

THE FORTY-FOURTH DAY

CARSON CITY (Tuesday), March 17, 2015

Assembly called to order at 11:57 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Peggy Locke.

Ah Lord God, great and mighty God, great in counsel and mighty in deed! You have made the heavens and the earth by Your great power! Nothing is too difficult for You!

We come to You today and ask for Your grace and wisdom. Help us to trust in You and seek You first above all else. May all we do and say be acceptable in Your sight, O God. May we be a blessing to our fellow workers and friends, showing love, respect, kindness, and consideration to all.

Bless and protect our families and those serving in harm's way. God bless everyone who serves the people of our great state of Nevada.

And finally, a St. Patrick's Day blessing:

May the road rise up to meet you.

May the wind be always at your back.

May the sun shine warm upon your face;

The rains fall soft upon your fields and until we meet again,

May God hold you in the palm of His hand.

In the Name above all Names, we pray.

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 Taxation, to which was referred Senate Bill No. 22, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DEREK ARMSTRONG, *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 passed Senate Bill No. 118.

SHERRY RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Paul Anderson moved that Assembly Bill No. 70 be taken from the Chief Clerk's desk and placed on the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 76.

Bill read third time.

Remarks by Assemblywoman Diaz.

ASSEMBLYWOMAN DIAZ:

Assembly Bill 76 requires the that Department of Education shares with the Interagency Council on Veterans Affairs aggregate data collected 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. The bill also encourages the Board of Regents of the Nevada System of Higher Education to foster a culture that recognizes and supports veterans, and extends from two years to five years the time period a veteran who has been honorably discharged is eligible for resident or in-state fee charges.

Finally, A.B. 76 requires that the Board of Regents submit, on or before November 30 of each year, a report to the Legislature, or the Legislative Committee on Education when the Legislature is not in regular session, concerning the participation of students who are veterans in the Nevada System of Higher Education. This bill is effective on July 1, 2015.

I just want to clarify that the net effect of this bill is that veterans will be treated in the same manner as residents who do not pay tuition but who do pay fees.

Roll call on Assembly Bill No. 76:

YEAS—42.

NAYS—None.

Assembly Bill No. 76 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered immediately transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Dooling, Gardner, Seaman, Shelton, Stewart and Trowbridge:

Assembly Joint Resolution No. 10—Proposing to amend the Nevada Constitution to provide a citizens' commission to establish the salaries of certain elected officers.

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

Motion carried.

NOTICE OF EXEMPTION

March 17, 2015

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Assembly Bills Nos. 147, 257, 327 and 343.

Also, the Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Assembly Bills Nos. 77, 95, 135, 136, 145, 146, 161 and 176.

CINDY JONES

Fiscal Analysis Division

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

Assembly in recess at 12:15 p.m.

ASSEMBLY IN SESSION

At 12:37 p.m.

Mr. Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Gardner, Diaz, Dickman, Munford and Shelton:

Assembly Bill No. 349—AN ACT relating to education; requiring principals to coordinate with teachers to develop class lesson plans that comply with certain academic standards; 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 Araujo, Sprinkle, Thompson, Kirkpatrick, Diaz, Elliot Anderson, Benitez-Thompson, Bustamante Adams, Carrillo, Flores, Joiner, Neal, Ohrenschall and Spiegel; Senators Ford, Woodhouse, Spearman, Kihuen, Manendo, Atkinson, Denis and Parks:

Assembly Bill No. 350—AN ACT relating to children; providing for a credit against the modified business tax for taxpayers who donate money to an early childhood education scholarship organization; setting forth certain requirements relating to such an organization; requiring such an organization to submit an annual report to 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 Taxation.

Motion carried.

By Assemblymen Dickman, Moore, Dooling, Edwards, Ellison, Gardner, Hansen, Jones, Kirner, Munford, Oscarson, Shelton, Titus and Wheeler; Senators Hardy and Settelmeyer:

Assembly Bill No. 351—AN ACT relating to charter schools; revising the requirements for a project that is financed through bonds to benefit a charter school; removing the requirement that such a project pay a prevailing wage; 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 Ellison, Wheeler, Fiore, Oscarson, Dooling, Dickman, Jones, Moore, O'Neill and Seaman; Senator Gustavson:

Assembly Bill No. 352—AN ACT relating to concealed firearms; exempting a peace officer from payment of the fees to obtain a permit to carry a concealed firearm; clarifying certain provisions of law concerning the carrying of a concealed firearm while on the premises of any public building; deleting certain provisions relating to the registration of firearms capable of being concealed; 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, Moore, Fiore, Trowbridge, Jones, Ellison, Munford, Oscarson, Seaman, Shelton, Titus and Wheeler; Senators Gustavson and Settlemeyer:

Assembly Bill No. 353—AN ACT relating to government purchasing; revising provisions relating to the competitive bidding process used by certain state and local governmental entities for procuring goods and services; 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 Hambrick, Araujo and Benitez-Thompson:

Assembly Bill No. 354—AN ACT relating to human trafficking; enacting the Uniform Act on Prevention of and Remedies for Human Trafficking; repealing certain provisions relating to involuntary servitude, trafficking in persons, pandering and sex trafficking; providing penalties; 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 Fiore:

Assembly Bill No. 355—AN ACT relating to administrative regulations; eliminating certain exemptions from the requirements of the Nevada Administrative Procedure Act; revising provisions governing the review of permanent regulations by the Legislative Commission and the Subcommittee to Review Regulations; 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 Fiore, Gardner, Dooling, Dickman, Ellison, Jones and Shelton:

Assembly Bill No. 356—AN ACT relating to labor organizations; prohibiting a labor organization from engaging in certain acts against a business; 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 Fiore, Ellison, Dooling, Jones, Kirkpatrick, Ohrenschall, Shelton and Thompson:

Assembly Bill No. 357—AN ACT relating to criminal procedure; authorizing certain persons who are prohibited from owning, possessing or having under their custody or control any firearm to petition the court to restore their right to own, possess and control any firearm in certain circumstances; providing for the immediate restoration of certain civil rights if a person's right to own, possess and control any firearm is restored; authorizing a prosecuting attorney to inquire into, inspect and use as evidence certain sealed records in certain circumstances; adding a person who has been convicted of a crime that constitutes domestic violence to the list of persons who are prohibited from owning or having in their possession or under their custody or control any firearm; 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 Fiore, Jones, Dickman, Dooling, Gardner, Shelton and Wheeler:

Assembly Bill No. 358—AN ACT relating to public health; authorizing a manufacturer to provide or make available an investigational drug, biological product or device to certain patients under certain circumstances; prohibiting an officer, employee or agent of this State from preventing or attempting to prevent a patient from accessing such an investigational drug, biological product or device under certain circumstances; authorizing a physician to prescribe or recommend an investigational drug, biological product or device to certain persons under certain circumstances; 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 Assemblyman Gardner:

Assembly Bill No. 359—AN ACT relating to common-interest communities; enacting provisions governing hearings conducted by the executive board of a unit-owners' association on alleged violations of the

governing documents; providing for the payment of a per diem to members of the executive board of an association under certain circumstances; revising provisions governing the approval of certain capital improvements to a common-interest community; revising provisions governing the foreclosure of an association's lien for certain amounts due to the association; providing for the Commission for Common-Interest Communities and Condominium Hotels and its hearing panels to conduct hearings and take certain actions on breaches of the governing documents of a common-interest community; 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 Gardner:

Assembly Bill No. 360—AN ACT relating to deferred compensation plans; revising provisions governing a deferred compensation plan offered by this State or the Board of Regents of the University of Nevada to employees of the State or the Nevada System of Higher Education; 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 Swank, Ohrenschall and Titus; Senator Manendo:

Assembly Bill No. 361—AN ACT relating to animals; authorizing a board of county commissioners to adopt an ordinance regulating the importation, possession, sale, transfer or breeding of a captive wild animal; 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 Assemblywoman Swank:

Assembly Bill No. 362—AN ACT relating to domestic relations; authorizing a party in certain domestic relations actions to file a postjudgment motion to obtain adjudication of certain property and liabilities that were omitted from the final decree or judgment; 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 Diaz, Elliot Anderson, Kirkpatrick, Carrillo, Ohrenschall, Araujo, Benitez-Thompson, Bustamante Adams, Carlton, Flores, Joiner, Munford, Neal, Sprinkle and Thompson:

Assembly Bill No. 363—AN ACT relating to public employees; providing an optional benefit to the surviving spouse of a police officer or firefighter who was killed in the line of duty; 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, Bustamante Adams, Diaz, Kirkpatrick, Carrillo, Elliot Anderson, Benitez-Thompson, Flores, Joiner and Ohrenschall; Senators Denis, Parks, Woodhouse, Kihuen, Ford, Atkinson, Manendo, Roberson, Segerblom and Smith:

Assembly Bill No. 364—AN ACT relating to business; declaring certain records to be confidential; revising provisions governing the state business portal; revising provisions governing applications for certain authorizations to conduct a business in this State issued by state and local agencies and health districts; requiring the Secretary of State to assign a unique business identification number to certain entities and persons under certain circumstances; revising provisions governing the issuance of certain licenses by the Office of the Secretary of State; removing the prohibition against a county clerk refusing to accept for filing certain business certificates in certain circumstances; revising provisions governing the disclosure of certain information by the Employment Security Division of the Department of Employment Training and Rehabilitation; repealing certain provisions relating to the collection of information from businesses seeking certain authorizations to conduct business in this State; repealing certain provisions relating to the issuance of certain licenses by incorporated cities and counties; 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 Oscarson:

Assembly Bill No. 365—AN ACT relating to warranties; enacting provisions governing vehicle protection product warranties; 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 Silberkraus, Gardner and Dooling:

Assembly Bill No. 366—AN ACT relating to taxation; authorizing a county, city or town to use that portion of money received by the county, city or town from the imposition of certain motor vehicle fuel taxes for the construction, maintenance and repair of certain rights-of-way within the

jurisdiction of the county, city or town; 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 Silberkraus, Fiore, Dickman, Gardner and Seaman; Senator Settelmeyer:

Assembly Bill No. 367—AN ACT relating to craft distilleries; authorizing a person who operates a craft distillery to sell spirits off the premises at one additional location and by other means under certain circumstances; deleting certain provisions which limit the amount of spirits which may be sold at retail; 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 Jones, Fiore, Hansen, Wheeler, Ellison, Dickman, Moore, Seaman and Shelton; Senator Gustavson:

Assembly Bill No. 368—AN ACT relating to insurance; repealing provisions creating and providing for the Silver State Health Insurance Exchange; requiring the Executive Director of the Exchange to notify the United States Department of Health and Human Services of the cessation of operations of the Exchange and to coordinate with the Department on a transition plan; 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 Stewart and Hickey:

Assembly Bill No. 369—AN ACT relating to property; requiring a tenant to obtain written approval from the landlord before the commencement of certain works to a dwelling unit under certain circumstances; 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 Stewart, Hickey and Woodbury:

Assembly Bill No. 370—AN ACT relating to domestic relations; revising the factors a court is required to consider when determining whether to grant visitation rights with a child to certain persons; 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 Stewart, Hickey and Woodbury:

Assembly Bill No. 371—AN ACT relating to evidence; authorizing a law enforcement agency to destroy certain physical evidence under certain conditions; 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 Stewart:

Assembly Bill No. 372—AN ACT relating to insurance; establishing a tax credit for an insurer who meets certain criteria related to economic development in this State; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Stewart (by request):

Assembly Bill No. 373—AN ACT relating to public employees; revising the definition of the term “police officer” for the purpose of providing industrial insurance coverage for certain occupational diseases to a bailiff or deputy marshal of a municipal court; 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 Flores, Araujo, Carrillo, Dickman, Hickey, Munford, O’Neill, Silberkraus and Stewart; Senators Denis, Ford, Kihuen and Spearman:

Assembly Bill No. 374—AN ACT relating to education; requiring the board of trustees of each school district to ensure that certain pupils meet with a counselor, administrator or other educational personnel to assess the pupil’s college and career readiness; requiring the establishment of a plan for college and career readiness for a pupil under certain circumstances; 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 Dooling and Senator Hammond:

Assembly Bill No. 375—AN ACT relating to education; providing certain requirements for school facilities that are designated for use by persons of one biological sex; revising certain provisions governing courses on acquired immune deficiency syndrome and the human reproductive system; 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 Dooling, Seaman and Silberkraus:

Assembly Bill No. 376—AN ACT relating to education; revising provisions governing the requirements for the reduction of pupil-teacher ratios in certain grades and classes to require certain charter schools to comply with the ratios; revising provisions governing the planning and reporting for the implementation of the reduction of pupil-teacher ratios to include those charter schools that are required to comply with the ratios; 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 O'Neill, Swank, Silberkraus, Hickey, Kirkpatrick, Araujo, Benitez-Thompson, Ellison, Flores, Hambrick, Kirner and Stewart; Senators Manendo, Gustavson, Settlemeyer, Kieckhefer and Kihuen:

Assembly Bill No. 377—AN ACT relating to the Nevada State Prison; requiring the State Land Registrar to transfer the historic structures of the Nevada State Prison for administration to the Division of Museums and History of the Department of Tourism and Cultural Affairs; requiring the State Land Registrar to transfer certain other property of the Nevada State Prison for administration to the Silver State Industries Division of the Department of Corrections; creating the Endowment Fund for the Historic Preservation of the Nevada State Prison; prescribing the uses of the money in the Endowment Fund for the Historic Preservation of the Nevada State Prison, which include the operation, maintenance and preservation of the historic structures of the Nevada State Prison as a historical, educational and scientific resource; creating the Silver State Industries Endowment Fund; prescribing the uses of the money in the Silver State Industries Endowment Fund, which include maintaining the modern structures of the Nevada State Prison; requiring the State Treasurer, at the end of each fiscal year, to transfer certain money from the Silver State Industries Endowment Fund to the Endowment Fund for the Historic Preservation of the Nevada State Prison; 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 Assemblywomen Dooling and Shelton:

Assembly Bill No. 378—AN ACT relating to education; eliminating the class-size reduction program; creating the Fund for Master Teachers to support a program of incentive pay for teachers, to be administered by the Department of Education; establishing requirements for the program of

incentive pay; revising provisions governing the discipline and discharge of public school teachers and administrators; generally abolishing the distinction between probationary and postprobationary employment for teachers and administrators; making an appropriation; 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 Ohrenschall:

Assembly Bill No. 379—AN ACT relating to commercial tenancies; establishing requirements for accounting for, charges against and refund of security deposits relating to commercial premises; prohibiting a landlord of commercial premises from assessing charges against a tenant except under certain circumstances; revising provisions relating to prohibitions on a landlord's interference with a tenant's use of commercial premises under certain circumstances; revising procedures for a tenant to recover possession of commercial premises following a lockout; revising provisions relating to the disposal of personal property abandoned by a tenant on commercial premises; repealing provisions relating to the jurisdiction of courts over certain actions relating to commercial premises and the applicability of certain judicial doctrines in such actions; 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. 380—AN ACT relating to taxation; enacting provisions relating to the imposition, collection and remittance of sales and use taxes by retailers located outside this State; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Kirkpatrick:

Assembly Bill No. 381—AN ACT relating to elections; extending the deadlines for filling vacancies in certain nominations and for making changes to the ballot of a general election; eliminating the deadline for an elector to file a written challenge on the grounds that a candidate fails to meet any qualification required for the office which the candidate is seeking; requiring a court to order that a candidate whose qualifications to hold office are successfully challenged pay certain fees, costs and penalties; revising the requirements for the Secretary of State, county clerk and city clerk to notify

voters of the disqualification of a candidate; 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 Assemblywoman Kirkpatrick:

Assembly Bill No. 382—AN ACT relating to business; revising provisions governing the amount of the annual fee for a state business license; 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 Kirkpatrick and Paul Anderson; Senator Hammond:

Assembly Bill No. 383—AN ACT relating to drivers' licenses; authorizing reciprocal agreements with certain other countries concerning the licensing of drivers; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywomen Swank, Joiner, Kirkpatrick and Carlton:

Assembly Bill No. 384—AN ACT relating to the Legislature; establishing the Nevada Legislature Oral History Program; 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 Assemblywoman Kirkpatrick:

Assembly Bill No. 385—AN ACT relating to tow cars; prohibiting operators of tow cars from towing certain vehicles to any location other than a designated vehicle storage lot under certain circumstances; revising provisions relating to operators of tow cars; providing civil and criminal penalties; 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 Flores, Seaman, Dooling, Carrillo, Kirkpatrick, Dickman, Joiner, O'Neill, Spiegel, Thompson, Titus, Wheeler and Woodbury; Senators Denis and Kihuen:

Assembly Bill No. 386—AN ACT relating to real property; establishing procedures for the retaking of a dwelling subject to forcible entry or forcible detainer; revising provisions relating to unlawful detainer; revising the procedures for removing a tenant who is guilty of an unlawful detainer;

establishing the criminal offenses of housebreaking, unlawful entry and unlawful reentry; providing penalties; 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. 387—AN ACT relating to public retirement systems; revising provisions relating to the calculation of the years of service of certain members of the Public Employees' Retirement System, the Judicial Retirement Plan and the Legislators' Retirement System; providing generally that the purchase of service credit cannot be used to reduce the number of years of service a member of each respective retirement system must earn to retire with an unreduced benefit; 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 Paul Anderson, Kirkpatrick and Armstrong:

Assembly Bill No. 388—AN ACT relating to public employment; revising provisions governing certain leaves of absence for military duty for public officers and employees; 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. 389—AN ACT relating to employee leasing companies; revising the method for calculation of unemployment contributions for employees of an employee leasing company leased to a client company; altering the definition of "employee leasing company" to describe the nature of the relevant agreement; authorizing an employee leasing company that applies for a certificate of registration to provide consolidated or combined financial statements with its application; repealing the requirement that an employee leasing company maintain an office in this State; 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 Paul Anderson:

Assembly Bill No. 390—AN ACT relating to State Government; designating the Division of Enterprise Information Technology Services of the Department of Administration as a charter agency subject to the

provisions of Assembly Bill No. 104 of the 78th Session of the Nevada Legislature; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 118.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 21.

Bill read second time and ordered to third reading.

Assembly Bill No. 265.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Paul Anderson moved that Assembly Bill No. 21 be taken from the General File and rereferred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 70.

Bill read third time.

Remarks by Assemblymen Armstrong and Carlton.

Potential conflict of interest declared by Assemblyman Ohrenschall.

ASSEMBLYMAN ARMSTRONG:

Assembly Bill 70 provides for administration enforcement provisions related to the excise taxes on the sale of marijuana, edible marijuana products, and marijuana infused products by medical marijuana establishments that were originally approved by the Legislature in Senate Bill 374 of the 2013 Session. The administrative provisions contained within this bill are similar to the currently existing provisions used by the Department of Taxation for other taxes and fees currently administered by the Department. Assembly Bill 70 additionally removes provisions requiring the Department of Taxation to periodically review the excise tax rate and to provide recommendations to the Legislature relating to adjustments to the rate.

ASSEMBLYMAN OHRENSCHALL:

I need to make a disclosure to the body regarding Assembly Bill 70. Because we are considering Assembly Bill 70, which makes changes related to medical marijuana and its taxation, I would like to advise this body that my spouse lobbies on behalf of an association of marijuana dispensary owners. Although Assembly Bill 70 does not affect her clients any differently than any other dispensary owners or associations, I am making this disclosure and am abstaining from voting on Assembly Bill 70 out of an abundance of caution.

ASSEMBLYWOMAN CARLTON:

I rise in opposition to Assembly Bill 70. This body, a long time ago, decided that we would not tax medicine. Here we are making a huge sea change and actually taxing medicine in this state, and I am absolutely opposed to it. I feel it is the wrong path to go. If you want to tax this particular product, there are a number of bills out there that would allow us to do it in a legal,

regulated way, and we could recognize it as we do other legal drugs and substances in this state. But to actually tax what is being classified as a medicine, I believe is absolutely wrong for the path of this state.

Roll call on Assembly Bill No. 70:

YEAS—34.

NAYS—Carlton, Ellison, Flores, Jones, Seaman, Titus, Wheeler—7.

NOT VOTING—Ohrenschall.

Assembly Bill No. 70 having received a two-thirds majority, Mr. Speaker declared it passed.

Bill ordered transmitted to 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 1:02 p.m.

ASSEMBLY IN SESSION

At 7:30 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

NOTICE OF EXEMPTION

March 17, 2015

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Assembly Bill No. 80.

CINDY JONES

Fiscal Analysis Division

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Hickey, Dickman, Joiner, Kirner and Sprinkle:

Assembly Bill No. 391—AN ACT relating to taxation; revising the provisions governing the exemption from property taxes of certain property used for religious worship; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Kirkpatrick:

Assembly Bill No. 392—AN ACT relating to taxation; revising provisions governing the tax on live entertainment; establishing an excise tax on certain admission and amusement services; providing for the rate and imposition of the Luxury Discretionary Spending tax on admission and amusement services; revising the exemptions from the tax on live entertainment to establish certain exemptions from the tax on admission and amusement services; providing that the tax on admission and amusement services does not apply to admission to a place of amusement or entertainment located at a

licensed gaming establishment; providing that the tax on live entertainment applies to live entertainment that is provided at a licensed gaming establishment; revising the rate of the tax on live entertainment that is provided at a licensed gaming establishment; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Kirkpatrick:

Assembly Bill No. 393—AN ACT relating to taxation; revising provisions relating to the imposition of the tax on live entertainment on facilities located at licensed gaming establishments; revising provisions governing the exemptions and exclusions from the Live Entertainment Tax; revising the rate of the tax on live entertainment; 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 Gardner, Fiore, Jones, Silberkraus, Hickey, Dickman, O'Neill, Seaman and Trowbridge:

Assembly Bill No. 394—AN ACT relating to education; prescribing the process by which the governing body of an incorporated city may create a local school precinct within a county school district with the approval of the State Board of Education; authorizing two or more boards of trustees of contiguous school districts to consolidate their respective districts by interlocal agreement; 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 Gardner, Fiore, Jones, Silberkraus and Woodbury:

Assembly Bill No. 395—AN ACT relating to the State Public Charter School Authority; revising the requirements relating to the financial administration of the State Public Charter School Authority; revising provisions governing the personnel of the Authority; revising provisions regarding the adoption of administrative regulations governing charter schools sponsored by the Authority; 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 Moore and Fiore:

Assembly Bill No. 396—AN ACT relating to mental health; requiring a mental health facility or program of community-based or outpatient services to obtain informed consent from certain persons before providing care, treatment or training; prescribing requirements relating to informed consent to care, treatment or training provided by such a facility or program; prescribing requirements relating to certain medical examinations of a person alleged to be a person with mental illness; requiring separate medical and psychiatric examinations to be conducted after the filing of a petition to commence proceedings for the involuntary court-ordered admission of a person alleged to be a person with mental illness to a mental health facility or a program of community-based or outpatient services; requiring counties to pay for the medical examination and treatment of certain such persons; 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 Moore, Jones and Dickman:

Assembly Bill No. 397—AN ACT relating to public safety; revising provisions governing the issuance and execution of search warrants; restricting the use of SWAT teams by a local law enforcement agency under certain circumstances; prohibiting a law enforcement agency from receiving certain property through a military equipment surplus program operated by the Federal Government; 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 Edwards:

Assembly Bill No. 398—AN ACT relating to public lands; revising the duty of certain public agencies to maintain certain public roads; revising provisions allowing petitions seeking certain actions from a board of county commissioners relating to certain public roads; revising provisions authorizing the Attorney General to bring an action to vindicate the rights of certain persons or governmental entities with respect to certain roads which cross certain federal land; revising provisions relating to the closure or temporary closure of certain state parks, monuments, historic landmarks or recreational areas; 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 Neal, Bustamante Adams and Araujo:

Assembly Bill No. 399—AN ACT relating to economic development; directing the Office of Economic Development within the Office of the Governor to create a pilot program to encourage growth and expansion of existing businesses that are located in this State; setting forth the goals and functions of the pilot program; 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 Assemblyman Munford:

Assembly Bill No. 400—AN ACT relating to interscholastic athletics; requiring the Nevada Interscholastic Activities Association to conduct a study on the effect of disparities in the recruitment and retention of football players between public and private schools and adopt regulations to correct for such disparities; prohibiting a private high school from competing in any play-off or state championship game in the sport of football until after such regulations are adopted; 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 Munford and Moore:

Assembly Bill No. 401—AN ACT relating to criminal procedure; authorizing the establishment by district courts of courts of inquiry that may be used to exonerate convicted persons; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywomen Shelton and Fiore:

Assembly Bill No. 402—AN ACT relating to insurance; revising provisions relating to an insurer who issues a policy of insurance covering damage to a motor vehicle; 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 Shelton and Jones; Senator Ford:

Assembly Bill No. 403—AN ACT relating to peace officers; requiring certain peace officers to wear a portable event recording device while on duty; requiring certain law enforcement agencies to adopt policies and

procedures governing the use of portable event recording devices; requiring peace officers to undergo certain training; requiring peace officers to maintain liability insurance; requiring a peace officer to pay any costs incurred by a law enforcement agency as the result of conducting an investigation in response to a complaint or allegation against the peace officer in certain circumstances; requiring certain advisory review boards to review internal investigations of peace officers and make recommendations regarding any disciplinary action recommended by the employers of such peace officers; requiring such advisory review boards to review the policies and procedures of law enforcement agencies and make recommendations regarding any changes to such policies and procedures; exempting the use of portable event recording devices from the provisions governing the interception of certain communications; exempting the use of portable event recording devices upon certain property; 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 Fiore and Jones:

Assembly Bill No. 404—AN ACT relating to concealed firearms; requiring a sheriff to refund the application fee for the issuance or renewal of a permit to carry a concealed firearm in certain circumstances; temporarily extending the validity of a permit to carry a concealed firearm beyond the expiration date in certain circumstances; 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 Hambrick (by request):

Assembly Bill No. 405—AN ACT relating to abortions; revising provisions regulating an abortion performed on a pregnant woman who is a minor or a ward; requiring notification of a parent or guardian under certain circumstances before a physician performs such an abortion; providing expedited procedures for petitioning a court for judicial authorization to proceed without such notification; adding reporting requirements for physicians who perform certain abortions; imposing administrative penalties on physicians who fail to comply with the reporting requirements; requiring the Division of Public and Behavioral Health of the Department of Health and Human Services to compile and report statistical data relating to certain abortions; requiring the Administrative Office of the Courts to compile and submit to the Division statistical data regarding cases involving judicial authorization for certain abortions; providing civil liabilities and criminal penalties; 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 Moore and Fiore:

Assembly Bill No. 406—AN ACT relating to state business licenses; revising the requirements relating to the time by which a person conducting a business in this State must obtain a state business license; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Shelton:

Assembly Bill No. 407—AN ACT relating to crimes; requiring a peace officer to issue a citation to a person for a violation of certain ordinances or provisions of state law if the person is not required to be taken before a magistrate; providing in skeleton form for the reduction of a penalty from a felony or gross misdemeanor to a misdemeanor for any crime which is a first offense and which does not result in physical, psychological or financial harm to a person other than the perpetrator; 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 Fiore, Shelton, Dooling, Titus, Seaman, Dickman, Ellison, Gardner, Hansen, Jones, Moore, Munford, O'Neill, Oscarson and Wheeler; Senator Gustavson:

Assembly Bill No. 408—AN ACT relating to public lands; prohibiting the Federal Government from owning or regulating certain public lands or the right to use public waters; requiring the State Land Registrar to adopt regulations that provide for the appropriation and registration of grazing, logging, mineral development or other beneficial use rights on public lands; requiring the State Land Registrar to sell permits for grazing, logging, mineral development or other beneficial uses on public lands for which such rights are not registered and appropriated; requiring the board of county commissioners of each county to impose a tax on profits from the beneficial use of public lands; 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 Seaman, Shelton, Fiore, Hickey, Moore and Nelson:

Assembly Bill No. 409—AN ACT relating to cosmetology; exempting makeup artists from the licensing and regulation provisions governing

cosmetology; deleting the requirement for certain applicants for a license to complete a nationally recognized written examination; 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 Assemblywoman Swank:

Assembly Bill No. 410—AN ACT relating to government affairs; revising the membership of certain boards and commissions of the Executive Department of the State Government to provide for proportionate representation based on population; providing for a decennial review of the membership of these boards and commissions to ensure continuation of proportional representation; 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 Hansen:

Assembly Bill No. 411—AN ACT relating to funding for repair and improvement of school facilities; altering the rate in certain counties of a tax imposed by a board of county commissioners on gross receipts from the rental of transient lodging; altering the rate in certain cities of a tax imposed by a city council on gross receipts from the rental of transient lodging; altering the rate in certain counties of a tax imposed on the transfer of real property; providing for the distribution of revenues from certain taxes imposed on gross receipts from the rental of transient lodging and the transfer of real property; requiring that proceeds from certain taxes deposited in a fund for capital projects of certain county school districts be expended only for the repair and improvement of school facilities; 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 Assemblywoman Kirkpatrick:

Assembly Bill No. 412—AN ACT relating to public financial administration; authorizing a board of county commissioners to impose certain ad valorem taxes on property in the county; authorizing a board of county commissioners or the board of trustees of a school district, or both, to impose certain ad valorem taxes on property in the county; establishing limitations on the use of money received from any such taxes; exempting property tax increases relating to the reversal of a reduction of taxable value resulting from certain types of obsolescence from the caps on property tax bills; requiring the State Board of Equalization, county boards of equalization

and county assessors to submit information regarding the reduction of taxable values based on certain types of obsolescence to the Nevada Tax Commission; requiring the Department of Taxation annually to conduct certain audits; clarifying certain provisions governing the determination of the taxable value of property; revising provisions governing partial abatements of property taxes; requiring the Legislative Auditor to conduct a performance audit of the State Board of Equalization; requiring the State Treasurer, under certain limited circumstances and with the approval of certain local governments, to execute an agreement with the governing body of a local government pursuant to which the State Treasurer agrees to borrow money from the Local Government Pooled Investment Fund and transfer the money to the governing body; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Concurrent Resolution No. 3.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Elliot Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Farhan Naqvi.

On request of Assemblyman Paul Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to James P. Kemp, Robert Marshall, Landon King, and James Villeneuve.

On request of Assemblyman Araujo, the privilege of the floor of the Assembly Chamber for this day was extended to Rob Telles.

On request of Assemblyman Armstrong, the privilege of the floor of the Assembly Chamber for this day was extended to David Tanner.

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

On request of Assemblywoman Bustamante Adams, the privilege of the floor of the Assembly Chamber for this day was extended to Christian Morris.

On request of Assemblywoman Carlton, the privilege of the floor of the Assembly Chamber for this day was extended to Jason Mills.

On request of Assemblywoman Diaz, the privilege of the floor of the Assembly Chamber for this day was extended to Allison Brasier and Felisa Mandujano.

On request of Assemblywoman Dickman, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, chaperones and teachers from Jesse Hall Elementary School: Rachel Chen, J. J. Dressler, Kylie Durski, Dylan Ferrier, Hannah Fitzmorris, Kadence French, Isabel Herrera, Noah Jacobsen, Leighla Jim, Caleb Lauder, Samone Lockwood, Antonio Mariani, William McDonald, Olivia Mier, Brent Morris, Jonathan Nelson, Brandyn Nezos, Cameron Norseth, Samuel Pacheco, Blayne Prather, Hunter Rhodes, Koal Spies, Skyler Steele, Raynise Thayer, Caitlyn Timmons, Amber Workeman, Kiera Bill, Alex Boga, Taylor Bowling, Lacey Canham, Vick Crutcher, Matthew Forbush, Emma Frampton, Elizabeth Francis, Julia Gustavson, Angel Guzman, Azul Guzman, Kirsten Hartze, Tomas Hobson, Mikayla Jeppson, Aidan Lindberg, Mason Mackey, Raymond Madden, Sierra Madden, Jacob Marke, Kayli Mueller, Christiane Munda, Garrett Parsons, Jamisen Rogers, Allison Tullis, Jared Two Hearts, Brittany Wissenback, Kaleb Andelin, Kacey Barker, Brock Biggs, Lindsay Blincoe, Austen Clack, Jake Cunningham, Luke Davies, Serenity Dewitt, Nathan Gabrielli, Kiana Grier, Addison Johnson, Rylee Johnson, Christian Lopez, Gavin Marsh, Alex Martinez, Makayla Parks, Abigail Paulson, Hayden Rogers, Armando Salter, Cecelia Shaw, Alexandria Smith, Audrey Stockstill, Ashley Stout, Mckenzie Stump, Reanna Thomas, Alexis Wallis Sullivan, Payton Yarrow, Chyanne Bradshaw, Scott Crosby, Staicee Evens, Laney Fitts, Cole Fitzmorris, A. J. Galera, Devin Hernandez-Lopez, Madison Kimball, Victoria Ladd, Sklyer Lundberg, Carly McTier, Alazeya Morris, Benjamin Nelson, Juliet Ojeda, Dax Piccinini, Demetre Proutsos, Adian Sabatoni, Preston Sam, Hallee Sand, Aurora Shanrock, Kaiya Tognoni, Macie Trevino, Dylan Urmston, Geneva Wells, James White, and Brianna Yahola.

On request of Assemblyman Edwards, the privilege of the floor of the Assembly Chamber for this day was extended to Clay Burman and Marjorie Hauf.

On request of Assemblyman Ellison, the privilege of the floor of the Assembly Chamber for this day was extended to Craig Kidwell.

On request of Assemblywoman Fiore, the privilege of the floor of the Assembly Chamber for this day was extended to Sean Claggett.

On request of Assemblyman Flores, the privilege of the floor of the Assembly Chamber for this day was extended to Larry Smith and Jose Rivera.

On request of Assemblyman Gardner, the privilege of the floor of the Assembly Chamber for this day was extended to Autumn Betke.

On request of Assemblyman Hambrick, the privilege of the floor of the Assembly Chamber for this day was extended to Nadia Scipio del Campo, Etienne Lambert, Naomi Leight-Giveon, and Fernando Romero.

On request of Assemblyman Hickey, the privilege of the floor of the Assembly Chamber for this day was extended to John Arrascada.

On request of Assemblywoman Joiner, the privilege of the floor of the Assembly Chamber for this day was extended to Jessica Anderson.

On request of Assemblyman Jones, the privilege of the floor of the Assembly Chamber for this day was extended to Marc Berg.

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

On request of Assemblyman Kirner, the privilege of the floor of the Assembly Chamber for this day was extended to Mark Wenzel.

On request of Assemblyman Moore, the privilege of the floor of the Assembly Chamber for this day was extended to Samantha Martin.

On request of Assemblyman Nelson, the privilege of the floor of the Assembly Chamber for this day was extended to Christopher Burke and Teresa Ramirez.

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

On request of Assemblyman Ohrenschall, the privilege of the floor of the Assembly Chamber for this day was extended to Kristen Cogburn.

On request of Assemblywoman Seaman, the privilege of the floor of the Assembly Chamber for this day was extended to Leonard Stone and Olga Torres.

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

On request of Assemblyman Silberkraus, the privilege of the floor of the Assembly Chamber for this day was extended to Jeannie Neill Lanny and Tom Lanny.

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

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Keith Pickard.

On request of Assemblywoman Swank, the privilege of the floor of the Assembly Chamber for this day was extended to Lindsay Cullen.

On request of Assemblywoman Woodbury, the privilege of the floor of the Assembly Chamber for this day was extended to Lillian Babcock.

Assemblyman Paul Anderson moved that the Assembly adjourn until Thursday, March 19, 2015, at 11:30 a.m.

Motion carried.

Assembly adjourned at 7:43 p.m.

Approved:

JOHN HAMBRICK
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly