, to the extent authorized by the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, and any regulations adopted pursuant thereto, enter into an agreement with the Nevada System of Higher Education to provide access to data contained within the automated system for research purposes.

Sec. 2. Chapter 396 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Board of Regents shall, not later than ~~February 1~~ November 30 of each ~~odd-numbered~~ year, prepare and submit to the Director of the Legislative Counsel Bureau for submission to the Legislature ~~or~~ or to the

Legislative Committee on Education when the Legislature is not in regular session, a report concerning the participation of students who are veterans in the System. The report must cover ~~each of~~ the immediately preceding ~~[2] academic [years.] year.~~

2. The report must include, without limitation:

(a) The number of students who:

(1) Identify themselves as veterans.

(2) Are receiving payments or benefits from the United States Department of Veterans Affairs.

~~[(3) Fall within the categories described in subparagraphs (1) and (2).]~~

(b) The number of students who are veterans divided by gender.

(c) The rate of retention and average age of the students who are veterans.

(d) The most common areas of study among the students who are veterans.

(e) Any information necessary to determine the impact of policy changes on the number of students who are veterans who are enrolled in the System.

(f) The number of students who are veterans who graduated during ~~each of~~ the immediately preceding academic ~~[years covered by the report.] year.~~

(g) The efforts of each institution to retain and graduate students who are veterans through retention and other related programs.

Sec. 3. NRS 396.504 is hereby amended to read as follows:

396.504 1. The Legislature hereby encourages the Board of Regents to:

(a) Examine and audit the function, strengths and most efficient use of the facilities, resources and staff of each institution to address the needs of the students of the System.

(b) Review periodically their mission for higher education, as the number of institutions within the System expands and the focus of each institution is defined and further redefined, to determine whether there is unnecessary duplication of programs or courses within the System which might be more appropriate for a different institution.

(c) Examine and audit the educational opportunities, programs and services offered by the institutions within the System to ensure that those opportunities, programs and services are tailored appropriately to:

(1) The different categories of students and prospective students having varied aptitudes, aspirations and educational needs ~~[;]~~, **including, without limitation, students who are veterans;**

(2) The jobs and industries likely to be employing the students; and

(3) The state economic development plan.

(d) Insofar as is practicable to achieve the goals set forth in paragraphs (a), (b) and (c), implement measures pursuant to which the educational needs of students and prospective students will be met by : ~~[providing:]~~

(1) **Providing:**

(I) Programs of remedial education, continuing education and entry-level higher education at community colleges.

~~{(2)}~~ (II) Programs of baccalaureate-level higher education at state colleges.

~~{(3)}~~ (III) Programs of baccalaureate-level higher education in other disciplines and graduate-level higher education and research at universities and the Desert Research Institute.

(2) *Fostering a culture that recognizes the unique challenges of students who are veterans and works to accommodate the transition of those students to higher education by collecting, tracking and sharing data concerning those students.*

(e) On ~~[Except as otherwise provided in paragraph (f), on]~~ or before September 1 of each year, provide a report of its findings and any adjustments made and actions taken as a result of those findings to the Director of the Legislative Counsel Bureau for transmission to the Interim Finance Committee and the next regular session of the Nevada Legislature.

~~[(f) Provide a report of its findings concerning students who are veterans in the manner described in section 2 of this act.]~~

2. The System is encouraged to review the core curriculum at each institution to determine whether there is parity among the institutions of the System.

Sec. 4. NRS 396.540 is hereby amended to read as follows:

396.540 1. For the purposes of this section:

(a) “Bona fide resident” shall be construed in accordance with the provisions of NRS 10.155 and policies established by the Board of Regents, to the extent that those policies do not conflict with any statute. The qualification “bona fide” is intended to ensure that the residence is genuine and established for purposes other than the avoidance of tuition.

(b) “Matriculation” has the meaning ascribed to it in regulations adopted by the Board of Regents.

(c) “Tuition charge” means a charge assessed against students who are not residents of Nevada and which is in addition to registration fees or other fees assessed against students who are residents of Nevada.

2. The Board of Regents may fix a tuition charge for students at all campuses of the System, but tuition charges must not be assessed against:

(a) All students whose families have been bona fide residents of the State of Nevada for at least 12 months before the matriculation of the student at a university, state college or community college within the System;

(b) All students whose families reside outside of the State of Nevada, providing such students have themselves been bona fide residents of the State of Nevada for at least 12 months before their matriculation at a university, state college or community college within the System;

(c) All public school teachers who are employed full-time by school districts in the State of Nevada;

(d) All full-time teachers in private elementary, secondary and postsecondary educational institutions in the State of Nevada whose curricula meet the requirements of chapter 394 of NRS;

(e) Employees of the System who take classes other than during their regular working hours;

(f) Members of the Armed Forces of the United States who are on active duty and stationed at a military installation in the State of Nevada; and

(g) Except as otherwise provided in subsection 3, veterans of the Armed Forces of the United States who were honorably discharged within the ~~2-3~~ 5 years immediately preceding the date of matriculation of the veteran at a university, state college or community college within the System.

3. The Board of Regents may grant more favorable exemptions from tuition charges for veterans of the Armed Forces of the United States who were honorably discharged than the exemption provided pursuant to paragraph (g) of subsection 2, if required for the receipt of federal money.

4. The Board of Regents may grant exemptions from tuition charges each semester to other worthwhile and deserving students from other states and foreign countries, in a number not to exceed a number equal to 3 percent of the total matriculated enrollment of students for the last preceding fall semester.

Sec. 5. 1. This act becomes effective on July 1, 2015.

2. Section 2 of this act expires by limitation on July 1, 2020.

Assemblywoman Woodbury moved the adoption of the amendment.

Assemblyman Paul Anderson moved that the following remarks be entered in the Journal.

Motion carried.

ASSEMBLYWOMAN WOODBURY:

Amendment 121 makes two changes to the bill. First, it requires annual reporting by the Board of Regents to the Legislature on or before November 30, versus February 1, of each year. Second, the amendment increases from three years to five years the time period a veteran who has been honorably discharged is eligible for in-state tuition.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 58.

Bill read third time.

Remarks by Assemblymen Woodbury, Carlton, Ellison, and Kirkpatrick.

ASSEMBLYWOMAN WOODBURY:

Assembly Bill 58 expands the category of personnel of the Department of Public Safety upon whom the powers of the a peace officer are conferred.

ASSEMBLYWOMAN CARLTON:

Just for the body's clarification, I want to make sure that this bill in no way extends any benefits not currently given under the heart and lung statutes to any new officers under DPS [Department of Public Safety]. A yes or no would be great.

ASSEMBLYMAN ELLISON:

The discussion we had said all heart and lung would be already existing. There would be no new at all.

ASSEMBLYWOMAN KIRKPATRICK:

I just want to put on the record that this is the fifth session that we have had to try and fix this. For all those DPS people who are listening, hopefully this is it: no new benefits, no new nothing, and it should be fixed for life.

Roll call on Assembly Bill No. 58:

YEAS—41.

NAYS—None.

EXCUSED—Swank.

Assembly Bill No. 58 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 150.

Bill read third time.

Remarks by Assemblyman Stewart.

ASSEMBLYMAN STEWART:

Assembly Bill 150 provides an alternate method of eligibility for the Governor Guinn Millennium Scholarship for those students who do not achieve a minimum grade point average, which is now 3.25, but who pass all the other requirements for the scholarship and achieve on a college entrance exam the minimum score set by the Board of Regents of the University of Nevada.

Some students are late bloomers, some have problems at home which keep them from applying themselves to their studies, but they are very bright. This bill would provide a method for them to receive the Governor Guinn Millennium Scholarship if they pass the high score on the college entrance exam selected by the Board of Regents. I urge passage of this bill.

Roll call on Assembly Bill No. 150:

YEAS—41.

NAYS—None.

EXCUSED—Swank.

Assembly Bill No. 150 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 101.

Bill read third time.

Remarks by Assemblyman Elliot Anderson.

ASSEMBLYMAN ELLIOT ANDERSON:

Senate Bill 101 authorizes school district boards of trustees to extend, in odd-numbered years, deadlines related to the reemployment status of certain employees. The deadline for notifying employees of their reemployment status may be extended from May 1 to May 15, and the deadline for employees to advise the board of their acceptance of reemployment may be extended from May 10 to May 25.

For those members that have been here for a few sessions, you remember this. We always have to extend the date for all of our teachers because of the fiscal concerns; we do not know how much revenue we will have. This will allow us to not keep coming back and having to pass a bill each session. We have to pass it quickly in order for the school districts to meet the April 1 initial deadline under the provisions of this new bill.

Roll call on Senate Bill No. 101:

YEAS—41.

NAYS—None.

EXCUSED—Swank.

Senate Bill No. 101 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 21 and 115.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Gini Cunningham.

On request of Assemblywoman Diaz, the privilege of the floor of the Assembly Chamber for this day was extended to Albert Chavez.

On request of Assemblywoman Fiore, the privilege of the floor of the Assembly Chamber for this day was extended to Lee Ann Mandarino.

On request of Assemblywoman Joiner, the privilege of the floor of the Assembly Chamber for this day was extended to Jacob Harmon and Cathy Maupin.

On request of Assemblywoman Kirkpatrick, the privilege of the floor of the Assembly Chamber for this day was extended to Wendy Simons.

On request of Assemblyman Kirner, the privilege of the floor of the Assembly Chamber for this day was extended to Norman Miller, Brett Barbarigos, Ryan Barbarigos, Reed Barbarigos, and Earlene Miller.

On request of Assemblyman Munford, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, chaperones and teachers from the Andre Agassi College Preparatory Academy: Annie Aguilar, Jared Amezcua, Claudia Bernal, Journey Burris, Lindsey Callejas, Desirae Clancy, Londyn Clark, Miguel Cole, A'lailah Davis, Taj deGourville, Jakai Hood, Janay Hood, Jasmine King, Nahjae Kiper, Felix Leal, Alinah Leos, Caleb Lewis, A'yana Parrott, Emely Paez, Albert Perez, Julian Ramirez, Vanessa Samayoa, Marissa Schudlt, Nathan Spear, Robert Torres, Bethany Trantham, and Zac Washington.

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

On request of Assemblyman Sprinkle, the privilege of the floor of the Assembly Chamber for this day was extended to Peter Reed.

Assemblyman Paul Anderson moved that the Assembly adjourn until Tuesday, March 17, 2015, at 11:30 a.m.

Motion carried.

Assembly adjourned at 2:39 p.m.

Approved:

JOHN HAMBRICK
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly