

THE NINETY-SECOND DAY

CARSON CITY (Monday) May 4, 2015

Senate called to order at 12:10 p.m.

President Hutchison presiding.

Roll called.

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

Prayer by the Chaplain, Lieutenant Mark Cyr.

Our God in Heaven, Father, we thank You for this great State of Nevada. We cry out to You, Lord, asking You to unite us together as one people. Lord, I ask your blessing and strength to be on each of our leaders. Give them wisdom, courage and understanding. Help them see clearly what You see as the needs of our State and its people. Give them the direction of prosperity for our future and integrity that will guide our State down a road of freedom.

Father, we pray these things in the precious Name of Jesus.

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 Finance, to which was re-referred Senate Bill No. 490, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BEN KIECKHEFER, *Chair*

Mr. President:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 14, 19, 25, 58, 90, 180, 194, 202, 415, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PETE GOICOECHEA, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, May 1, 2015

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bills Nos. 44, 417.

CAROL AIELLO-SALA

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Roberson moved that, in accordance with Senate Standing Rule No. 50 and the notice to withdraw announced on the previous legislative day, Senate Bill No. 332 be withdrawn from the Committee on Finance and re-referred to the Committee on Education.

Motion carried.

Senator Kieckhefer moved that Assembly Bills Nos. 137, 175 be taken from the Second Reading File and placed on the Secretary's desk.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 27.

Bill read second time and ordered to third reading.

Assembly Bill No. 30.

Bill read second time and ordered to third reading.

Assembly Bill No. 73.

Bill read second time and ordered to third reading.

Assembly Bill No. 74.

Bill read second time and ordered to third reading.

Assembly Bill No. 75.

Bill read second time and ordered to third reading.

Assembly Bill No. 87.

Bill read second time and ordered to third reading.

Assembly Bill No. 103.

Bill read second time and ordered to third reading.

Assembly Bill No. 131.

Bill read second time and ordered to third reading.

Assembly Bill No. 154.

Bill read second time and ordered to third reading.

Assembly Bill No. 157.

Bill read second time and ordered to third reading.

Assembly Bill No. 179.

Bill read second time and ordered to third reading.

Assembly Bill No. 188.

Bill read second time and ordered to third reading.

Assembly Bill No. 250.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 504.

Bill read third time.

Remarks by Senators Kieckhefer, Gustavson, Hardy, Woodhouse and Hammond.

SENATOR KIECKHEFER:

Senate Bill No. 504 makes various changes to Nevada law concerning bullying and cyber-bullying in public schools. Specifically, this bill: provides for disciplinary and licensure

proceedings against certain school officials who knowingly and willfully fail to comply with applicable provisions of law regarding bullying and cyber-bullying; allows the parent of a student to petition a court to compel performance by a school official of any duty imposed by law regarding bullying and cyber-bullying; creates the Office for a Safe and Respectful Learning Environment within the Department of Education, which will conduct training and outreach, and maintain a 24-hour toll-free hotline and website for public information and incident reporting. General Fund appropriations totaling \$300,000 in each year of the 2015-17 biennium are included in the Executive Budget to establish the Office for a Safe and Respectful Learning Environment. The bill: changes requirements regarding the reporting and investigation of an incident of bullying or cyber-bullying; requires a good faith effort to notify, within one school day, the parents of all students involved in an incident; requires an investigation, including an interview of students and parents, within two school days of an incident as well as a written report of the investigation; requires a principal to meet with any victims within ten school days of a reported incident; and allows a parent or guardian to submit a complaint to the Department of Education within 30 days in response to a decision made by a principal or his or her designee related to an incident. This act becomes effective on July 1, 2015. I encourage your passage.

SENATOR GUSTAVSON:

I am appalled at the type of horrific behavior we heard in Committee that has been allowed to go on in our school system statewide. Why have the teachers, principals and superintendents let this go to where it has? They should be punished for what they have allowed to happen. I have to speak out in opposition to this bill, as written, as the definition of bullying is way too broad. We do have a problem, but we must not go overboard in the passing of the laws we make when dealing with this bullying problem.

There is also a fiscal note on this of over \$100 million from the counties. For these reasons, I will not be supporting the bill.

SENATOR HARDY:

I rise in support of the bill. Near and dear to me, my granddaughter was "bullied" by a boy in her school some distance from here. My daughter approached the mother of the bully and discussed this with her. The mother told her they were having problems with him at home too. These are tools we are putting in place that have some merit and offer some opportunity that we can do something to help. The school officials intervene in some ways too.

I recognize, that in the world of mental illness, there are problems with somebody who bullies; there are problems sometimes with all of us. This is one of those situations where it is sometimes a matter of who casts the first stone. We do not know what is happening in someone else's life, whether it is the victim of the bully or the bully. Nor do we understand how the victim perceives the irritating taunts, gestures, etc. that the bully is doing. Suffice it to say, this bill gives us tools to use, and I appreciate the opportunity we have had to have that discussion. Many times, the bully or the victim has a mental illness such as depression, and who is it that can solve those problems? Hopefully, this bill will give us the tools we need to help not just the victim but also the person who is the perpetrator.

This is one of those cases where both people are going to need some help, and this bill will allow us to do that. Many times in our society we ask: "Who is to blame?" Generally, the blame for everything falls on the parents. We need to be somewhat generous in our ability to forgive and to fix as opposed our ability to blame. Hopefully, this will allow us to have the tools we need in the schools and empower parents in some way to interface and intervene with situations that are delicate and, for the victim, even desperate. I am appreciative of what we are trying to do and recognize the sensitivity thereof.

SENATOR WOODHOUSE:

I would like to share with the Body that I had the honor of serving on the Interim Committee on Education, and the issue of bullying came before our group. It was brought to us by the Senator from District 21 and Assemblywoman Spiegel. We were not, at that time, able to come forward with a piece of proposed legislation on bullying, so I would really like to say, thank you to the Governor, the Education Committee and the Finance Committee for the work that has

been done on this bill. I would especially like to recognize my colleagues who have brought this to the fore many times over the last few years. It is about time that we take a positive stand and move forward to address this issue in our schools.

SENATOR HAMMOND:

I rise in support of this bill, but there are and continue to be some reservations I have. I think they have been stated quite eloquently by those here in the Body. The definition might still be too broad even though it was tightened up and a lot of time was spent on this issue, and I appreciate that. We heard a lot of testimony, and it was a subject I heard a lot about as a school teacher. I am concerned about the definition.

This is an issue that needs to be addressed. I am willing to give it a chance by voting "yes", in order to move it along and figure out what we can do to help those in schools who feel they have no one else to go to and to tighten down the procedures more than anything else. What we heard in the Committee hearing was there were some instances in which the procedures were not being followed or where procedures could have been better. If there was a procedure in place and it was not followed, that is one thing, but perhaps, there were just no procedures in place when they should have been in place. If the families had known about this, perhaps some of the tragedies that occurred could have been avoided. For that reason, it is important for us to deliberate here, as a Body, and to give it a chance. That is why I am voting in favor of this bill.

SENATOR KIECKHEFER:

I would like to address the issue of the fiscal note that was mentioned by a previous speaker. There is a separate appropriation in the Governor's Executive Budget that provides staffing for the districts to be able to accomplish the work that is charged to them. Both the Clark County School District and the Washoe County School District pulled their fiscal notes, and the bill is supported by the local school districts.

Roll call on Senate Bill No. 504:

YEAS—18.

NAYS—Gustavson—1.

EXCUSED—Kihuen, Segerblom—2.

Senate Bill No. 504 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Bills Nos. 26, 27, 30, 47, 83, 118, 177, 311, 362, 459; Assembly Bill No. 37.

REMARKS FROM THE FLOOR

Senator Manendo requested that his remarks be entered in the Journal.

Thank you, Mr. President. To the Body, I am honored, today, to have a couple of guests with me. I am sure at least with the gentleman to my left, George Flint, everybody recognizes his face and his daughter, Margaret Flint, who is also here, today, on this special occasion. Margaret also lobbies. Today is a special day, George. I know you were in holding court where you always hold court, in the deli and you were about to eat. Then, we pulled you down the hallway to sit here, and you are wondering why you are here. Just because we wanted to see you and we missed you. George has not been doing well, and he has been in the hospital. He is finally out and about, and we are glad about that. George, I wanted to let you know that we have put together a little proclamation for you. I am not going to read it all, but I am going to read some things.

George William Treat Flint was born April 12, 1934, in San Pedro, California. George has 6 children, 12 grandchildren and 9 great-grandchildren. George grew up and graduated from high school in Lusk, Wyoming, then worked for Eastman Kodak in Iowa and Oregon, while

attending Open Bible College and Bible Standard College at those locations. He moved to Reno, Nevada in 1962, where he opened and still operates Reno's longest surviving wedding chapel: the Chapel of the Bells, and having owned another three wedding chapels in Nevada, he has married over 100,000 couples, to date. Over 100,000 people, that does not include me, George that is correct.

George began his distinguished lobbying career in 1963, I was not even born yet George, and I want you to know that. While reading the newspaper, he learned that a legislator had proposed legislation which would prohibit a licensed, ordained minister from owning a wedding chapel, and he did not think that was right. George did, what I think every citizen should do, and he got involved, and George, you just took it to a whole other level. Thank goodness for that.

To expand his legislative experience, George interned for Senator Donald Mello, while also lobbying for the marriage industry. Actually, I asked George had he ever sat on the Senate Floor and he said yes, I sat on the Floor once with Senator Mello. The reason Senator Mello invited him to sit on the Floor was that Senator Mellow wanted to put forth a controversial amendment. He figured if George was on the floor with him that day there would be a distraction. There was so the Senators were not paying attention and they voted for his amendment. He used you George, but he got it passed. That is why you were here so many decades ago, but we are not doing that today. We have already voted on everything. There are no distractions, and we are glad you are here, but I thought that was an interesting tidbit.

George can account for over half a century of Nevada lobbying history, encompassing nine Governors, many of whom have shaped the progress of the Silver State, including current Governor Brian Sandoval, Grant Sawyer and Mike O'Callaghan. George has worked with many Legislators including Harry Reid, Richard Bryan, Joe Neal, Floyd Lamb, Paul Laxalt, Bob Price, Robert List, Marvin Sedway, Lawrence Jacobson, Robert Sader, James Bilbray, Jack Schofield, Dina Titus, Joe Heck and Dean Heller; some names that we all recognize but you were there when they first started.

George, for his dedicated years of service, is recognized as the longest serving Nevada senior lobbyist, having earned the respect, recognition and significance from members of the Legislature, as well as his peers and extended family. People that admire and respect you, they go to you for advice.

We have such great respect for you, George. Usually, when people go to you for advice, it has nothing to do with your industry. They just go to you because you have the historic knowledge, you have that common sense. I always think of you as the John Carpenter of lobbyists. People often wanted to talk to Assemblyman Carpenter just to get his take on things because he had that good old common sense, think things through stuff. We are so grateful for you, and I know you were in the hospital, but the Nevada Legislature on April 12, 2015, declared a "George Flint Day," in honor of your 52 years of outstanding and valuable contributions as Nevada's longest standing senior lobbyist. We appreciate all that you have done for the State of Nevada. We appreciate your friendship. We appreciate you bringing your daughter and teaching her the ropes, but she is her own woman, let me tell you, and she is good at it. George, it is really good to see you out and about again. You look wonderful. We hope that you will be back many times over the next 30 days to watch us close down this Session on time. I want to say thank you very much, and we are so honored to present you with a proclamation for your decades of service.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Manendo, the privilege of the floor of the Senate Chamber for this day was extended to George Flint and Margaret Flint.

Senator Roberson moved that the Senate adjourn until Tuesday, May 5, 2015, at 11:00 a.m. and that it do so in memory of Dr. Don Schieve.

Motion carried.

Senate adjourned at 12:37 p.m.

Approved:

MARK A. HUTCHISON
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate