

THE FORTY-THIRD DAY

CARSON CITY (Monday), March 16, 2015

Senate called to order at 12:19 p.m.

President Hutchison presiding.

Roll called.

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

Prayer by the Chaplain, Pastor Albert Tilstra.

Our Father in Heaven, we know that You can see the hidden things in every heart. If our intentions are good, help us to make them live in good deeds. If what we intend or desire makes us uncomfortable in Your presence, take it from us, that we may do what we ought to do.

For Jesus' sake,

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 Judiciary, to which were referred Senate Bills Nos. 52, 55, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

GREG BROWER, *Chair*

Mr. President:

Your Committee on Revenue and Economic Development, to which was referred Senate Bill No. 95, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MICHAEL ROBERSON, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 13, 2015

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 41.

CAROL AIELLO-SALA
Assistant Chief Clerk of the Assembly

WAIVERS AND EXEMPTIONS

NOTICE OF EXEMPTION

March 16, 2015

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 196, 202, 204, 206, 210, 227.

MARK KRMPOTIC
Fiscal Analysis Division

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Roberson, 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.

Senator Roberson moved the adoption of the resolution.

Remarks by Senator Roberson.

Senate Concurrent Resolution No. 3 moves the deadline date for individual Legislators' BDRs to tomorrow instead of today to allow the Legal Division the time to process all requested changes and additions to Legislators' bill drafts.

Resolution adopted.

Senator Roberson moved that all necessary rules be suspended and that the resolution be immediately transmitted to the Assembly.

Motion carried.

Resolution ordered transmitted to the Assembly.

Senator Roberson moved that the Secretary of the Senate dispense with reading the titles of all bills and resolutions for introductions and referral through tomorrow's deadline.

Motion carried.

Senator Kieckhefer moved that Senate Bill No. 89 be taken from the Second Reading File and re-referred to the Committee on Finance.

Motion carried.

By Senator Gustavson and Assemblywoman Dickman:

Senate Joint Resolution No. 14—Proposing to amend the Nevada Constitution to prohibit any agency, board, commission or political subdivision of this State or any local government from creating, operating or maintaining or entering into a contract for the creation, operation or maintenance of a health insurance exchange.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That a new section, designated Section 17, be added to Article 15 of the Nevada Constitution to read as follows:

Sec. 17. 1. An agency, board, commission or political subdivision of this State, including, without limitation, any agency, board, commission or governing body of a local government, shall not:

- (a) Create, operate or maintain a health insurance exchange; or*
- (b) Enter into a contract or other agreement with any person or entity to create, operate or maintain a health insurance exchange.*

2. As used in this section, "health insurance exchange":

- (a) Means a person or entity that:*
 - (1) Facilitates the purchase and sale of health plans in the individual market in this State;*
 - (2) Assists employers in this State in facilitating the purchase of health plans and enrollment of employees or dependents of employees in health plans; or*
 - (3) Assists employers in this State in facilitating the application for subsidies for an employer providing a health plan for employees or dependents of employees.*

(b) Includes, without limitation, an American Health Benefit Exchange or a Small Business Health Options Program, as those terms are described in section 1311 of the federal Patient Protection and Affordable Care Act, 42 U.S.C. § 18031.

Senator Gustavson moved that the resolution be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By Senators Gustavson, Goicoechea, Hardy, Settlemeyer; Assemblymen Fiore, Shelton, Jones, Seaman, Nelson, Dickman, Dooling and Wheeler:

Senate Joint Resolution No. 15—Proposing to amend the Nevada Constitution to require proof of identity to vote in person.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That a new section, designated Section 11, be added to Article 2 of the Nevada Constitution to read as follows:

Sec. 11. 1. A registered voter who wishes to vote in person must present his or her proof of identity to the applicable election board officer.

2. The Legislature shall direct by law one or more governmental entities to issue at no charge a voter identification card to a person who:

(a) Is registered to vote in this State; and

(b) Does not possess proof of identity as described in subparagraph (1) of paragraph (b) of subsection 4.

3. A voter identification card issued to a person pursuant to subsection 2:

(a) Must include, without limitation, the name, address, date of birth, photograph and signature of the person; and

(b) Is valid as long as the person is registered to vote and resides at the address stated on the voter identification card.

4. As used in this section:

(a) "Governmental entity" means:

(1) An elected or appointed officer of this State or of a political subdivision of this State; or

(2) An institution, board, commission, bureau, council, department, division, authority or other unit of government of this State, including, without limitation, an agency of the Executive Department of the State Government, or of a political subdivision of this State.

(b) "Proof of identity" means:

(1) A document or identity card that:

(I) Is issued by a governmental entity, the United States or a federally recognized Indian tribe;

(II) Shows a recognizable photograph of the person to whom the document or identity card is issued;

(III) Shows the name and signature of the person to whom the document or identity card is issued; and

(IV) Bears an expiration date that is not earlier than 4 years before the date of the election for which the document or identity card is offered as proof of identity;

(2) A voter identification card issued pursuant to subsection 2; or

(3) A document provided by the administrator of a licensed medical facility or licensed facility for the dependent, as those terms are defined by statute, to a resident of the facility attesting to the person's identity and that he or she is a resident of the facility.

Senator Gustavson moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

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

Senate Joint Resolution No. 16—Ratifying the proposed amendment to the Constitution of the United States providing that equality of rights under the law shall not be denied or abridged by the United States or by any state on account of sex.

Senator Spearman moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Brower (by request):

Senate Bill No. 286—AN ACT relating to decedents; authorizing the Nevada Funeral and Cemetery Services Board to issue permits for the operation of direct cremation facilities and licenses to natural persons to engage in business as a death care consultant; establishing certain provisions related to the operation and advertisement of direct cremation facilities; requiring applicants for licenses, permits or certificates to submit fingerprints to the Board; establishing a continuing education requirement for funeral directors and embalmers; requiring certain applicants for a funeral director's license to complete a 1-year internship; revising the priority of persons who are authorized to order the burial or cremation of a decedent; providing that a person who is arrested for or charged with murder or voluntary manslaughter may not act as the person authorized to order the burial or cremation of the decedent who the person is accused of killing; requiring an operator of a crematory to ensure that any person operating crematory equipment has completed a crematory certification program; repealing certain provisions related to the provision of funeral and crematory services; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Gustavson and Assemblywoman Dickman:

Senate Bill No. 287—AN ACT relating to education; requiring the provision of instruction in cursive handwriting in all public elementary schools in this State; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Denis, Woodhouse; Assemblymen Araujo and Sprinkle:

Senate Bill No. 288—AN ACT relating to controlled substances; requiring each person who registers with the State Board of Pharmacy to prescribe or dispense a controlled substance to be provided access to the database of the computerized program to track prescriptions for certain controlled substances

that are filled by pharmacies; requiring each person who registers with the Board to prescribe controlled substances to access the database and report certain information to the Board; requiring each person who prescribes a controlled substance to register with the Board; authorizing the Board to impose a fee for such registration; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Denis and Assemblyman Paul Anderson:

Senate Bill No. 289—AN ACT relating to homeland security; requiring each provider of Internet protocol service which serves an agency or political subdivision of this State to maintain certain peering arrangements within this State; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hammond, Gustavson; Assemblymen O'Neill, Shelton, Fiore, Dickman and Dooling:

Senate Bill No. 290—AN ACT relating to education; requiring the State Board of Education to prescribe an examination to determine whether a pupil has mastered certain standards of content and performance; voiding the regulations through which the State Board adopted the Common Core State Standards; requiring the Council to Establish Academic Standards for Public Schools to adopt certain new standards in courses of study in English and mathematics; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson:

Senate Bill No. 291—AN ACT relating to civil actions; requiring a court to make certain reductions in the amounts awarded as damages in certain civil actions; imposing limits on the amount of certain medical expenses recoverable as damages in certain civil actions; authorizing the admission of certain evidence in certain civil actions; authorizing recovery or subrogation for the amount of certain medical expenses by certain persons in such actions; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson:

Senate Bill No. 292—AN ACT relating to civil actions; revising the applicability of certain provisions of existing law pertaining to certain civil actions involving negligence; revising provisions governing the limitation on the amount of noneconomic damages that may be awarded in certain civil actions; requiring a trier of fact to determine the percentage of responsibility for a plaintiff's harm assigned to various parties in certain civil actions; making various other changes relating to certain actions involving negligence; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Brower, Roberson, Kieckhefer and Assemblyman Hickey:

Senate Bill No. 293—AN ACT relating to campaign practices; requiring certain persons who do not file declarations of candidacy or acceptances of candidacy or appear on an election ballot within a certain period to dispose of unspent contributions; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks, Ford, Kihuen, Denis, Manendo and Woodhouse (by request):

Senate Bill No. 294—AN ACT relating to offenders; expanding the authorization for offenders to have access to telecommunications devices under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Woodhouse, Ford, Denis, Parks, Kihuen, Manendo, Segerblom, Smith; Assemblymen Bustamante Adams and Stewart:

Senate Bill No. 295—AN ACT relating to education; requiring the Department of Education to maintain an Internet website for public high schools to provide information on career pathways in science, technology, engineering and mathematics; requiring pupils enrolled in certain public schools to complete a course in computer science; requiring the board of trustees of each school district and the governing body of each charter school to ensure access to certain professional development training for teachers and administrators; requiring the board of trustees of each school district and governing body of each charter school to schedule a certain number of days of professional development for teachers and administrators; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson:

Senate Bill No. 296—AN ACT relating to damages; prohibiting the assertion of claims for punitive or exemplary damages in certain pleadings in civil actions; revising provisions relating to exemplary or punitive damages in certain civil actions; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy; Assemblymen Spiegel, Stewart and Silberkraus:

Senate Bill No. 297—AN ACT relating to redevelopment; revising provisions relating to the termination of certain redevelopment plans; 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:

Senate Bill No. 298—AN ACT relating to criminal procedure; removing the requirement to endorse certain witnesses at the time of filing an information; 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. 299—AN ACT relating to public health; requiring a provider of health care who provides services to certain patients through telehealth to have a valid license or certificate in this State; making persons who provide services through telehealth to certain patients subject to the laws and jurisdiction of this State; ratifying and enacting the Psychology Interjurisdictional Compact; requiring certain insurers to provide coverage to insureds for services provided through telehealth to the same extent as though provided in person; authorizing a hospital to provide staff privileges to certain providers of health care to provide services through telehealth; requiring the Commissioner of Insurance to consider health care services that may be provided by providers through telehealth when evaluating certain network plans; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson:

Senate Bill No. 300—AN ACT relating to civil actions; limiting a defendant's liability to only the percentage of responsibility assigned to that defendant by a trier of fact in certain actions; requiring the trier of fact to determine the percentage of responsibility for a plaintiff's harm assigned to various parties in certain actions; revising provisions governing comparative negligence; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hammond:

Senate Bill No. 301—AN ACT relating to education; requiring the board of trustees of a school district to approve the instructional materials for a course of instruction concerning acquired immune deficiency syndrome and the human reproductive system; making various other changes to provisions governing such courses; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hammond:

Senate Bill No. 302—AN ACT relating to education; establishing a program by which a child enrolled in a licensed private school may receive a grant of money in an amount equal to a certain percentage of the per-pupil amount apportioned to the resident school district of the child; providing for the amount of each grant to be deducted from the total apportionment to the school district; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hammond:

Senate Bill No. 303—AN ACT relating to the protection of children; revising provisions relating to the circumstances under which a child is considered to be in need of protection; revising provisions concerning proceedings related to the termination of parental rights; and providing other matters properly relating thereto.

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

Motion carried.

Senate in recess at 12:35 p.m.

SENATE IN SESSION

At 12:36 p.m.

President Hutchison presiding.

Quorum present.

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

Motion carried.

By Senator Roberson:

Senate Bill No. 304—AN ACT relating to motor vehicles; revising provisions relating to the use of safety belts in taxicabs; and providing other matters properly relating thereto.

Senator Roberson moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Judiciary.

Motion carried.

By Senator Segerblom:

Senate Bill No. 305—AN ACT relating to agriculture; authorizing the cultivation, storage and sale of industrial cannabis in this State under certain circumstances; creating the Industrial Cannabis Advisory Board; creating a list of approved seed cultivars for industrial cannabis; providing for the registration and regulation of growers of industrial cannabis and seed breeders; establishing requirements for the cultivation and testing of industrial cannabis; requiring certain reports be made to the Legislature regarding industrial cannabis; excluding industrial cannabis from the definition of marijuana for certain crimes; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Ford and Hammond:

Senate Bill No. 306—AN ACT relating to common-interest communities; revising provisions governing a unit-owners' association's lien on a unit for certain amounts due to the association; revising provisions governing the foreclosure of an association's lien; requiring the trustee under a deed of trust securing real property to provide a homeowners' association certain notice concerning the Foreclosure Mediation Program under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson:

Senate Bill No. 307—AN ACT relating to public office; revising provisions relating to the lobbying of State Legislators; revising provisions regulating gifts to public officers and candidates for public office; revising provisions governing financial disclosure statements and reports of campaign contributions and expenses filed by such public officers and candidates; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson:

Senate Bill No. 308—AN ACT relating to public works; making an appropriation to the State Public Works Board to fund certain public works projects; and providing other matters properly relating thereto.

Senator Roberson moved that the bill be referred to the Committee on Finance.

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 309—AN ACT relating to controlled substances; enacting the Good Samaritan Drug Overdose Act; authorizing certain health care professionals to prescribe and dispense an opioid antagonist to certain persons under certain circumstances; providing immunity from civil and criminal liability and professional discipline for such prescribing and dispensing of an opioid antagonist; providing criminal and other immunity for persons who seek medical assistance for a person who is experiencing a drug or alcohol overdose under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 310—AN ACT relating to local government financing; extending the termination date of certain tourism improvement districts; revising provisions governing the use of certain proceeds from the local school support tax to finance or reimburse a tourism improvement district; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 311—AN ACT relating to irrigation districts; revising provisions relating to indebtedness and assessments by the board of directors of an irrigation district; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 312—AN ACT relating to taxing districts; requiring a city that has created a taxing district to improve and maintain publicly owned facilities for tourism and entertainment to impose, in addition to any other surcharge, a surcharge on the per night charge for the rental of a room in a hotel in the district that holds a nonrestricted gaming license; providing that the money collected from the surcharge must be used by the city or the county fair and recreation board, as applicable, only to pay the costs of advertising, publicizing and promoting the recreational facilities located in the district; creating in a county in which is located a city that has created a taxing district to improve and maintain publicly owned facilities for tourism and entertainment a similar district comprised of all property within the county, including property located within any city in the county, other than property located in the district created by the city; creating a governing body for the district; requiring the governing body of the district to prescribe the boundaries of the district and impose a surcharge on the per night charge for the rental of a room in a hotel in the district that holds a nonrestricted gaming license; prescribing the uses of the money collected from the surcharge; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 313—AN ACT relating to education; authorizing the governing body of a private school to develop and provide a program of distance education; authorizing the governing body of a university school for profoundly gifted pupils to associate and enter into an agreement with the governing body of a private school for the purpose of developing the curriculum of a program of distance education provided by the private school; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson and Assemblyman Thompson:

Senate Bill No. 314—AN ACT relating to public health; revising the composition and duties of health districts in certain larger counties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson:

Senate Bill No. 315—AN ACT relating to state employees; revising the pay for certain state employees for legal holidays; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 316—AN ACT relating to elections; providing for voter preregistration by certain persons who are 17 years of age; authorizing an elector to register to vote on the day of certain elections and setting forth requirements for such registration; requiring permanent polling places to remain open for certain hours on Sundays during early voting in certain counties; extending the period during which an elector can register to vote; requiring county and city clerks to distribute sample ballots by electronic mail under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

Assembly Bill No. 41.

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

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 118.

Bill read third time.

Remarks by Senator Hardy.

Senate Bill No. 118 revises various provisions of the Charter of the City of Sparks to limit the authority of the City Manager, instead authorizing the municipal judges and the Administrative Judge, to take certain actions concerning employees of the Municipal Court. Additionally, the civil service rules for employees of the City do not apply to officers and employees of the Municipal Court. This bill is effective upon passage and approval.

The Nevada Supreme Court recently held in *City of Sparks v. Sparks Municipal Court*, 129 Nev. Adv. Op. 38, 302 P.3d 1118 (2013), that certain provisions of the Charter of the City of Sparks that related to employees of the City's Municipal Court were unconstitutional. This bill makes various changes to the Charter to conform with that opinion.

Roll call on Senate Bill No. 118:

YEAS—19.

NAYS—None.

EXCUSED—Segerblom, Smith—2.

Senate Bill No. 118 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senator Roberson moved that the Senate recess until 5:00 p.m.

Motion carried.

Senate in recess at 12:48 p.m.

SENATE IN SESSION

At 6:44 p.m.

President Hutchison presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. President:

Your Committee on Commerce, Labor and Energy, to which was referred Senate Bill No. 159, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES A. SETTELMAYER, *Chair*

Mr. President:

Your Committee on Health and Human Services, to which was referred Assembly Bill No. 29, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOSEPH P. HARDY, *Chair*

Mr. President:

Your Committee on Legislative Operations and Elections, to which was referred Senate Joint Resolution No. 2, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PATRICIA FARLEY, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 16, 2015

To the Honorable the Senate:

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

CAROL AIELLO-SALA
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Roberson, Harris, Farley, Hardy and Settlemeyer:

Senate Joint Resolution No. 17—Proposing to amend the Nevada Constitution to expand the rights guaranteed to victims of crime by adopting a victims' bill of rights.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That a new section, designated Section 23, be added to Article 1 of the Nevada Constitution to read as follows:

Sec. 23. 1. Each person who is the victim of a crime is entitled to the following rights:

(a) To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment and abuse, throughout the criminal or juvenile justice process.

(b) To be reasonably protected from the defendant and persons acting on behalf of the defendant.

(c) To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.

(d) To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.

(e) To refuse an interview, deposition or discovery request by the defendant, the defendant's attorney or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.

(f) To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant and, upon request, to be notified of and informed before any pretrial disposition of the case.

(g) To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other postconviction release proceedings, and to be present at all such proceedings.

(h) To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a postarrest release decision, plea, sentencing, postconviction release decision or any proceeding in which a right of the victim is at issue.

(i) To a speedy trial and a prompt and final conclusion of the case and any related postjudgment proceedings.

(j) To provide information to any public officer or employee conducting a presentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.

(k) To receive, upon request, the report of any presentence investigation when available to the defendant, except for those portions made confidential by law.

(l) To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant and the release of or the escape by the defendant from custody.

(m) To restitution as provided by law.

(n) To the prompt return of property when no longer needed as evidence.

(o) To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender and to be notified, upon request, of the parole or other release of the offender.

(p) To have the safety of the victim, the victim's family and the general public considered before any parole or other postjudgment release decision is made.

(q) To be informed of the rights enumerated in paragraphs (a) to (p), inclusive.

2. A victim, the retained attorney of a victim, a lawful representative of the victim or the prosecuting attorney upon request of the victim may enforce the rights enumerated in subsection 1 in any trial or appellate court with jurisdiction over the case as a matter of right. The court shall act promptly on such a request.

3. Except as otherwise provided in subsection 4, no person may maintain an action against this State or any public officer or employee for damages or injunctive, declaratory or other legal or equitable relief on behalf of a victim of a crime as a result of a violation of this section or any statute enacted by the Legislature pursuant thereto. No such violation authorizes setting aside a conviction or sentence or continuing or postponing a criminal proceeding.

4. A person may maintain an action to compel a public officer or employee to carry out any duty required by this section or any statute enacted by the Legislature pursuant thereto.

5. The granting of these rights to victims must not be construed to deny or disparage other rights possessed by victims. A court in its discretion may extend the right to be heard at sentencing to any person harmed by the defendant. A parole authority shall extend the right to be heard at a parole hearing to any person harmed by the offender.

6. At the regular session of the Legislature immediately following the approval and ratification of this section by the people, the Legislature shall provide by law that:

(a) All persons who suffer losses as a result of criminal activity have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.

(b) Restitution must be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a victim suffers a loss.

(c) All monetary payments, money and property collected from any person who has been ordered to make restitution must be first applied to pay the amounts ordered as restitution to the victim.

7. The Legislature shall by law provide any other measure necessary or useful to secure to victims of crime the benefit of the rights set forth in this section.

8. As used in this section, "victim" means a person who suffers direct or threatened physical, psychological or financial harm as a result of the commission or attempted commission of a crime or delinquent act. The term also includes, without limitation, the person's spouse, parents, children, siblings or guardian, and includes a lawful representative of a victim who is deceased, a minor or physically or psychologically incapacitated. The term does not include a person in custody for an offense, the accused or a person whom the court finds would not act in the best interests of a minor victim.

And be it further

RESOLVED, That Section 8 of Article 1 of the Nevada Constitution be amended to read as follows:

Sec. 8. 1. No person shall be tried for a capital or other infamous crime (except in cases of impeachment, and in cases of the militia when in actual service and the land and naval forces in time of war, or which this State may keep, with the consent of Congress, in time of peace, and in cases of petit larceny, under the regulation of the Legislature) except on presentment or indictment of the grand jury, or upon information duly filed by a district attorney, or Attorney General of the State, and in any trial, in any court whatever, the party accused shall be allowed to appear and defend in person, and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offense; nor shall he be compelled, in any criminal case, to be a witness against himself.

2. ~~[(The Legislature shall provide by law for the rights of victims of crime, personally or through a representative, to be:~~

~~—(a) Informed, upon written request, of the status or disposition of a criminal proceeding at any stage of the proceeding;~~

~~—(b) Present at all public hearings involving the critical stages of a criminal proceeding; and~~

~~—(c) Heard at all proceedings for the sentencing or release of a convicted person after trial.~~

~~3. Except as otherwise provided in subsection 4, no person may maintain an action against the State or any public officer or employee for damages or injunctive, declaratory or other legal or equitable relief on behalf of a victim of a crime as a result of a violation of any statute enacted by the Legislature pursuant to subsection 2. No such violation authorizes setting aside a conviction or sentence or continuing or postponing a criminal proceeding.~~

~~4. A person may maintain an action to compel a public officer or employee to carry out any duty required by the Legislature pursuant to subsection 2.~~

~~5.] No person shall be deprived of life, liberty, or property, without due process of law.~~

{6.] 3. Private property shall not be taken for public use without just compensation having been first made, or secured, except in cases of war, riot, fire, or great public peril, in which case compensation shall be afterward made.

Senator Roberson moved that the resolution be referred to the Committee on Judiciary.

Motion carried.

By Senator Segerblom:

Senate Joint Resolution No. 18—Proposing to amend the Nevada Constitution to repeal term limits for state and local offices.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That Section 3 of Article 4 of the Nevada Constitution be amended to read as follows:

Sec. 3. {1.] The members of the Assembly shall be chosen biennially by the qualified electors of their respective districts, on the Tuesday next after the first Monday in November and their term of Office shall be two years from the day next after their election.

~~{2. No person may be elected or appointed as a member of the Assembly who has served in that Office, or at the expiration of his current term if he is so serving will have served, 12 years or more, from any district of this State.]~~

And be it further

RESOLVED, That Section 4 of Article 4 of the Nevada Constitution be amended to read as follows:

Sec. 4. {1.] Senators shall be chosen at the same time and places as members of the Assembly by the qualified electors of their respective districts, and their term of Office shall be four years from the day next after their election.

~~{2. No person may be elected or appointed as a Senator who has served in that Office, or at the expiration of his current term if he is so serving will have served, 12 years or more, from any district of this State.]~~

And be it further

RESOLVED, That Section 3 of Article 5 of the Nevada Constitution be amended to read as follows:

Sec. 3. No person shall be eligible to the Office of Governor, who is not a qualified elector, and who, at the time of such election, has not attained the age of twenty five years; and who shall not have been a citizen resident of this State for two years next preceding the election. ~~{; nor shall any person be elected to the Office of Governor more than twice; and no person who has held the Office of Governor, or acted as Governor for more than two years of a term to which some other person was elected Governor shall be elected to the Office of Governor more than once.]~~

And be it further

RESOLVED, That Section 19 of Article 5 of the Nevada Constitution be amended to read as follows:

Sec. 19. 1. A Secretary of State, a Treasurer, a Controller, and an Attorney General, shall be elected at the same time and places, and in the same manner as the Governor. The term of office of each shall be the same as is prescribed for the Governor.

2. Any elector shall be eligible to any of these offices . ~~[but no person may be elected to any of them more than twice, or more than once if he has previously held the office by election or appointment.]~~

And be it further

RESOLVED, That Section 3 of Article 15 of the Nevada Constitution be amended to read as follows:

Sec. 3. ~~[1.]~~ No person shall be eligible to any office who is not a qualified elector under this Constitution.

~~[2. No person may be elected to any state office or local governing body who has served in that office, or at the expiration of his current term if he is so serving will have served, 12 years or more, unless the permissible number of terms or duration of service is otherwise specified in this Constitution.]~~

Senator Ford moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Senator Segerblom:

Senate Joint Resolution No. 19—Proposing to amend the Nevada Constitution to authorize the Legislature to provide by law for the taxation of certain estates.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That a new section, designated Section 4A, be added to Article 10 of the Nevada Constitution to read as follows:

Sec. 4A. Notwithstanding any other provision of this Constitution, the Legislature may provide by law for the taxation of estates having a value of \$1,000,000,000 or more, at a rate not to exceed 1 percent of the taxable value of any such estate.

And be it further

RESOLVED, That Section 4 of Article 10 of the Nevada Constitution be amended to read as follows:

Sec. 4. ~~[The]~~ *Except as otherwise provided in Section 4A of this Article, the legislature may provide by law for the taxation of estates taxed by the United States, but only to the extent of any credit allowed by federal law for the payment of the state tax and only for the purpose of education, to be divided between the common schools and the state university for their support and maintenance. The combined amount of these federal and state taxes may not exceed the estate tax which would be imposed by federal law alone. If another state of the United States imposes and collects death taxes against an estate which is taxable by the State of Nevada under this section, the amount of estate tax to be collected by the State of Nevada must be reduced by the amount of the death taxes collected by the other state. Any lien for the estate tax attaches no sooner than the time when the tax is due and payable, and no restriction on possession or use of a decedent's property may be imposed by law before the time when the tax is due and payable in full under federal law. The State of Nevada shall:*

1. Accept the determination by the United States of the amount of the taxable estate without further audit.
2. Accept payment of the tax in installments proportionate to any which may be permitted under federal law.
3. Impose no penalty for such a deferred payment.
4. Not charge interest on a deferred or belated payment at any rate higher than may be provided in similar circumstances by federal law.

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

Motion carried.

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

Senate Concurrent Resolution No. 4—Directing the Legislative Commission to conduct an interim study relating to energy efficiency programs.

Senator Spearman moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

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

Senate Concurrent Resolution No. 5—Directing the Legislative Commission to appoint a committee to conduct an interim study relating to the working conditions at state correctional institutions and facilities and to the supervision of offenders.

Senator Spearman moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senators Roberson and Settlemeyer:

Senate Bill No. 317—AN ACT relating to economic development; revising provisions of the Nevada New Markets Jobs Act, which authorizes tax credits for certain business entities to use against the insurance premium tax; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 318—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.

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

Motion carried.

By Senators Ford, Spearman, Parks, Kihuen, Atkinson, Denis, Manendo; Assemblymen Kirkpatrick, Fiore, Araujo, Benitez-Thompson, Carlton, Shelton and Sprinkle:

Senate Bill No. 319—AN ACT relating to civil rights; revising provisions governing the restoration of the right to vote to certain persons who have been convicted of felonies; revising provisions governing the sealing of the criminal records of a person; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Harris, Roberson and Lipparelli:

Senate Bill No. 320—AN ACT relating to time shares; requiring certain disclosures to be included in public offering statements filed with the Real Estate Division of the Department of Business and Industry by developers of time shares; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Harris, Roberson, Farley, Ford, Atkinson and Woodhouse:

Senate Bill No. 321—AN ACT relating to real property; authorizing a mortgagor or a grantor or person who holds title of record with respect to a deed of trust to initiate a mediation with the mortgagee or beneficiary of the deed of trust under certain circumstances; providing for the imposition of a fee for mediation; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Harris, Farley, Hammond and Settlemeyer:

Senate Bill No. 322—AN ACT relating to elections; providing minimum font sizes for required disclosures on printed electioneering communications; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 323—AN ACT relating to economic development; requiring the Office of Economic Development to develop and carry out a program to provide loans to certain small businesses owned by minorities or women; authorizing the issuance of revenue bonds to fund loans for the expansion of certain small businesses owned by minorities or women; 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 Senator Manendo (by request):

Senate Bill No. 324—AN ACT relating to the Department of Transportation; authorizing the Director of the Department to adopt regulations to enforce compliance with the conditions of certain

environmental permits; providing civil and criminal penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Goicoechea, Hardy, Brower, Roberson, Lipparelli, Kieckhefer and Settlemeyer:

Senate Bill No. 325—AN ACT relating to state governmental procurement; requiring the connection between the bidder and the State of Nevada to be considered as a factor with respect to state purchasing contracts; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Farley and Goicoechea:

Senate Bill No. 326—AN ACT relating to public works; revising the provisions governing the wages paid on public works; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Farley, Harris and Hardy:

Senate Bill No. 327—AN ACT relating to air ambulances; providing for the minimum number of attendants and qualifications of those attendants for an air ambulance; amending certain permitting requirements for air ambulances; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Farley, Hardy and Harris:

Senate Bill No. 328—AN ACT relating to insurance; requiring the Commissioner of Insurance to adopt regulations prescribing templates for certain formularies; requiring certain insurers issuing policies of health insurance and health care plans which provide coverage for prescription drugs and the Commissioner of Insurance to make formularies and other information available online; requiring certain insurers issuing policies of health insurance and health care plans which provide coverage for mental health services to provide certain information online; requiring formularies to be posted on the Silver State Health Insurance Exchange; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Lipparelli, Hammond, Roberson, Gustavson and Hardy:

Senate Bill No. 329—AN ACT relating to partnerships; exempting, under certain circumstances, certain persons from liability as a partner by estoppel and liability as a purported partner; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Lipparelli, Hammond, Hardy, Harris and Gustavson:

Senate Bill No. 330—AN ACT relating to education; authorizing a pupil or school to appeal a final decision or order of the Executive Director of the Nevada Interscholastic Activities Association to the Director of the Department of Administration; requiring the Director, upon receiving an appeal, to appoint an independent hearing officer to review and conduct a hearing on the appeal; prescribing the eligibility of a pupil to participate and practice in a sanctioned sport upon the pupil's transfer from one high school to another high school; authorizing a pupil who enrolls in a private school or public school to be immediately eligible to participate and practice in a sanctioned sport under certain circumstances; prohibiting the Commission on Professional Standards in Education from conditioning the endorsement of a license to serve as a school nurse on the completion of any course or examination on certain subjects; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Ford, Spearman, Kihuen, Parks, Atkinson, Denis, Manendo, Woodhouse; Assemblymen Kirkpatrick, Araujo, Benitez-Thompson, Carlton and Sprinkle:

Senate Bill No. 331—AN ACT relating to elections; establishing procedures by which the Department of Motor Vehicles may transmit certain information electronically to register a person to vote or update a person's voter registration; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Ford and Hammond:

Senate Bill No. 332—AN ACT making an appropriation to the Clark County School District to carry out a program of peer evaluations of

teachers; requiring the Clark County School District to use the money to provide assistance to teachers in meeting the standards of effective teaching; and providing other matters properly relating thereto.

Senator Roberson moved that the bill be referred to the Committee on Finance.

Motion carried.

By Senators Roberson, Kieckhefer, Brower, Goicoechea, Hardy, Gustavson, Lipparelli and Settlemeyer:

Senate Bill No. 333—AN ACT relating to property; changing the homestead exemption from an exemption based on equity to an exemption based on acreage; making various other changes concerning certain property that is exempt from execution; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Kieckhefer, Brower, Hardy, Gustavson, Farley, Goicoechea, Harris and Lipparelli:

Senate Bill No. 334—AN ACT relating to taxes on retail sales; providing for the submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to provide an exemption from the tax for certain durable medical equipment and mobility-enhancing equipment; providing for the submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to provide an exemption from the tax for hearing aids and hearing aid accessories; providing for the submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to provide an exemption from the tax for certain ophthalmic or ocular devices or appliances; providing for the exemptions from certain analogous taxes if the voters approve these amendments to the Sales and Use Tax Act of 1955; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 335—AN ACT relating to local government; requiring a county or city to notify and meet with a telecommunication provider under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks, Kieckhefer, Segerblom, Smith, Kihuen, Atkinson, Denis and Farley:

Senate Bill No. 336—AN ACT relating to public health; authorizing a physician to prescribe a controlled substance that is designed to end the life of a patient under certain circumstances; prohibiting persons other than a patient from administering a controlled substance that is designed to end the life of the patient; imposing requirements on certain providers of health care relating to the records of a patient who requests a controlled substance that is designed to end his or her life; providing immunity to certain providers of health care who take certain actions relating to prescribing a controlled substance that is designed to end the life of a patient; prohibiting certain fraudulent or coercive acts for the purpose of causing a person to self-administer a controlled substance that is designed to end the life of the person; authorizing the owner or operator of a health care facility to prohibit providers of health care from providing certain services relating to a controlled substance that is designed to end the life of a person; providing that the cause of death of a person who self-administers a controlled substance designed to end his or her life is the terminal condition with which the person was diagnosed; prohibiting a person from conditioning provisions of a will, contract, agreement or policy of insurance on the request for or acquisition or administration of a controlled substance designed to end the life of the person; prohibiting a person from refusing to sell or provide health or life insurance to a person or deny benefits because the person requested or revoked a request for a controlled substance designed to end the life of the person; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks and Denis:

Senate Bill No. 337—AN ACT relating to sales and use taxes; revising provisions relating to the expenditure of sales and use taxes generated by the Clark County Sales and Use Tax Act of 2005; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Smith, Woodhouse, Ford, Kihuen, Parks, Atkinson, Denis, Manendo, Spearman; Assemblymen Sprinkle, Elliot Anderson, Araujo, Carrillo, Diaz, Flores, Joiner, Munford, and Swank:

Senate Bill No. 338—AN ACT relating to public schools; requiring the Attorney General to establish the Safe-to-Tell Program to enable the anonymous reporting of dangerous, violent or unlawful activity, or threats thereof, in or at a public school; prohibiting the release of records or

information of the Program except under certain circumstances; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Smith, Woodhouse, Denis, Parks, Brower, Atkinson, Ford, Hardy, Kieckhefer, Kihuen, Manendo, Segerblom, Spearman; Assemblymen Sprinkle, Joiner, Araujo, Carrillo, Hickey, Kirner, Munford and Stewart:

Senate Bill No. 339—AN ACT relating to tobacco; authorizing the Nevada System of Higher Education to impose additional restrictions relating to the use of tobacco; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Smith, Ford, Spearman, Parks, Atkinson, Denis, Kihuen, Manendo, Woodhouse; Assemblymen Carrillo, Araujo, Joiner, Spiegel and Sprinkle:

Senate Bill No. 340—AN ACT relating to public works; disqualifying a contractor from being awarded a contract for a public work under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 341—AN ACT relating to plans for dental care; revising provisions relating to organizations for dental care; establishing requirements relating to the use of a network of dentists by a third party; 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 Smith, Spearman, Parks, Atkinson, Denis, Ford, Kihuen, Manendo, Woodhouse and Assemblyman Carrillo:

Senate Bill No. 342—AN ACT relating to alcoholic beverages; clarifying that the term "wine" includes hard cider; reducing the rate of the excise tax levied on hard cider; 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 Smith, Parks, Atkinson, Kihuen, Woodhouse, Denis, Ford, Manendo; Assemblymen Carrillo, Araujo, Joiner and Sprinkle:

Senate Bill No. 343—AN ACT relating to vital statistics; authorizing a person who has completed treatment for gender transition to obtain a new certificate of birth to reflect his or her gender identity; 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 Smith, Woodhouse, Denis, Kihuen, Parks, Atkinson, Ford, Manendo, Spearman; Assemblymen Araujo, Carrillo, Joiner, Munford, Spiegel and Sprinkle:

Senate Bill No. 344—AN ACT relating to economic development; establishing a pilot entrepreneur-in-residence program within the Office of Economic Development; 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 Smith, Woodhouse, Denis, Kihuen, Parks, Atkinson, Ford, Manendo, Spearman; Assemblymen Araujo, Carrillo, Joiner, Munford, Spiegel and Sprinkle:

Senate Bill No. 345—AN ACT relating to education; revising provisions governing the count of pupils for the purpose of calculating basic support; requiring the board of trustees of each school district to establish, equip and maintain a full-day kindergarten in each elementary school or school attendance area in the district; revising provisions governing the age at which a child is required to be enrolled in and attend school; requiring a child who is 5 years of age on or before September 30 of a school year to be admitted to kindergarten at the beginning of that school year unless a waiver is filed with the school district; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 346—AN ACT relating to the taxation of businesses; authorizing certain credits against the taxes imposed on financial institutions and other businesses for certain costs incurred by employers relating to the provision of day care to the children of their employees; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 347—AN ACT making an appropriation for Fiscal Year 2015-2016 and Fiscal Year 2016-2017 for distribution to junior high schools and middle schools that are low performing academically; requiring schools that receive an allocation of such money to use the money to offer certain programs and services to certain pupils; requiring Clark and Washoe County School Districts and the Department of Education to prepare an annual report; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson:

Senate Bill No. 348—AN ACT relating to unclaimed property; exempting public infrastructure proceeds from provisions governing the disposition of unclaimed property; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Woodhouse, Ford, Spearman, Denis, Parks, Atkinson, Kihuen, Manendo, Segerblom and Smith (by request):

Senate Bill No. 349—AN ACT relating to mortgage loans; revising various examination requirements related to an initial license as a mortgage broker or mortgage agent; revising exceptions to certain requirements for the foreclosure of owner-occupied housing securing a residential mortgage loan; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 350—AN ACT relating to concealed firearms; authorizing a sheriff to provide certain information concerning the availability of certain courses relating to firearm safety; authorizing persons who hold permits to carry concealed firearms to carry concealed firearms on the property of the Nevada System of Higher Education under certain circumstances; authorizing the Police Department for the System to provide certain information concerning the availability of certain courses relating to firearm safety; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Segerblom:

Senate Bill No. 351—AN ACT relating to correctional institutions; establishing certain limits on and grounds for placing an offender in isolated confinement; establishing procedures governing hearings and determinations to place an offender in long-term isolated confinement; requiring periodic mental health evaluations of offenders placed in long-term isolated confinement; requiring the establishment of a program and individualized plans for offenders to earn their way out of such confinement through good behavior; requiring a program of resocialization to be offered to offenders who have been held in long-term isolated confinement; establishing certain provisions governing the evaluation, treatment, housing and discipline of offenders who have serious mental illness or other significant mental impairment; requiring the Department of Corrections to conduct certain reviews and submit certain reports to the Advisory Commission on the Administration of Justice; requiring the Division of Public and Behavioral Health of the Department of Health and Human Services to monitor the quality of care for mental health and habilitation provided to certain offenders; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Gustavson:

Senate Bill No. 352—AN ACT relating to crimes; enacting the Nevada Liberty Preservation Act; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks, Spearman, Atkinson and Assemblywoman Swank:

Senate Bill No. 353—AN ACT relating to mental health professionals; prohibiting certain practitioners from providing sexual orientation conversion therapy to a minor; providing a civil cause of action relating to the prohibition; 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 Senators Denis, Manendo, Hammond, Woodhouse and Assemblyman Araujo:

Senate Bill No. 354—AN ACT relating to public safety; authorizing the operation of a motorized wheelchair on any path or lane set aside for the use of bicycles and electric bicycles; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hammond:

Senate Bill No. 355—AN ACT relating to real property; revising provisions relating to amendments to the declaration of a common-interest community; revising provisions relating to the filling of vacancies on an executive board of a unit-owner's association; revising provisions governing the election of the members of an executive board; revising provisions governing meetings of an executive board; revising provisions governing the transfer of certain rights of the declarant of a common-interest community; revising provisions governing meetings of the units' owners of a unit-owners' association; revising provisions governing proxy voting by units' owners; revising provisions governing the foreclosure of an association's lien on a unit; revising provisions relating to the program for foreclosure mediation; revising provisions relating to the reconveyance of certain property held in trust by a county treasurer; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Smith, Parks, Woodhouse, Kihuen, Ford, Atkinson, Denis, Manendo, Spearman; Assemblymen Sprinkle, Carrillo, Araujo, Joiner and Spiegel:

Senate Bill No. 356—AN ACT relating to the Public Employees' Retirement System; providing that certain records and files of the System, and the information contained therein, are confidential and not public books or records; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Smith, Parks, Atkinson, Denis, Kihuen, Manendo, Spearman, Woodhouse and Assemblyman Carrillo:

Senate Bill No. 357—AN ACT relating to pharmacists; authorizing a registered pharmacist or registered intern pharmacist to administer a drug to the body of a patient by certain means; authorizing a registered pharmacist to administer a vaccine under certain circumstances and to furnish certain drugs to a patient without a prescription; authorizing the State Board of Pharmacy to issue an endorsement as an advanced practice pharmacist to a registered pharmacist under certain circumstances; 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 Smith, Parks, Atkinson, Kihuen, Woodhouse, Denis, Ford, Manendo, Spearman; Assemblymen Sprinkle, Carrillo, Araujo and Joiner:

Senate Bill No. 358—AN ACT relating to civil actions; providing an exemption to the publication requirement for a court-ordered change of name if the reason for the change is to conform the person's name to his or her gender identity; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 359—AN ACT relating to child care; requiring a child care facility to admit, before granting admission to any other child, a child who has a parent or guardian who is currently serving on active duty in the Armed Forces of the United States or a parent who was killed, went missing or was captured while serving honorably on active duty in the Armed Forces of the United States; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 360—AN ACT relating to energy efficiency; directing the Legislative Commission to appoint a committee to conduct an interim study concerning the viability of establishing green banks and similar entities to help finance the use and harnessing of clean energy in this State, for both commercial and residential properties; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 361—AN ACT relating to health care; requiring certain health care facilities to establish a staffing plan that provides adequate staffing; providing nurse-to-patient ratios for use in such a staffing plan; authorizing such a health care facility to deviate from the staffing requirements under certain circumstances; requiring certain health care facilities to develop a description of specified responsibilities, to post a

notification relating to staffing and to provide specified training; revising the membership and duties of the staffing committees of certain hospitals; revising provisions relating to the training and licensing of nurses and certified nursing assistants; providing administrative penalties; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 362—AN ACT relating to public health; authorizing the Director of the Department of Health and Human Services to establish an educational program regarding the prevention of domestic violence under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 363—AN ACT relating to mental health; requiring the Division of Public and Behavioral Health of the Department of Health and Human Services to establish a toll-free telephone number to assist any person in this State who is experiencing or knows someone who is experiencing a mental health crisis; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 364—AN ACT relating to child care; requiring the establishment of a pilot program to provide financial assistance to pay the cost of child care to certain eligible parents; creating the Fund for the Mitigation of the Cliff Effect on Financial Assistance for Child Care within the State General Fund for grants to counties participating in the pilot program; providing requirements for counties which receive grants pursuant to the pilot program; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 365—AN ACT relating to securities; providing for an exemption from the requirement to register for certain offerings for the sale of securities made through certain Internet websites; establishing certain requirements relating to an issuer of a security who qualifies for such an exemption; providing for the registration of certain operators of Internet websites who post offerings for the sale of securities not required to be registered; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Kihuen, Segerblom, Parks, Atkinson, Ford and Spearman:

Senate Bill No. 366—AN ACT relating to controlled substances; reducing the penalty for possession of certain amounts of marijuana; requiring local authorities to impose a civil penalty for the possession of certain amounts of marijuana; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 367—AN ACT relating to controlled substances; providing that possession of certain controlled substances may be punishable as a gross misdemeanor; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 368—AN ACT relating to elections; requiring that candidates for city council of a city that is divided into wards be voted upon in a primary or general election only by the registered voters of the ward that the candidate seeks to represent; creating an additional ward in certain cities; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Kihuen, Parks, Ford, Atkinson, Spearman and Denis:

Senate Bill No. 369—AN ACT relating to correctional institutions; authorizing the release of certain prisoners from certain county jails if the number of prisoners that the sheriff determines may be safely housed in the

jail based on health and safety considerations is exceeded; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS
SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary of the Senate signed Senate Bill No. 115.

REMARKS FROM THE FLOOR

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

SENATOR HARDY:

Today, Nevada is at the center of the Alzheimer's epidemic. There are more than 30,000 Nevadans living with Alzheimer's disease, and that number is expected to nearly double by 2050. Alzheimer's is the most costly medical condition in America, costing Medicare and Medicaid nearly \$140 billion last year alone. The time to act is now. I would like to thank the 80 volunteer advocates in attendance today who, with the Alzheimer's Association, came from every corner of Nevada to educate us about their experience with Alzheimer's and dementia, and to advocate for their loved ones living this disease.

SENATOR ATKINSON:

I am always proud when we can have the students from Clark County visit us, here, at the Senate. A decade ago, before we got into tight times, I wanted to introduce a bill to mandate that every student in Clark County—especially our students who have attended grades K-12—have the opportunity to visit their Capital at least once during their time in the Clark County school system. I think at some point in time we, as a Body, should make sure this happens. It is a huge travesty to our students and our State that we have students who go through our entire educational system and have never visited the Capital. I am glad these students are getting the opportunity to visit.

SENATOR MANENDO:

Thank you, Mr. President. I, again, have some sad news. Jack Schofield, our former Assemblyman and a member of the State Board of Regents, passed away on Friday. Our thoughts and prayers are with him and his family. He leaves behind his wife, Alene, and 6 children. Back in 2013, he said he had 34 grand-children and 59 great-grandchildren. Mr. Schofield was the Golden Gloves welterweight boxing champion in 1941 and served as a decorated pilot during World War II. Our thoughts and prayers are with him and the family at this most difficult time.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Atkinson, the privilege of the floor of the Senate Chamber for this day was extended to students from Andre Agassi College: 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 Senator Atkinson, the privilege of the floor of the Senate Chamber for this day was extended to Robin Harris.

On request of Senator Hardy, the privilege of the floor of the Senate Chamber for this day was extended to former Senator Valerie Wiener.

On request of Senator Roberson, the privilege of the floor of the Senate Chamber for this day was extended to Albert Chavez.

On request of Senator Spearman, the privilege of the floor of the Senate Chamber for this day was extended to Nevadans for the ERA: Gale Audia, Janette Dean, Dotty Dennis, Rosemary French, Patricia Gallimore, Shannon Gallimore, Sarah Mahler, Janet Walls, Katherine Winans and Peggy Wosniak.

Senator Roberson moved that the Senate adjourn until Tuesday, March 17, 2015, at 11:00 a.m. and that it do so in memory of former Assemblyman Jack Schofield.

Motion carried.

Senate adjourned at 7:05 p.m.

Approved:

MARK A. HUTCHISON
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate