

THE FORTIETH DAY

CARSON CITY (Friday), March 13, 2015

Senate called to order at 12:03 p.m.

President Hutchison presiding.

Roll called.

All present except Senators Atkinson, Segerblom, Smith and Spearman, who were excused.

Prayer by the Chaplain, Pastor Albert Tilstra.

Give to the members of this Body open minds, O' God, minds ready to receive and to welcome such new light of knowledge, as it is Your will to reveal.

Let not the past ever be so dear to them as to set a limit to the future. Give them the courage to change their minds when that is needed. Let us be tolerant of the thoughts of others, for we never know in what voice You will speak.

Make our ears open to Your voice and make us a little more deaf to whispers of men or women who would persuade us from our duty, for we know in our heart that only in Your will is found the peace and prosperity of our land.

We pray in the Name of the One who loves to answer prayer.

AMEN.

Pledge of Allegiance to the Flag.

By previous order of the Senate, the reading of the Journal is dispensed with, and the President and Secretary are authorized to make the necessary corrections and additions.

REPORTS OF COMMITTEES

Mr. President:

Your Committee on Natural Resources, to which was referred Senate Bill No. 89, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DONALD G. GUSTAVSON, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 12, 2015

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bill No. 115.

CAROL AIELLO-SALA

Assistant Chief Clerk of the Assembly

INTRODUCTION, FIRST READING AND REFERENCE

By Senators Harris, Farley, Denis, Goicoechea, Gustavson, Lipparelli, Manendo, Segerblom, Settlemeyer; Assemblymen Stewart, Nelson, Silberkraus, O'Neil, Seaman, Elliot Anderson, Fiore, Gardner, Jones, Trowbridge and Woodbury:

Senate Bill No. 262—AN ACT relating to guardians; adding provisions governing the appointment of certain preferred persons as guardians for adult wards; providing an exception to the residency requirements for certain guardians under certain circumstances; revising requirements governing eligibility to utilize a public guardian; revising provisions concerning

attorneys retained by a public guardian; revising provisions concerning reimbursement by a public guardian to the county for expenses relating to a ward; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Senate Bill No. 263—AN ACT relating to vehicles; revising provisions governing the permissible operation of certain vehicles upon a sidewalk; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Lipparelli, Hardy, Harris, Farley, Goicoechea and Settlemeyer:

Senate Bill No. 264—AN ACT relating to fraudulent conveyances; clarifying that the provisions of the Uniform Fraudulent Transfer Act do not apply to spendthrift trusts; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Woodhouse, Ford, Kihuen, Hardy, Denis, Atkinson, Manendo, Parks, Segerblom and Spearman:

Senate Bill No. 265—AN ACT relating to health care; creating the Advisory Council on Palliative Care and Quality of Life; establishing the Palliative Care Consumer and Professional Information and Education Program within the Department of Health and Human Services; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Lipparelli, Hardy, Goicoechea, Hammond, Kieckhefer and Settlemeyer:

Senate Bill No. 266—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 tax on live entertainment; revising provisions governing investigations and the initiation of complaints by the State Gaming Control Board for violations relating to the tax on live entertainment; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Woodhouse, Manendo, Ford, Atkinson, Spearman, Denis, Kihuen, Parks, Segerblom and Assemblywoman Joiner:

Senate Bill No. 267—AN ACT relating to motor vehicles; revising provisions relating to the transportation of children in motor vehicles; providing immunity from liability to child passenger safety technicians relating to the provision of or failure to provide certain services regarding child restraint systems in certain circumstances; making certain conforming changes; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Woodhouse, Ford, Spearman, Parks, Kihuen, Atkinson, Denis, Manendo, Segerblom; Assemblymen Swank, Joiner and Araujo:

Senate Bill No. 268—AN ACT relating to veterans; requiring the Department of Veterans Services to develop plans and programs to assist veterans who have suffered sexual trauma while on active duty or during military training; establishing an interim study to research issues relating to homeless veterans and veterans who have suffered sexual trauma while on active duty or during military training; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Woodhouse, Ford, Atkinson, Spearman, Parks, Denis, Kihuen, Manendo, Segerblom; Assemblymen Joiner and Araujo:

Senate Bill No. 269—AN ACT relating to health care; establishing an interim study committee to research issues regarding the behavioral and cognitive care of older persons; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 270—AN ACT relating to elections; revising certain provisions relating to the selection of temporary polling places; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy and Assemblyman Edwards:

Senate Bill No. 271—AN ACT relating to the Virgin Valley Water District; authorizing the District to issue certain letters for commitment to supply water service; requiring the annual renewal of such letters; providing a fee; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy and Assemblyman Nelson:

Senate Bill No. 272—AN ACT relating to religious freedom; enacting the Nevada Protection of Religious Freedom Act; prohibiting state action from substantially burdening a person's exercise of religion under certain circumstances; requiring strict scrutiny to be applied in all cases where state action substantially burdens a person's exercise of religion; providing a claim or defense in judicial and administrative proceedings to protect a person's exercise of religion; providing certain exceptions; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 273—AN ACT relating to health care records; prohibiting a custodian of the health care records from preventing the physical inspection of any health care records or providing copies thereof under certain circumstances; requiring a custodian of health care records to deliver the health care records or copies thereof under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settlemeyer:

Senate Bill No. 274—AN ACT relating to federal constitutional conventions; enacting provisions governing the State's delegates to any federal constitutional conventions called pursuant to Article V of the United States Constitution; providing for the appointment, qualifications, duties, terms, recall and replacement of the delegates; prescribing oaths, rules, instructions and limitations for the delegates; prohibiting the delegates from acting or voting outside the scope of the rules, instructions and limitations; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Segerblom:

Senate Bill No. 275—AN ACT relating to public safety; creating the Account for the Treatment of Substance Abusers; providing that money in the Account must be distributed for programs relating to the treatment of certain offenders who are abusers of alcohol or drugs; requiring the appointment of a Deputy Director for Substance Abuser Programs within the Department of Corrections; increasing the taxes imposed on intoxicating liquor, cigarettes and gaming; requiring the Division of Public and Behavioral Health of the Department of Health and Human Services to establish a pilot program for the treatment of certain heroin-dependent persons; making appropriations; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Segerblom and Farley:

Senate Bill No. 276—AN ACT relating to medical marijuana; revising provisions governing the registration of certain medical marijuana establishments; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Segerblom:

Senate Bill No. 277—AN ACT relating to environmental protection; enacting the Nevada Environmental Policy Act; creating the Council on Environmental Quality within the Office of the Governor; requiring the Council to adopt certain regulations; requiring state and local agencies to prepare environmental reports that analyze the environmental impact of agency activity and certain private activity; authorizing an agency to charge a fee to prepare an environmental impact statement for certain private projects that require the authorization or financing of the agency; authorizing the Governor to hire staff for the Council; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settlemeyer:

Senate Bill No. 278—AN ACT relating to off-highway vehicles; prohibiting the Department of Motor Vehicles from requiring a notarized signature from an owner of an off-highway vehicle on an application for the registration of that off-highway vehicle; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Segerblom, Atkinson, Kihuen, Ford, Parks, Smith, Woodhouse; Assemblymen Carrillo and Swank:

Senate Bill No. 279—AN ACT relating to offenders; requiring the Director of the Department of Corrections to verify the name and age of an offender who is to be released by obtaining certain documents before providing a photo identification card to the offender; requiring a sheriff, chief of police or town marshal, upon request, to provide a photo identification card to a prisoner who is to be released from a jail or detention facility; establishing an Ombudsman for Offenders within the Legislative Counsel Bureau to receive, process and investigate complaints by offenders and certain other persons; prescribing the duties and powers of the Ombudsman; requiring the Department of Corrections and the Division of Parole and Probation of the Department of Public Safety to post certain information pertaining to the Ombudsman in certain locations; revising the documents which may be furnished to the Department of Motor Vehicles as proof of full legal name and age to apply for a driver's license or identification card; providing for the waiver of certain fees relating to driver's licenses and identification cards for certain persons who are released from a jail or detention facility; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hammond:

Senate Bill No. 280—AN ACT relating to unmanned aerial vehicles; authorizing the seizure and storage of certain unmanned aerial vehicles; providing for the licensing and regulation of unmanned aerial vehicle storage facilities; providing for the retrieval of evidence from unmanned aerial vehicles that have been used in criminal activities; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hammond:

Senate Bill No. 281—AN ACT relating to vehicles; providing that certain vehicles which are used as a source of parts are not to be regulated as solid waste; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Spearman, Ford, Parks, Denis, Kihuen, Manendo, Segerblom and Woodhouse:

Senate Bill No. 282—AN ACT relating to energy; revising provisions relating to the payment of incentives to participants in the Solar Energy Systems Incentive Program, the Wind Energy Systems Demonstration Program and the Waterpower Energy Systems Demonstration Program; providing for the implementation by certain electric utilities of energy efficiency resource plans; authorizing such electric utilities to recover certain costs and performance-based incentives as the result of implementing a plan; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Segerblom:

Senate Bill No. 283—AN ACT relating to financial institutions; authorizing the establishment of marijuana financial services cooperatives in this State; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Ford, Woodhouse, Atkinson, Manendo, Parks, Denis, Kihuen, Segerblom, Smith, Spearman; Assemblymen Elliot Anderson, Kirkpatrick, Spiegel, Neal, Diaz, Araujo, Benitez-Thompson, Bustamante Adams, Carlton, Flores, Joiner, Munford, Ohrenschall, Sprinkle, Swank and Thompson:

Senate Bill No. 284—AN ACT relating to Medicaid; requiring the State Plan for Medicaid to provide for certain nonmedical transportation, to the extent authorized by federal law, to allow recipients to participate in the community and live independently; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks, Kihuen, Spearman, Ford, Manendo, Segerblom, Smith and Woodhouse:

Senate Bill No. 285—AN ACT relating to local law enforcement agencies; revising provisions relating to the powers and duties of constables and deputy constables; exempting from certain provisions the sale of liquor by a sheriff or constable at a sale under execution; authorizing a constable to accept payment of certain fees by credit card, debit card or electronic transfer of money; authorizing a constable to require the payment to the constable of a convenience fee for the acceptance of payments by credit card, debit card or

electronic transfer of money; revising the amount of certain fees which a constable is entitled to charge and collect; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 118.

Bill read second time and ordered to third reading.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary of the Senate signed Senate Bill No. 21.

REMARKS FROM THE FLOOR

Senator Woodhouse requested that her remarks be entered in the Journal.

It is my honor today to step in for my colleague from Senate District 16. With me, I have Linda Lott. Linda is the Director of the National Multiple Sclerosis (MS) Society and has been with the MS Society for the past 13 years. Her prior career was with AT&T, and she finalized that career as Director of Marketing, but she has always been active in her community, for example as the past President of Hot August Nights and as the five-time producer of the Sheep Dip Show. Her MS accomplishments have resulted in programs and services for over 4,000 people in Nevada, with fundraising and MS galas being held in Reno for 8 years. These fundraisers have allowed Nevada to provide financial assistance, support group and education programs. Please give Linda a warm welcome.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Hardy, the privilege of the floor of the Senate Chamber for this day was extended to Angela VanBrackle.

On request of Senator Harris, the privilege of the floor of the Senate Chamber for this day was extended to Rana Goodman.

On request of Senator Woodhouse, the privilege of the floor of the Senate Chamber for this day was extended to Linda Lott.

Senator Roberson moved that the Senate adjourn until Monday, March 16, 2015, at 11:00 a.m.

Motion carried.

Senate adjourned at 12:23 p.m.

Approved:

MARK A. HUTCHISON
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate