

THE THIRTY-FIRST DAY

CARSON CITY (Wednesday), March 8, 2017

Assembly called to order at 11:56 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Jedidiah Mashke.

O Lord, Almighty God, we thank You for the precious blessings of liberty, that with Your help, were won for us by our ancestors. Give us a new appreciation of the life, liberty, and pursuit of happiness we enjoy in this land of the free, and a greater readiness to serve our state and nation with our talents. Teach us to treasure the precious freedom of conscience and worship, without which other liberties would not long survive. May we never contribute to the loss of those dearly won blessings by our own selfishness, ambition, or indifference.

Teach us furthermore, O Lord, that the enjoyment of freedom brings with it the responsibility to serve. To that end, make us willing to respect the laws of our country and state, to serve our fellow citizens well in any office of trust in which we serve, to exercise faithfully our privilege to vote, and to give our loyal support to all public institutions.

Bless all those in authority, especially those serving in our assembly today. Give wisdom and faithfulness to those in positions of leadership, especially our Assemblywomen and men. Preserve them from becoming the prey of those who would seek only their own good, and set their eyes and hearts on serving the interests of the public.

Grant enduring peace to our country and its institutions, so all people may know the freedom won by the blood of our precious Redeemer, in whose name and for whose sake we ask this.

AMEN.

Pledge of allegiance to the Flag.

Assemblywoman Benitez-Thompson moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 8, 2017

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 2.

SHERRY RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Segerblom, Atkinson, Cancela, Cannizzaro, Denis, Farley, Ford, Gansert, Goicoechea, Gustavson, Hammond, Hardy, Harris, Kieckhefer, Manendo, Parks, Ratti, Roberson, Settlemeyer, Spearman, Woodhouse; Assemblymen Ohrenschaal, Elliot Anderson, Paul Anderson, Araujo, Benitez-Thompson, Bilbray-Axelrod, Brooks, Bustamante Adams,

Carlton, Carrillo, Cohen, Daly, Diaz, Edwards, Ellison, Flores, Frierson, Fumo, Hambrick, Hansen, Jauregui, Joiner, Kramer, Krasner, Marchant, McArthur, McCurdy, Miller, Monroe-Moreno, Neal, Oscarson, Pickard, Spiegel, Sprinkle, Swank, Thompson, Titus, Tolles, Watkins, Wheeler, Woodbury, Yeager.

Senate Concurrent Resolution No. 2—Memorializing William Patterson (Pat) Cashill.

WHEREAS, The members of the 79th Session of the Nevada Legislature note with profound sorrow the passing, on August 27, 2016, of Pat Cashill, a proud native Nevadan who was a tireless advocate on behalf of those injured by others and whose efforts helped protect Nevada's entire legal system; and

WHEREAS, William Patterson Cashill was born in Reno, Nevada, on August 22, 1944, beginning a life that was filled with adventure, travel and family; and

WHEREAS, After graduating from the University of Notre Dame and the University of Colorado Law School, Pat Cashill returned to Nevada, where he worked as an Assistant United States Attorney, was the first Nevadan appointed to serve as a special attorney in the Organized Crime and Racketeering Section of the United States Department of Justice and also served as a Special Attorney for Water Rights on behalf of the Department; and

WHEREAS, Pat Cashill was admitted to practice law in Nevada, California and Colorado; and

WHEREAS, Pat Cashill was active in numerous legal organizations, serving on the Board of the Nevada Justice Association for 20 years, as its president from 1986 to 1987, on its Political Action Committee, Citizens for Justice, for 30 years, and serving as a volunteer lobbyist on behalf of the Nevada Justice Association protecting the rights of all Nevadans for 40 years as well as serving on the American Association for Justice; and

WHEREAS, In addition to his successful career and steadfast work on behalf of the legal community, Pat Cashill became a certified Fraud Examiner at the age of 70 years; and

WHEREAS, Above all else, Pat Cashill loved his family, being a devoted husband to his wife Johnna and father to their children John and Kate, all of whom enjoyed exploring the world together, climbing, diving, snorkeling and trekking; and

WHEREAS, Their adventures took Pat Cashill and his family to such places as Egypt, Spain, Russia, Switzerland, Tanzania, Australia, Indonesia, Micronesia, Ecuador, Belize and Brazil, to name a few; and

WHEREAS, Pat Cashill was also an avid fisherman, fly fishing in rivers and lakes in Nevada as well as in other states and even other countries; and

WHEREAS, Pat Cashill was an avid skier, swimmer, former marathon runner, former rugby player, hunter and lifetime member of the Northern Nevada Handball Association; and

WHEREAS, Pat Cashill lived life to the fullest, never allowing anything to get in the way of pursuing his dreams and goals; and

WHEREAS, Pat Cashill leaves behind his loving wife Johnna, sister Terry Juhola, daughter Kate and her husband Ryan Blewett, son John and his wife Charlotte, and grandchildren Mackenzie and Aiden; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the members of the 79th Session of the Nevada Legislature hereby extend their deepest condolences to the beloved family and countless friends of Pat Cashill; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to Johnna Cashill, the loving wife of Pat Cashill.

Assemblyman Ohrenschaal moved the adoption of the resolution.

Remarks by Assemblyman Ohrenschaal

ASSEMBLYMAN OHRENSCHALL:

Like many in this Chamber, about six months ago when I read of Pat Cashill's passing, I was very saddened. I come from a different background than most, in that both of my parents are practicing attorneys in Nevada. Both were admitted back in the late sixties and early seventies.

Growing up in a family of attorneys, you hear a lot about attorneys that are well respected, that are legends, the kind of attorneys that your parents aspire to be and that maybe you aspire to be if you end up practicing law. Some of those names I would hear about include Richard “Racehorse” Haynes from Texas and Alan Dershowitz—great attorneys, the kind of attorneys who turn the practice of law into an art.

As I got older, I started to hear about some Nevada attorneys who fit that bill and were the kind of legendary attorneys who could turn the practice of law into an art. Pat Cashill’s name was a name I heard about quite a bit growing up. I did not get to meet him until the 1990s when my mother decided to run for the State Legislature. He was of great assistance to her, both in her pursuit of the Legislature and also in pursuit of legislation. He would come to the Legislature and testify about the experiences he had representing injured victims and trying to make sure they had access to justice, through his own practice of law and through his involvement with the Nevada Justice Association. Back then it was called Nevada Trial Lawyers Association.

I had the pleasure of getting to work with Pat during my service in the Assembly. As recently as last session, he was a familiar face in my office, working the halls, testifying on bills, and being an advocate for justice. It is hard in Nevada when we lose someone like that, but his contributions will stay with us. They have helped injured victims throughout our state, and they will continue to help them through the case law he has helped craft in his practice, the statutes that he has his fingerprints on, and this organization that has done so much to fight for justice.

Mr. Speaker, I have with me today Pat’s widow, Johnna Cashill; Bill Bradley, who worked very closely with Pat at the Nevada Justice Association and the Nevada Trial Lawyers Association; and Jason Mills, who also got to work with Pat at the Nevada Justice Association. I know there are many other trial lawyers here in the Chamber today who knew Pat and got to work with him. I hope the body will pass this resolution and extend our condolences to Johnna and to everyone else who got to work with him.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Watkins, Fumo, Ohrenschall, Jauregui, Bilbray-Axelrod, Brooks, Edwards, Frierson, Kramer, Monroe-Moreno, Neal, Tolles and Yeager; Senator Hardy:

Assembly Bill No. 268—AN ACT relating to criminal procedure; authorizing certain persons to file a postconviction petition to pay the cost of a genetic marker analysis; requiring a court to order a genetic marker analysis upon the filing of such a petition; requiring a petitioner to pay the cost of such a genetic marker analysis before the analysis is performed; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Bustamante Adams:

Assembly Bill No. 269—AN ACT relating to taxation; including vapor products within the definition of “other tobacco products” for the purposes of licensing and regulation of such products by the Department of Taxation; imposing a tax on the purchase or possession of vapor products in this State based on the milliliters of consumable product; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Bustamante Adams moved that the bill be referred to the Committee on Taxation.

Motion carried.

By Assemblymen Watkins, Brooks, Yeager, Fumo, McCurdy and Miller:

Assembly Bill No. 270—AN ACT relating to energy; revising provisions governing the eligibility of certain customers of electric utilities in this State to participate in net metering; revising provisions governing the billing of customers of electric utilities in this State who participate in net metering; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Carrillo:

Assembly Bill No. 271—AN ACT relating to local governments; revising provisions relating to collective bargaining between local government employers and employee organizations; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Frierson, Benitez-Thompson, Diaz, Carlton, Flores, Araujo, Bilbray-Axelrod, Brooks, Bustamante Adams, Carrillo, Cohen, Daly, Fumo, Joiner, McCurdy, Miller, Monroe-Moreno, Neal, Ohrenschall, Spiegel, Sprinkle, Swank, Thompson, Watkins and Yeager:

Assembly Bill No. 272—AN ACT relating to elections; requiring each county and city clerk to establish polling places where any registered voter of the county or city, respectively, may vote in person on the day of certain elections; requiring county and city clerks to establish polling places within the boundaries of Indian reservations and colonies; requiring the preparation and use of electronic rosters; extending the hours for voting on election day; requiring voting materials to be provided in Mandarin and Cantonese; extending the period for early voting; and providing other matters properly relating thereto.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 25.

Bill read second time and ordered to third reading.

Assembly Bill No. 27.

Bill read second time and ordered to third reading.

Assembly Bill No. 31.

Bill read second time and ordered to third reading.

Assembly Bill No. 99.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 26.

~~ASSEMBLYMAN~~ ASSEMBLYMEN ARAUJO; BILBRAY-AXELROD, DALY, DIAZ, MONROE-MORENO, NEAL, SPRINKLE, THOMPSON AND YEAGER

JOINT SPONSORS: SENATORS CANCELA AND WOODHOUSE

AN ACT relating to children; requiring certain institutions and agencies to treat a child as having the gender with which the child identifies; requiring certain persons to receive training on working with lesbian, gay, bisexual, transgender and questioning children; ~~prescribing the rights of children in certain placements;~~ requiring the Division of Child and Family Services of the Department of Health and Human Services to establish **protocols to follow or factors to consider before placing a child in certain placements; requiring the Division to establish** a process for filing and resolving certain grievances; **revising the manner in which a foster child is notified of his or her rights;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law authorizes a court to place a child in a public or private institution or agency authorized to care for children. (NRS 62E.110) Such institutions include juvenile detention facilities, foster homes, child care facilities and mental health facilities. (NRS 62B.200, 63.400, 432A.1757, 432B.550, 433B.310) Existing law also provides for the licensure and regulation of foster care agencies, which are business entities that recruit and enter into contracts with foster homes to assist an agency which provides child welfare services and juvenile courts in the placement of children in foster homes. (NRS 424.0135, 424.093-424.270) Additionally, existing law designates as the agency which provides child welfare services: (1) in a county whose population is less than 100,000, the Division of Child and Family Services of the Department of Health and Human Services; and (2) in a county whose population is 100,000 or more, the agency of the county which provides or arranges for necessary child welfare services. (NRS 432B.030)

Sections 3, 4, 23, 28, 29, 37, 41 and 46 of this bill require each of those institutions and agencies to treat a child for whom the institution or agency is responsible ~~as having~~ **in accordance with the child's** ~~gender with which the child identifies, regardless of the biological sex of the child.~~ **gender identity or expression.**

Existing law requires an employee of such an institution or agency to receive certain training. (NRS 62B.250, 63.190, 424.0365, 424.135, 432A.177, 432B.195, 433B.175) Sections 4, 6, 10, 24, 29, 31, 38, 43 and 47

of this bill require ~~[each employee of such an institution or agency who comes into direct contact with children to receive, within 30 days after being hired, at least 2 hours of]~~ **that training to: (1) be approved by the licensing authority or the Division; and (2) include instruction** on working with lesbian, gay, bisexual, transgender and questioning children.

~~[Existing law: (1) establishes certain rights for foster children; (2) requires a provider of foster care to take certain measures to notify a foster child of those rights; and (3) authorizes a provider of foster care to impose reasonable restrictions on the time, place and manner in which a foster child may exercise those rights. (NRS 432.525-432.540) Sections 17-21 of this bill make these provisions applicable to all children who are in the custody of an agency which provides child welfare services, other than children placed in a mental health facility. Sections 33, 36, 40 and 45 of this bill provide certain rights to children who are committed by a court to a public or private institution or agency, including a youth detention facility operated by the State and a treatment facility or other facility operated by the Division to provide mental health care and treatment. Sections 20, 33, 36, 40 and 45 also: (1) require such an institution or agency to take certain measures to notify a child of those rights; and (2) authorize such an institution or agency to impose reasonable restrictions on the time, place and manner in which a child may exercise those rights.]~~ **Sections 23, 37, 41 and 46 require the Division to prescribe regulations that a court must consider before placing a child in a child care facility, a facility for the detention of children or a mental health or treatment facility. Section 28 of this bill requires the Division to adopt protocols that an agency which provides child welfare services must follow when placing a child in an out-of-home placement.**

Section 14 of this bill requires the Division to establish a procedure for filing and resolving a grievance concerning a placement, a foster care agency, an agency which provides child welfare services or an agency or institution to which a child is committed by a court.

Existing law requires a provider of foster care to provide a foster child with a written copy of his or her rights. (NRS 432.540) Section 20 of this bill requires a provider of foster care to provide a foster child with a written summary of those rights.

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

Section 1. Chapter 424 of NRS is hereby amended by adding thereto the provisions set forth as sections 2, **2.5**, 3 and 4 of this act.

Sec. 2. ~~["Biological sex" means the biological condition of being male or female, as determined at birth.]~~ (Deleted by amendment.)

Sec. 2.5. **"Gender identity or expression" means a gender-related identity, appearance, expression or behavior of a person, regardless of the person's assigned sex at birth.**

Sec. 3. ~~Regardless of the biological sex of a foster child, a~~ A provider of foster care shall ensure that each foster child who is placed in the foster home is treated in all respects ~~as having the gender with which the foster child identifies unless doing so could be harmful to the physical health of the foster child.~~ in accordance with the child's gender identity or expression.

Sec. 4. 1. The holder of a license to operate a foster care agency shall ensure that each member of the staff of the foster care agency who comes into direct contact with a child placed by the foster care agency receives, within ~~30~~ 90 days after employment ~~, at least 2 hours of~~ and annually thereafter, training that has been approved by the licensing authority concerning working with lesbian, gay, bisexual, transgender and questioning children.

2. ~~Regardless of the biological sex of a child, a~~ A foster care agency shall ensure that each child placed by the foster care agency is treated in all respects ~~as having the gender with which the child identifies unless doing so could be harmful to the physical health of the child.~~ in accordance with the child's gender identity or expression.

Sec. 5. NRS 424.010 is hereby amended to read as follows:

424.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 424.011 to 424.018, inclusive, **and section ~~2~~ 2.5 of this act** have the meanings ascribed to them in those sections.

Sec. 6. NRS 424.0365 is hereby amended to read as follows:

424.0365 1. A licensee that operates a family foster home, a specialized foster home, an independent living foster home or a group foster home shall ensure that each employee who comes into direct contact with children in the home receives training within ~~30~~ 90 days after employment and annually thereafter. Such training must **be approved by the licensing authority and** include, without limitation, instruction concerning:

- (a) Controlling the behavior of children;
- (b) Policies and procedures concerning the use of force and restraint on children;
- (c) The rights of children in the home;
- (d) Suicide awareness and prevention;
- (e) The administration of medication to children;
- (f) Applicable state and federal constitutional and statutory rights of children in the home;
- (g) Policies and procedures concerning other matters affecting the health, welfare, safety and civil and other rights of children in the home; ~~and~~
- (h) **Working with lesbian, gay, bisexual, transgender and questioning children; and**
- (i) Such other matters as required by the licensing authority or pursuant to regulations of the Division.

~~2. In addition to the training required by subsection 1, a licensee that operates a family foster home, a specialized foster home, an independent living foster home or a group foster home shall ensure that each employee who comes into direct contact with children in the home receives, within 30 days after employment, at least 2 hours of training that has been approved by the licensing authority concerning working with lesbian, gay, bisexual, transgender and questioning children.~~

~~3.~~ The Division shall adopt regulations necessary to carry out the provisions of this section.

Sec. 7. NRS 424.090 is hereby amended to read as follows:

424.090 1. The provisions of NRS 424.020 to 424.090, inclusive, *and section 3 of this act* do not apply to homes in which:

~~1.~~ (a) Care is provided only for a neighbor's or friend's child on an irregular or occasional basis for a brief period, not to exceed 90 days.

~~2.~~ (b) Care is provided by the legal guardian.

~~3.~~ (c) Care is provided for an exchange student.

~~4.~~ (d) Care is provided to enable a child to take advantage of educational facilities that are not available in his or her home community.

~~5.~~ (e) Any child or children are received, cared for and maintained pending completion of proceedings for adoption of such child or children, except as otherwise provided in regulations adopted by the Division.

~~6.~~ (f) Except as otherwise provided in regulations adopted by the Division, care is voluntarily provided to a minor child who is related to the caregiver by blood, adoption or marriage.

~~7.~~ (g) Care is provided to a minor child who is in the custody of an agency which provides child welfare services pursuant to chapter 432B of NRS or a juvenile court pursuant to title 5 of NRS if:

~~(a)~~ (1) The caregiver is related to the child within the fifth degree of consanguinity ~~or a fictive kin~~; and

~~(b)~~ (2) The caregiver is not licensed pursuant to the provisions of NRS 424.020 to 424.090, inclusive ~~or~~, *and section 3 of this act.*

2. As used in this section, "fictive kin" means a person who is not related by blood to a child but has a significant emotional and positive relationship with the child.

Sec. 8. NRS 424.095 is hereby amended to read as follows:

424.095 1. An application for a license to operate a foster care agency must be in a form prescribed by the Division and submitted to the appropriate licensing authority. Such a license is effective for 2 years after the date of its issuance and may be renewed upon expiration.

2. An applicant must provide reasonable and satisfactory assurance to the licensing authority that the applicant will conform to the provisions of NRS 424.093 to 424.270, inclusive, *and section 4 of this act*, and the regulations adopted by the Division pursuant thereto.

3. Upon application for renewal, the licensing authority may renew a license if the licensing authority determines that the licensee conforms to the

provisions of NRS 424.093 to 424.270, inclusive, *and section 4 of this act*, and the regulations adopted by the Division pursuant thereto.

Sec. 9. NRS 424.096 is hereby amended to read as follows:

424.096 1. After notice and hearing, a licensing authority may:

(a) Deny an application for a license to operate a foster care agency if the licensing authority determines that the applicant does not comply with the provisions of NRS 424.093 to 424.270, inclusive, *and section 4 of this act*, and the regulations adopted by the Division pursuant thereto.

(b) Upon a finding of deficiency, require a foster care agency to prepare a plan of corrective action and, within 90 days or a shorter period prescribed by the licensing authority require the foster care agency to complete the plan of corrective action.

(c) Refuse to renew a license or may revoke a license if the licensing authority finds that the foster care agency has refused or failed to meet any of the established standards or has violated any of the regulations adopted by the Division pursuant to NRS 424.093.

2. A notice of the time and place of the hearing must be mailed to the last known address of the applicant or licensee at least 15 days before the date fixed for the hearing.

3. When an order of a licensing authority is appealed to the district court, the trial may be de novo.

Sec. 10. NRS 424.135 is hereby amended to read as follows:

424.135 1. The foster care agency shall develop and carry out a written plan for the orientation, training, supervision and evaluation of members of the staff.

2. The orientation must include, without limitation, information on the policies and procedures of the foster care agency, goals for the programs and services of the foster care agency, the responsibilities of members of the staff and the provisions of this chapter and the regulations adopted pursuant thereto that relate to licensing. The training must include, without limitation, any training required by the licensing authority ~~[]~~ *and the training required by section 4 of this act*. Each member of the staff must be evaluated at least once each year.

3. The foster care agency shall maintain comprehensive written policies and procedures for the personnel, services and programs of the foster care agency and make the policies and procedures readily available to the members of the staff and to the licensing authority.

4. The foster care agency shall maintain comprehensive records for personnel that, upon request, must be made available to the licensing authority.

Sec. 11. Chapter 432 of NRS is hereby amended by adding thereto the provisions set forth as sections 12, 13 and 14 of this act.

Sec. 12. ~~[“Child care facility” has the meaning ascribed to it in NRS 432A.024.] (Deleted by amendment.)~~

Sec. 13. ~~["Out-of-home placement" means a foster home or child care facility which has physical custody of a child pursuant to the order of a court.] (Deleted by amendment.)~~

Sec. 14. 1. *The Division shall prescribe by regulation:*

(a) *A procedure by which a child or, if applicable, the parent or guardian of a child, may file a grievance concerning a foster care agency, an agency which provides child welfare services, an out-of-home placement, a psychiatric hospital or facility in which a child who is in the custody of an agency which provides child welfare services is placed, a division facility or any public or private institution or agency to which a child is committed by a court; and*

(b) *A process for resolving those grievances, which must provide for persons who are not directly responsible for the care of the child who filed or is the subject of the grievance to evaluate the grievance and, if such a person determines that the grievance is not frivolous, investigate the grievance and impose remedies. Such remedies must include, without limitation, requiring the agency or placement, facility or institution to make changes to address the grievance, or notifying a regulatory or law enforcement agency with jurisdiction over the agency, placement, facility or institution.*

2. *An out-of-home placement with which a child in the custody of the agency which provides child welfare services is placed shall:*

(a) *Inform the child of the process for filing a grievance pursuant to subsection 1;*

(b) *Provide the child with a summary of that process; and*

(c) *Provide an additional written copy of the summary upon request.*

3. *As used in this section:*

(a) *"Division facility" has the meaning ascribed to it in NRS 433B.070.*

(b) *"Foster care agency" has the meaning ascribed to it in NRS 424.0135.*

(c) *"Out-of-home placement" means a foster home or child care facility, as defined in NRS 432A.024, which has physical custody of a child pursuant to the order of a court.*

Sec. 15. NRS 432.0125 is hereby amended to read as follows:

432.0125 1. The Administrator shall appoint, with the approval of the Director, a chief of each of the bureaus in the Division. The chiefs are designated respectively as:

(a) The Superintendent of the Nevada Youth Training Center;

(b) The Superintendent of the Caliente Youth Center; and

(c) The Chief of the Youth Parole Bureau.

2. The Administrator is responsible for the administration, through the Division, of the provisions of chapters 63 and 424 of NRS, NRS 127.220 to 127.310, inclusive, 432.010 to 432.085, inclusive, and 433B.010 to 433B.340, inclusive, *and sections 45 and 46 of this act*, and all other provisions of law relating to the functions of the Division, but is not

responsible for the professional activities of the components of the Division except as specifically provided by law.

Sec. 16. NRS 432.500 is hereby amended to read as follows:

432.500 As used in NRS 432.500 to 432.550, inclusive, *and sections 12, 13 and 14 of this act*, unless the context otherwise requires, the words and terms defined in NRS 432.505, 432.510 and 432.515 *and sections 12 and 13 of this act* have the meanings ascribed to them in those sections.

~~Sec. 17. [NRS 432.525 is hereby amended to read as follows:~~

~~432.525 A child [placed in a foster home by] *in the custody of an agency which provides child welfare services, other than a child placed in a facility as defined in NRS 432B.6072*, has the right:~~

~~1. To receive information concerning his or her rights set forth in this section and NRS 432.530 and 432.535.~~

~~2. To be treated with dignity and respect.~~

~~3. To fair and equal access to services, placement, care, treatment and benefits.~~

~~4. To receive adequate, healthy, appropriate and accessible food.~~

~~5. To receive adequate, appropriate and accessible clothing and shelter.~~

~~6. To receive appropriate medical care, including, without limitation:~~

~~(a) Dental, vision and mental health services;~~

~~(b) Medical and psychological screening, assessment and testing; and~~

~~(c) Referral to and receipt of medical, emotional, psychological or psychiatric evaluation and treatment as soon as practicable after the need for such services has been identified.~~

~~7. To be free from:~~

~~(a) Abuse or neglect, as defined in NRS 432B.020;~~

~~(b) Corporal punishment, as defined in NRS 388.478;~~

~~(c) Unreasonable searches of his or her personal belongings or other unreasonable invasions of privacy;~~

~~(d) The administration of psychotropic medication unless the administration is consistent with NRS 432B.197 and the policies established pursuant thereto; and~~

~~(e) Discrimination or harassment on the basis of his or her actual or perceived race, ethnicity, ancestry, national origin, color, religion, sex, sexual orientation, gender identity, mental or physical disability or exposure to the human immunodeficiency virus.~~

~~8. To attend religious services of his or her choice or to refuse to attend religious services.~~

~~9. Except for placement in a facility, as defined in NRS 432B.6072, not to be locked in any room, building or premise or to be subject to other physical restraint or isolation.~~

~~10. Except as otherwise prohibited by the agency which provides child welfare services.~~

- ~~—(a) To send and receive unopened mail; and~~
- ~~—(b) To maintain a bank account and manage personal income, consistent with the age and developmental level of the child.~~
- ~~—11. To complete an identification kit, including, without limitation, photographing, and include the identification kit and his or her photograph in a file maintained by the agency which provides child welfare services and any employee thereof who provides child welfare services to the child.~~
- ~~—12. To communicate with other persons, including, without limitation, the right:~~
 - ~~—(a) To communicate regularly, but not less often than once each month, with an employee of the agency which provides child welfare services who provides child welfare services to the child;~~
 - ~~—(b) To communicate confidentially with the agency which provides child welfare services to the child concerning his or her care;~~
 - ~~—(c) To report any alleged violation of his or her rights pursuant to NRS 432.550 without being threatened or punished;~~
 - ~~—(d) Except as otherwise prohibited by a court order, to contact a family member, social worker, attorney, advocate for children receiving foster care services or guardian ad litem appointed by a court or probation officer; and~~
 - ~~—(e) Except as otherwise prohibited by a court order and to the extent practicable, to contact and visit his or her siblings, including siblings who have not been placed in foster homes and to have such contact arranged on a regular basis and on holidays, birthdays and other significant life events, unless such contact is contrary to the safety of the child or his or her siblings.~~
- ~~—13. Not to have contact or visitation with a sibling withheld as a form of punishment.] (Deleted by amendment.)~~

Sec. 18. [NRS 432.530 is hereby amended to read as follows:

- ~~—432.530 With respect to the placement of a child in [a foster home by] *the custody of* an agency which provides child welfare services, *other than a child placed in a facility as defined in NRS 432B.6072*, the child has the right:~~
 - ~~—1. To live in a safe, healthy, stable and comfortable environment, including, without limitation, the right:~~
 - ~~—(a) If safe and appropriate, to remain in his or her home, be placed in the home of a relative or be placed in a home within his or her community;~~
 - ~~—(b) To be placed in an appropriate foster home best suited to meet the unique needs of the child, including, without limitation, any disability of the child;~~
 - ~~—(c) To be placed in a foster home where the licensee, employees and residents of the foster home who are 18 years of age or older have submitted to an investigation of their background and personal history in compliance with NRS 424.031; and~~
 - ~~—(d) To be placed with his or her siblings, whenever possible, and as required by law, if his or her siblings are also placed outside the home.~~

~~2. To receive and review information concerning his or her placement, including, without limitation, the right:~~

~~(a) To receive information concerning any plan for his or her permanent placement adopted pursuant to NRS 432B.553;~~

~~(b) To receive information concerning any changes made to his or her plan for permanent placement; and~~

~~(c) If the child is 12 years of age or older, to review the plan for his or her permanent placement.~~

~~3. To attend and participate in a court hearing which affects the child, to the extent authorized by law and appropriate given the age and experience of the child.~~

~~4. Consistent with the age and developmental experience of the child, except as otherwise prohibited by court order or unless the sibling objects, to be informed of any plan to change, or change in, the placement of a sibling, including, without limitation:~~

~~(a) A plan adopted pursuant to NRS 432B.553 for the permanent placement of the sibling; and~~

~~(b) Any plan to change the placement of, or a change in the placement of, a sibling resulting from adoption, reaching the age of 18 years or otherwise leaving a foster home.] (Deleted by amendment.)~~

Sec. 19. ~~[NRS 432.535 is hereby amended to read as follows:~~

~~432.535 With respect to the education and vocational training of a child [placed in a foster home by] *in the custody of* an agency which provides child welfare services, *other than a child placed in a facility as defined in NRS 432B.6072*, the child has the right:~~

~~1. To receive fair and equal access to an education, including, without limitation, the right:~~

~~(a) To receive an education as required by law;~~

~~(b) To have stability in and minimal disruption to his or her education when the child is placed in [a foster home;] *an out-of-home placement*;~~

~~(c) To attend the school and remain in the scholastic activities that he or she was enrolled in before placement in [a foster home,] *an out-of-home placement*, to the extent practicable and if in the best interests of the child;~~

~~(d) To have educational records transferred in a timely manner from the school that he or she was enrolled in before placement in [a foster home] *an out-of-home placement* to a new school, if any;~~

~~(e) Not to be identified as a [foster] child *who has been placed in an out-of-home placement* to other students at his or her school by an employee of a school district, including, without limitation, a school administrator, teacher or instructional aide;~~

~~(f) To receive any educational screening, assessment or testing required by law;~~

~~(g) To be referred to and receive educational evaluation and services as soon as practicable after the need for such services has been identified, including, without limitation, access to special education and special services~~

to meet the unique needs of a child with educational or behavioral disabilities or impairments that adversely affect the child's educational performance;

~~(h) To have access to information regarding relevant educational opportunities, including, without limitation, course work for vocational and postsecondary educational programs and financial aid for postsecondary education, once the child is 16 years of age or older; and~~

~~(i) To attend a class or program concerning independent living for which he or she is qualified that is offered by the agency which provides child welfare services or another agency or contractor of the State.~~

~~2. To participate in extracurricular, cultural and personal enrichment activities which are consistent with the age and developmental level of the child.~~

~~3. To work and to receive vocational training, to the extent permitted by statute and consistent with the age and developmental level of the child.~~

~~4. To have access to transportation, if practicable, to allow the child to participate in extracurricular, cultural, personal and work activities.] (Deleted by amendment.)~~

Sec. 20. NRS 432.540 is hereby amended to read as follows:

432.540 1. A provider of foster care that places a child in a foster home ~~[An out-of-home placement with which a child in the custody of an agency which provides child welfare services is placed]~~ shall:

(a) Inform the child of his or her rights set forth in NRS 432.525, 432.530 and 432.535 ~~; [and the process for filing a grievance prescribed pursuant to section 14 of this act;]~~

(b) Provide the child with a written ~~[copy]~~ summary of those rights ~~; [and the process for filing a grievance;]~~ and

(c) Provide an additional written copy of ~~[those rights]~~ the summary to the child upon request.

2. A group foster home ~~[and a child care facility which has physical custody of a child pursuant to the order of a court]~~ shall post a written copy of the ~~[rights set forth in NRS 432.525, 432.530 and 432.535]~~ summary described in subsection 1 and the summary of the process for filing a grievance described in section 14 of this act in a conspicuous place inside the group foster home.

Sec. 21. ~~[NRS 432.545 is hereby amended to read as follows:~~

~~432.545 [A provider of foster care] An out-of-home placement with which a child in the custody of an agency which provides child welfare services is placed may impose reasonable restrictions on the time, place and manner in which a child may exercise his or her rights set forth in NRS 432.525, 432.530 and 432.535 if the [provider of foster care] out-of-home placement determines that such restrictions are necessary to preserve the order, discipline or safety of the [foster home.] out-of-home placement.] (Deleted by amendment.)~~

Sec. 22. NRS 432.550 is hereby amended to read as follows:

432.550 If a child believes that his or her rights set forth in NRS 432.525, 432.530 and 432.535 have been violated, the child may raise and redress a grievance with, without limitation:

1. A provider of foster care;
2. An employee of a foster home;
3. An agency which provides child welfare services to the child, and any employee thereof;
4. A juvenile court with jurisdiction over the child;
5. A guardian ad litem for the child; ~~for~~
6. An attorney for the child ~~for~~; or
7. *The Division, using the process established pursuant to section 14 of this act.*

Sec. 23. Chapter 432A of NRS is hereby amended by adding thereto a new section to read as follows:

1. ~~Regardless of the biological sex of a child, a~~ A child care facility which occasionally or regularly has physical custody of children pursuant to the order of a court, including, without limitation, an emergency shelter, shall treat each child who is placed in the facility in all respects ~~as having the gender with which the child identifies unless doing so could be harmful to the physical health of the child.~~ in accordance with the child's gender identity or expression.

2. The Division of Child and Family Services of the Department shall adopt regulations establishing factors for a court to consider before placing a child in the custody of a child care facility that ensure that each child who is so placed is placed in a manner that is appropriate for the gender identity or expression of the child. Such regulations must be adopted in consultation with:

(a) Lesbian, gay, bisexual, transgender and questioning children who are currently residing in foster homes, facilities for the detention of children, child care facilities and mental health facilities or who have resided in such settings;

(b) Representatives of each agency which provides child welfare services in this State;

(c) Representatives of state and local facilities for the detention of children;

(d) Representatives of lesbian, gay, bisexual, transgender and questioning persons;

(e) Attorneys, including, without limitation, attorneys who regularly represent children in child welfare or criminal proceedings;

(f) Representatives of juvenile courts and family courts;

(g) Advocates of children; and

(h) Any other person deemed appropriate by the Division of Child and Family Services of the Department.

3. A court shall consider the factors prescribed in the regulations adopted pursuant to subsection 2 before placing a child in a child care facility.

4. As used in this section ~~f, “biological sex”~~:

(a) “Agency which provides child welfare services” has the meaning ascribed to it in NRS 432B.030.

(b) “Foster home” has the meaning ascribed to it in NRS 424.014.

(c) “Gender identity or expression” has the meaning ascribed to it in section ~~2.5~~ 2.5 of this act.

Sec. 24. NRS 432A.177 is hereby amended to read as follows:

432A.177 1. A licensee that operates a child care facility which occasionally or regularly has physical custody of children pursuant to the order of a court, including, without limitation, an emergency shelter, shall ensure that each employee who comes into direct contact with children in the facility receives training within ~~30~~ 90 days after employment and annually thereafter. Such training must be approved by the licensing authority and include, without limitation, instruction concerning:

(a) Controlling the behavior of children;

(b) Policies and procedures concerning the use of force and restraint on children;

(c) The rights of children in the facility;

(d) Suicide awareness and prevention;

(e) The administration of medication to children;

(f) Applicable state and federal constitutional and statutory rights of children in the facility;

(g) Policies and procedures concerning other matters affecting the health, welfare, safety and civil and other rights of children in the facility; ~~and~~

(h) Working with lesbian, gay, bisexual, transgender and questioning children; and

(i) Such other matters as required by the Board.

~~2. In addition to the training required by subsection 1, a licensee that operates a child care facility which occasionally or regularly has physical custody of children pursuant to the order of a court, including, without limitation, an emergency shelter, shall ensure that each employee who comes into direct contact with children in the facility receives, within 30 days after employment, at least 2 hours of training that has been approved by the licensing authority concerning working with lesbian, gay, bisexual, transgender and questioning children.~~

~~3.7~~ The Board shall adopt regulations necessary to carry out the provisions of this section.

Sec. 25. NRS 432A.220 is hereby amended to read as follows:

432A.220 Any person who operates a child care facility without a license issued pursuant to NRS 432A.131 to 432A.220, inclusive, and section 23 of this act is guilty of a misdemeanor.

Sec. 26. Chapter 432B of NRS is hereby amended by adding thereto the provisions set forth as sections 27, 28 and 29 of this act.

Sec. 27. ~~["Biological sex"]~~ "Gender identity or expression" has the meaning ascribed to it in section ~~[2] 2.5~~ of this act.

Sec. 28. ~~[Regardless of the biological sex of a child, an]~~

1. An agency which provides child welfare services shall treat each child to whom the agency provides services in all respects ~~as having the gender with which the child identifies unless doing so could be harmful to the physical health of the child.~~ in accordance with the child's gender identity or expression.

2. The Division of Child and Family Services shall adopt regulations establishing protocols to ensure that each child in the custody of an agency which provides child welfare services is placed in a manner that is appropriate for the gender identity or expression of the child. Such regulations must be adopted in consultation with:

(a) Lesbian, gay, bisexual, transgender and questioning children who are currently residing in foster homes, facilities for the detention of children, child care facilities, mental health facilities or who have resided in such settings;

(b) Representatives of each agency which provides child welfare services in this State;

(c) Representatives of state and local facilities for the detention of children;

(d) Representatives of lesbian, gay, bisexual, transgender and questioning persons;

(e) Attorneys, including, without limitation, attorneys who regularly represent children in child welfare or criminal proceedings;

(f) Representatives of juvenile courts and family courts;

(g) Advocates of children; and

(h) Any other person deemed appropriate by the Division of Child and Family Services.

3. An agency which provides child welfare services shall follow the protocols prescribed in the regulations adopted pursuant to subsection 2 before placing a child in an out-of-home placement.

4. As used in this section:

(a) "Child care facility" has the meaning ascribed to it in NRS 432A.024.

(b) "Foster home" has the meaning ascribed to it in NRS 424.014.

(c) "Out-of-home placement" has the meaning ascribed to it in section 14 of this act.

Sec. 29. A facility which provides care, treatment or training to a child who is in the custody of an agency which provides child welfare services and who is admitted to the facility pursuant to NRS 432B.6076 shall:

1. Ensure that each employee of the facility who comes into direct contact with children at the facility receives, within ~~[30]~~ 90 days after

employment ~~for at least 2 hours of~~ and annually thereafter, training that has been approved by the Division of Child and Family Services concerning working with lesbian, gay, bisexual, transgender and questioning children; and

2. ~~Regardless of the biological sex of a child, ensure~~ Ensure that each child who is placed in the facility is treated in all respects ~~as having the gender with which the child identifies unless doing so could be harmful to the physical health of the child~~ in accordance with the child's gender identity or expression.

Sec. 30. NRS 432B.010 is hereby amended to read as follows:

432B.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NRS 432B.020 to 432B.110, inclusive, *and section 27 of this act* have the meanings ascribed to them in those sections.

Sec. 31. NRS 432B.195 is hereby amended to read as follows:

432B.195 1. An agency which provides child welfare services shall provide training to each person who is employed by the agency and who provides child welfare services. Such training must include, without limitation, instruction concerning the applicable state and federal constitutional and statutory rights of a person who is responsible for a child's welfare and who is:

- (a) The subject of an investigation of alleged abuse or neglect of a child; or
- (b) A party to a proceeding concerning the alleged abuse or neglect of a child pursuant to NRS 432B.410 to 432B.590, inclusive.

2. *In addition to the training provided pursuant to subsection 1, an agency which provides child welfare services shall ensure that each employee of the agency who comes into direct contact with children receives, within ~~30~~ 90 days after employment ~~for at least 2 hours of~~ and annually thereafter, training concerning working with lesbian, gay, bisexual, transgender and questioning children.*

3. Nothing in this section shall be construed as requiring or authorizing a person who is employed by an agency which provides child welfare services to offer legal advice, legal assistance or legal interpretation of state or federal statutes or laws.

Sec. 32. NRS 432B.607 is hereby amended to read as follows:

432B.607 As used in NRS 432B.607 to 432B.6085, inclusive, *and section 29 of this act*, unless the context otherwise requires, the words and terms defined in NRS 432B.6071 to 432B.6074, inclusive, have the meanings ascribed to them in those sections.

Sec. 33. ~~NRS 432B.6082 is hereby amended to read as follows:~~

~~432B.6082 1. In addition to the personal rights set forth in NRS 432B.607 to 432B.6085, inclusive, and section 29 of this act, 433.456 to 433.543, inclusive, and 433.545 to 433.551, inclusive, and chapters 433A and 433B of NRS, and NRS 435.530 to 435.635, inclusive, a child who is in the custody of an agency which provides child welfare services and who is~~

admitted to a facility has ~~[the following personal rights, a list of which must be prominently posted in all facilities providing evaluation, treatment or training services to such children and must be otherwise brought to the attention of the child by such additional means as prescribed by regulation.]~~

~~—1. To receive an education as required by law;]~~

~~—(a) The rights accorded to other children in the custody of an agency which provides child welfare services by subsections 1 to 6, inclusive, paragraphs (a), (b) and (c) of subsection 7 and subsections 8, 11 and 12 of NRS 432.525, subsections 2, 3 and 4 of NRS 432.530 and paragraphs (a), (b) and (c) to (i), inclusive, of subsection 1 of NRS 432.535; and~~

~~—[2. To]~~

~~—(b) The right to receive an allowance from the agency which provides child welfare services in an amount equivalent to any allowance required to be provided to children who reside in foster homes.~~

~~—2. A facility to which a child who is in the custody of an agency which provides child welfare services is admitted shall~~

~~—(a) Inform the child of his or her rights set forth in subsection 1 and the process for filing a grievance prescribed pursuant to section 14 of this act;~~

~~—(b) Provide the child with a written summary of those rights and the process for filing a grievance;~~

~~—(c) Provide an additional written copy of the summary to the child upon request; and~~

~~—(d) Post the summary in a conspicuous place inside the facility.~~

~~—3. A facility to which a child who is in the custody of an agency which provides child welfare services is admitted may impose reasonable restrictions on the time, place and manner in which a child may exercise his or her rights set forth in subsection 1 if the facility determines that such restrictions are necessary to preserve the order, discipline or safety of the facility.] (Deleted by amendment.)~~

Sec. 34. NRS 432B.6085 is hereby amended to read as follows:

432B.6085 1. Nothing in this chapter purports to deprive any person of any legal rights without due process of law.

2. Unless the context clearly indicates otherwise, the provisions of NRS 432B.607 to 432B.6085, inclusive, *and section 29 of this act*, 433.456 to 433.543, inclusive, and 433.545 to 433.551, inclusive, and chapters 433A and 433B of NRS and NRS 435.530 to 435.635, inclusive, apply to all children who are in the custody of an agency which provides child welfare services.

Sec. 35. Chapter 62B of NRS is hereby amended by adding thereto the provisions set forth as sections 36 and 37 of this act.

Sec. 36. ~~[1. In addition to any other personal rights provided by law, a child who has been committed to a public or private institution or agency by a juvenile court has the rights accorded to a child in the custody of an agency which provides child welfare services by subsections 1 to 6, inclusive, paragraphs (a), (b) and (c) of subsection 7, subsections 8 and 11~~

~~and paragraphs (c), (d) and (e) of subsection 12 of NRS 432.525, subsections 3 and 4 of NRS 432.530 and paragraphs (a), (b) and (c) to (i), inclusive, of subsection 1 of NRS 432.535.~~

~~2. A public or private institution or agency to which a child has been committed by a juvenile court shall:~~

~~(a) Inform the child of his or her rights set forth in subsection 1 and the process for filing a grievance prescribed pursuant to section 14 of this act;~~

~~(b) Provide the child with a written summary of those rights and the process for filing a grievance;~~

~~(c) Provide an additional written copy of the summary to the child upon request; and~~

~~(d) Post the summary in a conspicuous place inside the institution or agency.~~

~~3. A public or private institution or agency to which a child has been committed by a juvenile court may impose reasonable restrictions on the time, place and manner in which a child may exercise his or her rights set forth in subsection 1 if the institution or agency determines that such restrictions are necessary to preserve the order, discipline or safety of the institution or agency. (Deleted by amendment.)~~

Sec. 37. 1. ~~[Regardless of the biological sex of a child, a]~~ A public or private institution or agency to which a juvenile court commits a child, including, without limitation, a facility for the detention of children, shall treat each child that a juvenile court commits to the institution or agency in all respects [as having the gender with which the child identifies unless doing so could be harmful to the physical health of the child.] in accordance with the child's gender identity or expression and the regulations adopted by the Division of Child and Family Services pursuant to subsection 2.

2. The Division of Child and Family Services shall adopt regulations establishing factors for a juvenile court to consider before committing a child to a facility for the detention of children that ensure that each child who is so committed is placed in a manner that is appropriate for the gender identity or expression of the child. Such regulations must be adopted in consultation with:

(a) Lesbian, gay, bisexual, transgender and questioning children who are currently residing in foster homes, facilities for the detention of children, child care facilities and mental health facilities or who have resided in such settings;

(b) Representatives of each agency which provides child welfare services in this State;

(c) Representatives of state and local facilities for the detention of children;

(d) Representatives of lesbian, gay, bisexual, transgender and questioning persons;

(e) Attorneys, including, without limitation, attorneys who regularly represent children in child welfare or criminal proceedings;

(f) Representatives of juvenile courts and family courts;

(g) Advocates of children; and

(h) Any other person deemed appropriate by the Division of Child and Family Services.

3. A juvenile court shall consider the factors prescribed in the regulations adopted pursuant to subsection 2 before committing a child to a facility for the detention of children.

4. As used in this section ~~f~~, “biological sex”:

(a) “Agency which provides child welfare services” has the meaning ascribed to it in NRS 432B.030.

(b) “Child care facility” has the meaning ascribed to it in NRS 432A.024.

(c) “Foster home” has the meaning ascribed to it in NRS 424.014.

(d) “Gender identity or expression” has the meaning ascribed to it in section ~~2~~ 2.5 of this act.

Sec. 38. NRS 62B.250 is hereby amended to read as follows:

62B.250 1. A public or private institution or agency to which a juvenile court commits a child, including, without limitation, a facility for the detention of children, shall ensure that each employee who comes into direct contact with children who are in custody receives training within ~~30~~ 90 days after employment and annually thereafter. Such training must be approved by the Division of Child and Family Services and include, without limitation, instruction concerning:

(a) Controlling the behavior of children;

(b) Policies and procedures concerning the use of force and restraint on children;

(c) The rights of children in the institution or agency;

(d) Suicide awareness and prevention;

(e) The administration of medication to children;

(f) Applicable state and federal constitutional and statutory rights of children in the institution or agency;

(g) Policies and procedures concerning other matters affecting the health, welfare, safety and civil and other rights of children in the institution or agency; ~~and~~

(h) Working with gay, lesbian, bisexual, transgender and questioning children; and

(i) Such other matters as required by the Division of Child and Family Services.

~~2. In addition to the training provided pursuant to subsection 1, a public or private institution or agency to which a juvenile court commits a child shall ensure that each employee who comes into direct contact with children who are in custody receives, within 30 days after employment, at least 2 hours of training that has been approved by the Division of Child~~

~~and Family Services concerning working with lesbian, gay, bisexual, transgender and questioning children.~~

~~3.~~ The Division of Child and Family Services shall adopt regulations necessary to carry out the provisions of this section.

Sec. 39. Chapter 63 of NRS is hereby amended by adding thereto the provisions set forth as sections 40 and 41 of this act.

Sec. 40. ~~[1. In addition to any other personal rights provided by law, a child in a facility has the rights accorded to a child in the custody of an agency which provides child welfare services by subsections 1 to 6, inclusive, paragraphs (a), (b) and (c) of subsection 7, subsections 8 and 11 and paragraphs (c), (d) and (e) of subsection 12 of NRS 432.525, subsections 3 and 4 of NRS 432.530 and paragraphs (a), (b) and (c) to (i), inclusive, of subsection 1 of NRS 432.535.~~

~~2. A facility shall:~~

~~(a) Inform each child in the facility of his or her rights set forth in subsection 1 and the process for filing a grievance prescribed pursuant to section 14 of this act;~~

~~(b) Provide the child with a written summary of those rights and the process for filing a grievance;~~

~~(c) Provide an additional written copy of the summary to the child upon request; and~~

~~(d) Post the summary in a conspicuous place inside the facility.~~

~~3. A facility may impose reasonable restrictions on the time, place and manner in which a child may exercise his or her rights set forth in subsection 1 if the facility determines that such restrictions are necessary to preserve the order, discipline or safety of the facility. } (Deleted by amendment.)~~

Sec. 41. 1. ~~[Regardless of the biological sex of a child, a]~~ A facility shall treat each child in the facility in all respects ~~as having the gender with which the child identifies unless doing so could be harmful to the physical health of the child.~~ in accordance with the child's gender identity or expression and the regulations adopted by the Division of Child and Family Services pursuant to subsection 2.

2. The Division of Child and Family Services shall adopt regulations establishing factors for a juvenile court to consider before committing a child to a facility that ensure that each child who is so committed is placed in a manner that is appropriate for the gender identity or expression of the child. Such regulations must be adopted in consultation with:

(a) Lesbian, gay, bisexual, transgender and questioning children who are currently residing in foster homes, facilities for the detention of children, child care facilities and mental health facilities or who have resided in such settings;

(b) Representatives of each agency which provides child welfare services in this State;

(c) Representatives of state and local facilities for the detention of children;

(d) Representatives of lesbian, gay, bisexual, transgender and questioning persons;

(e) Attorneys, including, without limitation, attorneys who regularly represent children in child welfare or criminal proceedings;

(f) Representatives of juvenile courts and family courts;

(g) Advocates of children; and

(h) Any other person deemed appropriate by the Division of Child and Family Services.

3. A juvenile court shall consider the factors prescribed in the regulations adopted pursuant to subsection 2 before committing a child to a facility.

4. As used in this section ~~is~~ “biological sex”:

(a) “Agency which provides child welfare services” has the meaning ascribed to it in NRS 432B.030.

(b) “Child care facility” has the meaning ascribed to it in NRS 432A.024.

(c) “Foster home” has the meaning ascribed to it in NRS 424.014.

(d) “Gender identity or expression” has the meaning ascribed to it in section ~~2.5~~ 2.5 of this act.

Sec. 42. NRS 63.100 is hereby amended to read as follows:

63.100 1. For each facility, the position of superintendent of the facility is hereby created.

2. The superintendent of a facility shall administer the provisions of NRS 63.010 to 63.620, inclusive, *and sections 40 and 41 of this act*, 63.720, 63.770 and 63.790 subject to administrative supervision by the Administrator of the Division of Child and Family Services.

Sec. 43. NRS 63.190 is hereby amended to read as follows:

63.190 1. The superintendent of a facility shall ensure that each employee who comes into direct contact with children in the facility receives training within ~~30~~ 90 days after employment and annually thereafter. Such training must ***be approved by the Division of Child and Family Services and*** include, without limitation, instruction concerning:

- (a) Controlling the behavior of children;
- (b) Policies and procedures concerning the use of force and restraint on children;
- (c) The rights of children in the facility;
- (d) Suicide awareness and prevention;
- (e) The administration of medication to children;
- (f) Applicable state and federal constitutional and statutory rights of children in the home;
- (g) Policies and procedures concerning other matters affecting the health, welfare, safety and civil and other rights of children in the facility; and

(h) Working with gay, lesbian, bisexual, transgender and questioning children; and

(i) Such other matters as required by the Administrator of the Division of Child and Family Services.

~~2. In addition to the training required by subsection 1, the superintendent of a facility shall ensure that each employee of a facility who comes into direct contact with children in the facility receives, within 30 days after employment, at least 2 hours of training that has been approved by the Division of Child and Family Services concerning working with lesbian, gay, bisexual, transgender and questioning children.~~

~~3.7~~ The Administrator of the Division of Child and Family Services shall provide direction to the superintendent of each facility concerning the manner in which to carry out the provisions of this section.

Sec. 44. Chapter 433B of NRS is hereby amended by adding thereto the provisions set forth as sections 45 and 46 of this act.

Sec. 45. ~~[1. In addition to any other personal rights provided by law, a child who has been committed to a treatment facility or other division facility by a court order has the rights accorded to a child in the custody of an agency which provides child welfare services by subsections 1 to 6, inclusive, paragraphs (a), (b) and (c) of subsection 7, subsections 8 and 11 and paragraphs (c), (d) and (e) of subsection 12 of NRS 432.525, subsections 3 and 4 of NRS 432.530 and paragraphs (a), (b) and (c) to (i), inclusive, of subsection 1 of NRS 432.535.~~

~~2. A treatment facility or other division facility to which a child has been committed by a court order shall:~~

~~(a) Inform the child of his or her rights set forth in subsection 1 and the process for filing a grievance prescribed pursuant to section 14 of this act;~~

~~(b) Provide the child with a written summary of those rights and the process for filing a grievance;~~

~~(c) Provide an additional written copy of the summary to the child upon request; and~~

~~(d) Post the summary in a conspicuous place inside the facility.~~

~~3. A treatment facility or other division facility may impose reasonable restrictions on the time, place and manner in which a child may exercise his or her rights set forth in subsection 1 if the institution or agency determines that such restrictions are necessary to preserve the order, discipline or safety of the institution or agency.] (Deleted by amendment.)~~

Sec. 46. 1. [Regardless of the biological sex of a child, a] A treatment facility and any other division facility into which a child may be committed by a court order shall treat each child committed to the facility by a court order in all respects [as having the gender with which the child identifies unless doing so could be harmful to the physical health of the child.] in accordance with the child's gender identity or expression and the regulations adopted by the Division of Child and Family Services pursuant to subsection 2.

2. The Division of Child and Family Services of the Department shall adopt regulations establishing factors for a court to consider before committing a child to a treatment facility or other division facility to ensure that each child who is so committed is placed in a manner that is appropriate for the gender identity or expression of the child. Such regulations must be adopted in consultation with:

(a) Lesbian, gay, bisexual, transgender and questioning children who are currently residing in foster homes, facilities for the detention of children, child care facilities and mental health facilities or who have resided in such settings;

(b) Representatives of each agency which provides child welfare services in this State;

(c) Representatives of state and local facilities for the detention of children;

(d) Representatives of lesbian, gay, bisexual, transgender and questioning persons;

(e) Attorneys, including, without limitation, attorneys who regularly represent children in child welfare or criminal proceedings;

(f) Representatives of juvenile courts and family courts;

(g) Advocates of children; and

(h) Any other person deemed appropriate by the Division.

3. A court shall consider the factors prescribed in the regulations adopted pursuant to subsection 2 before committing a child to a treatment facility or other division facility.

4. As used in this section ~~is~~ ~~“biological sex”~~:

(a) “Agency which provides child welfare services” has the meaning ascribed to it in NRS 432B.030.

(b) “Child care facility” has the meaning ascribed to it in NRS 432A.024.

(c) “Foster home” has the meaning ascribed to it in NRS 424.014.

(d) “Gender identity or expression” has the meaning ascribed to it in section ~~2~~ 2.5 of this act.

Sec. 47. NRS 433B.175 is hereby amended to read as follows:

433B.175 1. The Administrator shall ensure that each employee who comes into direct contact with children at any treatment facility and any other division facility into which a child may be committed by a court order receives training within ~~30~~ 90 days after employment and annually thereafter. Such training must be approved by the Division and include, without limitation, instruction concerning:

- (a) Controlling the behavior of children;
- (b) Policies and procedures concerning the use of force and restraint on children;
- (c) The rights of children in the facility;
- (d) Suicide awareness and prevention;
- (e) The administration of medication to children;

(f) Applicable state and federal constitutional and statutory rights of children in the facility;

(g) Policies and procedures concerning other matters affecting the health, welfare, safety and civil and other rights of children in the facility; ~~and~~

(h) Working with gay, lesbian, bisexual, transgender and questioning children; and

~~(i) Such other matters as required by the Board.~~

~~2. In addition to the training required by subsection 1, the Administrator shall ensure that each employee who comes into direct contact with children at any treatment facility and any other division facility into which a child may be committed by a court order receives, within 30 days after employment, at least 2 hours of training that has been approved by the Division concerning working with lesbian, gay, bisexual, transgender and questioning children.~~

~~3.~~ The Division shall adopt regulations necessary to carry out the provisions of this section.

Sec. 48. This act becomes effective:

1. Upon passage and approval for the purpose of adopting any regulations and performing any other preparatory administrative tasks that are necessary to carry out the provisions of this act; and

2. On October 1, 2017, for all other purposes.

Assemblyman Sprinkle moved the adoption of the amendment.

Remarks by Assemblyman Sprinkle.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 108.

Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 2.

Resolution read second time.

The following amendment was proposed by the Committee on Legislative Operations and Elections:

Amendment No. 23.

ASSEMBLYMEN ARAUJO; ELLIOT ANDERSON, BILBRAY-AXELROD, BROOKS, CARRILLO, DIAZ, JOINER, MONROE-MORENO, OHRENSCHALL, SWANK, THOMPSON, SPRINKLE AND YEAGER.

SENATORS PARKS; CANCELA, FORD, MANENDO, RATTI, SEGERBLOM, WOODHOUSE.

ASSEMBLY JOINT RESOLUTION—Proposing to amend the Nevada Constitution to require the recognition of all marriages regardless of gender.

Legislative Counsel's Digest:

Section 21 of Article 1 of the Nevada Constitution provides that only a marriage between a male and a female person may be recognized and given effect in this State. The United States Supreme Court, however, held in 2015

that the right to marry is guaranteed by the Fourteenth Amendment to the United States Constitution and that same-sex couples may not be deprived of that right. *See Obergefell v. Hodges*, 135 S. Ct. 2584 (2015). Under the Supremacy Clause of the United States Constitution, federal constitutional law supersedes state constitutional law in most cases. (U.S. Const. Art. VI, cl. 2) As a result, Section 21 of Article 1 of the Nevada Constitution is not enforceable.

This resolution amends Section 21 of Article 1 of the Nevada Constitution to require the State of Nevada and its political subdivisions to recognize all marriages regardless of gender. This resolution further provides that all legally valid marriages must be treated equally under the law.

Resolved by the Assembly and Senate of the State of Nevada, Jointly, That Section 21 of Article 1 of the Nevada Constitution be amended to read as follows:

~~[Sec.]~~ **Sec. 21.** ~~[Limitation on recognition]~~ **Recognition** of marriage. ~~[Only a marriage between a male and female person shall be recognized and given effect in this state.]~~

1. The State of Nevada and its political subdivisions shall recognize marriages and issue marriage licenses to couples regardless of gender.

2. All legally valid marriages must be treated equally under the law.

Assemblywoman Diaz moved the adoption of the amendment.

Remarks by Assemblywoman Diaz.

Amendment adopted.

Resolution ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Carlton moved that Assembly Bill No. 108 be rereferred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 36.

Bill read third time.

Remarks by Assemblywoman Joiner.

ASSEMBLYWOMAN JOINER:

Assembly Bill 36 amends the Charter of the City of Reno. The bill increases the number of wards in the city from five to six and replaces the single existing at-large Council member with a Council member to represent the newly created sixth ward. The City Council must establish boundaries for the newly created ward and alter the boundaries of the existing five wards accordingly.

The bill also provides that all candidates for City Council representing a particular ward must be elected in a general election only by the registered voters of that ward. If a special election is held to fill the vacancy of a Council member who represents a ward, only registered voters of

that ward may vote at the special election. In addition to existing reports required of candidates for public office, the Reno City Council must adopt an ordinance requiring the Mayor and each Council member to report the campaign contributions received during every year other than the year in which the general election for that office is held.

Finally, the bill prohibits the City Council or its members from dictating the appointment, suspension, or removal of any employee unless specifically authorized in the Charter, and requires the City Council to deal directly with the City Manager and not give any order to any subordinate of the City Manager.

Roll call on Assembly Bill No. 36:

YEAS—42.

NAYS—None.

Assembly Bill No. 36 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 126.

Bill read third time.

Remarks by Assemblyman Daly.

ASSEMBLYMAN DALY:

Assembly Bill 126 abolishes three entities: the Commission to Review the Compensation of Constitutional Officers, Legislators, Supreme Court Justices, Judges of the Court of Appeals, District Judges and Elected County Officers; the Advisory Committee on Housing; and the Subcommittee on Personal Assistance for Persons with Severe Functional Disabilities of the Nevada Commission on Services for Persons with Disabilities. This bill is effective on July 1, 2017. I urge your support.

Roll call on Assembly Bill No. 126:

YEAS—42.

NAYS—None.

Assembly Bill No. 126 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REMARKS FROM THE FLOOR

Assemblywoman Carlton requested that the following remarks be entered in the Journal.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

I want to read today, in honor of national A Day Without a Woman, from *The Woman's Manual of Parliamentary Law*. In legislative bodies there was a time when there were many days without women elected to office and serving in state legislatures. This was written in 1896, and in its preface it gives comments for women to consider should they decide to engage in public discourse.

There are at present a great many women, perfectly well fitted, so far as intelligence and interest go, to share in the deliberations of any assembly, but who, through lack of knowing the technique of parliamentary law, are kept from taking active part in the many meetings that they constantly attend. Eager as listeners, wishing they dared to speak, reproaching themselves afterward for not speaking, they need only the confidence which comes from "knowing how," in order to become active, vital forces. They want to know when to rise and when to sit, how to begin to speak and how to close, how to frame a motion or a remark, how to open and close a

meeting, how to meet an adverse motion,—all the minute details of presiding, of debating, of making motions, of conducting meetings.

Unlike the men, who almost from childhood have practised these little details till they have become as second nature, the majority of women spring full-grown into the arena of public debate, and must offset the lack of an early and natural training by the more laborious, but by no means impracticable, effort of middle life or even of old age. The honorable exceptions of women who do know how, as well as or better than most men, only prove the rule. This book, therefore, is written for women; for use in their clubs, unions, societies,—any organizations where it is important to know how to conduct a formal meeting.

I know that the author Harriette R. Shattuck would be proud of the fact that it has very practical implications in the modern day.

ASSEMBLYWOMAN NEAL:

Today is International Women's Day. On this day, we celebrate the achievement of women around the globe, and we stand in support for equality for all women.

Women have persisted despite the many barriers they have faced over the centuries. Women have held public office, led global organizations, pioneered medical advances, and served in our military. They have been innovators in technology, excelled in sports, and have soared into space, soared in the world and in industries dominated by men.

Today is also A Day Without a Woman, a day when some women have elected to take off from work or wear red to stand in solidarity and demonstrate the impact women have in this world. That is why I wear red today and why so many of my other colleagues are wearing red as well. Look around you. This legislature would not be functioning without the work of our women: legislators, clerks, sergeants at arms, legislative police, and support staff.

So here's to strong women; may we know them, may we be them, may we raise them.

Assemblywoman Benitez-Thompson moved that the Assembly recess until 4:45 p.m.

Motion carried.

Assembly in recess at 12:33 p.m.

ASSEMBLY IN SESSION

At 5:03 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblywomen Neal and Titus as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by Nevada Supreme Court Chief Justice Michael Cherry.

The members of the Senate appeared before the bar of the Assembly.

Mr. Speaker invited the members of the Senate to chairs in the Assembly.

IN JOINT SESSION

At 5:09 p.m.

President of the Senate presiding.

The Secretary of the Senate called the Senate roll.

All present except Senators Cancela, Kieckhefer, and Roberson, who were excused.

The Chief Clerk of the Assembly called the Assembly roll.
All present.

The President of the Senate appointed a Committee on Escort consisting of Senator Segerblom and Assemblyman Yeager to wait upon the Honorable Chief Justice Michael Cherry and escort him to the Assembly Chamber.

The Committee on Escort in company with The Honorable Nevada Supreme Court Chief Justice Michael Cherry appeared before the bar of the Assembly.

The Committee on Escort escorted the Chief Justice to the rostrum.

Mr. Speaker welcomed Chief Justice Cherry and invited him to deliver his message.

Chief Justice Cherry delivered his message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA
SEVENTY-NINTH SESSION, 2017

Governor Sandoval, Lieutenant Governor Hutchison, constitutional officers, Leader Ford, Speaker Frierson, Senator Roberson, Assemblyman Anderson, distinguished members of the Senate and Assembly, honored guests, ladies and gentlemen, my son David, dear Cheryl, here we go. The state of the Nevada Judiciary is strong, professional, and independent.

It is a great honor for this transplant from Missouri, the "Show-Me" state, to stand before you as Chief Justice of the Nevada Supreme Court to deliver this State of the Judiciary address. It is always a privilege for the Nevada Judiciary to join with the leadership of our Executive and Legislative Branches at the Nevada statehouse. The justices and judges of Nevada renew our pledge as the Judicial Branch to work together for the benefit of every Nevadan.

When I came to Nevada from St. Louis 47 years ago, right out of Washington University Law School, there were 18 district court judges, a 5-member Supreme Court, and no Court of Appeals in our state. Today I am very proud to say that the Nevada Judiciary is composed of a 7-member Supreme Court, a 3-member Court of Appeals, 82 district court judges, some 26 senior judges and justices, and 97 limited jurisdiction judges, which include our justices of the peace and our municipal court judges. I want to tell everybody in this assembly, we could not have grown into this outstanding Judiciary without the backing of the members, past and present, of the Nevada State Legislature. For this vote of confidence, all my colleagues in our Judiciary thank each and every one of you. Furthermore, there exists a mutual respect between the three branches of our state government: the Executive, the Legislative, and the Judiciary. This fantastic working relationship is the envy of our sister states.

Let me now acknowledge and introduce my colleagues who serve with me on the Nevada Supreme Court and the Court of Appeals. First of all, we have Michael Douglas, who will be Chief Justice of the Supreme Court in 2018. He is very active in the Access to Justice [Commission] and also was, of course, the first African-American Chief Justice. James Hardesty, who has done everything; you have seen him time and time again, and you are going to see him some more: the Guardianship Commission [Commission to Study the Administration of Guardianships in Nevada's Courts]; the pretrial release program; and many other functions, some of which I will cover in my address. Ron Parraguirre, my Basque cowboy poet, is my go-to guy whenever I need something. He assists me with the Supreme Court's Settlement Program so that we can resolve some cases without litigation and further appellate work. Unfortunately, Mark Gibbons is not here today. He is in Las Vegas as is Jerry Tao, who is in the

Court of Appeals. I am going to skip you, Kris, and I am going to skip you, Lidia and Abbi; I am going to come back to you. And also we have Michael Gibbons, brother of Mark Gibbons. In his own right, he was the Chief Judge of the Court of Appeals, the inaugural Court of Appeals. He served Douglas County as the district attorney, was a district judge for a number of years, and now is a member of the Court of Appeals.

Today, March 8, is International Women's Day. I need not tell this assembly about Women's Day. This is a global day celebrating the social, economic, cultural, and political achievements of women. This day also marks a call to action for accelerating gender parity. And boy, do we have gender parity in the Supreme Court and the Court of Appeals. My good friend Kris Pickering, a fantastic trial lawyer, with her husband Steve Morris, an expert in civil litigation—and everybody knows my love of the criminal law—a fast learner of criminal law; what a great job she does each and every day for the citizens of Nevada. Lidia Stiglich, the newest member of our Supreme Court, is a former public defender, private practitioner, district court judge in Washoe County, and a tremendous guide for work in the Supreme Court. My good friend Abbi Silver, listen to this resume: district attorney, headed up the SVU. As if that was not enough, she was a municipal court judge, justice of the peace, district court judge, and has now been appointed by me for a four-year term as Chief Judge of the Court of Appeals. I just want to say this about my counterparts here: what an example to the females, young students, female students, and the whole state of Nevada. What a splendid example of brilliant judges and tremendous achievements by these three jurists. To all the young ladies of our state, I am so proud to call these three my colleagues. They are certainly the dynamic trio of the state of Nevada. Will you three stand and let's give them a round of applause please.

I also wish to take this opportunity to thank and acknowledge Elizabeth Brown, the Clerk of the Supreme Court; Harriet Cummings, the Deputy Clerk of the Supreme Court; Tom Harris, the Clerk of the Court of Appeals; Robin Sweet, the State Court Administrator, and her two magnificent Court Administrators, Assistant Court Administrators John McCormick, who is a champion of the rural Nevada, and Rick Stefani, who is the only one who can understand what Senator Mo Denis is saying about IT; Phaedra Kalicki, who is the Supervisor of our Supreme Court Legal Staff; Brandee Mooneyhan, the Reporter of Decisions; and last but not least my judicial assistant, my chamber assistant Jan Luevano, who has been with me for over ten years. But never last and least are the hardworking and loyal employees of the appellate courts and Administrative Office of the Courts. Could you stand as a group and we can acknowledge you.

I worked for the county, I was an alternate municipal judge for over 20 years for the city, and I was in private practice for over 20 years. I had lots of employees over those years that I either supervised or worked with. But I have never seen such a group of dedicated, hardworking, and loyal employees as the folks who work with us in the appellate courts. You guys are great. Thank you so much for everything you do.

I also wish to acknowledge and thank Betsy Gonzales, Chief Judge of the Eighth Judicial District, and Patrick Flanagan, Chief Judge of the Second Judicial District for their commitment and excellence in leadership of the two urban judicial districts. You talk about herding cats. The Eighth has 52 judges and the Second has 15 judges. I would also like to ask any of the members of the Nevada Judiciary in the audience to rise and be acknowledged. Your work for all Nevadans is outstanding.

I also wish to report to you on our appellate court. In total, Nevada, with a population of nearly 3 million people, has seven Supreme Court Justices and three Court of Appeals judges. I want to compare this to two states similar in population, Mississippi and Iowa. Both of these states use the push-down method. The push-down method means that all the cases come to the Supreme Court and then we push down certain cases to the Court of Appeals. Now again, remember what I said: We have three Court of Appeals judges. Mississippi has nine Supreme Court justices and ten judges on its Court of Appeals. Likewise, the state of Iowa, with a similar population as Nevada and the same push-down model that we have, has a seven-member Supreme Court, nine Court of Appeals judges, and four senior Court of Appeals judges. Now, Nevada still has roughly 1,600 pending cases before our appellate courts. Mississippi has approximately 100, and that is because of the number of Court of Appeals judges that they have assisting the Supreme Court. We're not going to be here this year asking, but I know that

Jim Hardesty is going to be around in '19 or '21 to be saying that we need a northern panel of the Court of Appeals, so I just put that in your hat, and keep it.

We are thankful that the Court of Appeals was approved by the Nevadans because it has assisted us in reducing our caseload. Combined, Nevada's appellate courts were able to decrease the pending appellate caseload by 12 percent in 2016, an overall 18 percent decrease from two years ago. But compared to Mississippi, you can see how many more cases could be disposed of if we had additional Court of Appeals judges.

I can tell you we take our responsibility to provide justice very seriously, and we work hard to be innovative. I am proud to say we listen to those who use our services, and we look for ways to provide enhanced access to justice.

Last year I had the privilege of meeting Supreme Court Justice Elena Kagan. She said something that epitomizes what we have been doing as the third branch of government: listening and then leading. She said, "[W]hat I've learned most is that no one has a monopoly on truth or wisdom. I've learned that we make progress by listening to each other, across every apparent political or ideological divide."

Listening to concerns and suggestions has led to many improvements in the Judiciary statewide. We have to listen and lead. Nevada's courts see all of society's ills and problems. Not only do we provide resolution to criminal, civil, family, and juvenile matters, we also aid people with substance abuse, mental health issues, housing foreclosures, and family crises. The Nevada Judiciary is on the front lines directly serving Nevadans.

Nevada's Judiciary has a long history of providing exceptional service to the citizens of our state. In fact, following statehood in 1864 when we had three Supreme Court Justices, they traveled the state hearing cases, providing the access to justice and considering the needs of our citizens. The traditions established by those Justices 153 years ago continue today as Nevada's Judiciary continues to protect the rights and liberties of individuals, impartially interpreting our laws and disposing of cases in a timely manner.

The fiscal realities of the past few years have required the Supreme Court to utilize new ways to sustain Nevada's third branch of government. Reduced resources have led the Judiciary to discover alternative ways to deliver justice and maintain existing services. I am proud of our careful fiscal stewardship of the people's money.

The complexity of the issues reaching the Supreme Court continues to increase as the Nevada matures into a mixture of metropolitan cities, urban counties, and rural regions. Throughout its history, the Supreme Court has always met the challenge of providing timely resolution of cases to all Nevadans.

The *Nevada Constitution* grants authority to the Chief Justice, as the administrative head of the Nevada court system, to "Recall to active service any retired justice or judge of the court system who consents to such recall and who has not been removed or retired for cause or defeated for retention in office, and may assign him [or her] to appropriate temporary duty within the court system."

Our Senior Justice and Judge Program has proven to be a cost effective way to ensure that court cases can be heard in a timely fashion, even if the assigned judge is unavailable. Nevada is fortunate to have a number of senior justices and judges available whose experience is unmatched and who can step in, no matter what type of case is involved and where the need arises. I am looking forward to the addition of the district judges who are retiring in the future to become senior judges. These men and women will be a great asset to the Judiciary and in state of Nevada.

The Administrative Office of the Courts assigns senior justices and judges. Requests for assignment direct a specific senior justice or judge to a particular court for several reasons. They may be assigned for a durational amount of time; whenever a judicial vacancy occurs, such as when Stiglich left the bench in Washoe County; or if there is illness, any type of vacancy, mandatory judicial education, or retirement. Senior justices and judges may also hear specific cases due to recusal or disqualification or if a sitting judge has an unusually heavy caseload or congested docket.

The senior justices and judges hear civil and medical malpractice settlement conferences on a regular basis. On average, they hear between three and eight settlement conferences per week. Currently, settlement conferences are heard in the urban Second and Eighth Judicial Districts.

Thanks to Jim Hardesty, settlement conferences have been expanded to the rural jurisdictions. Additionally, senior justices and judges hear short trials and settlement conferences every two weeks in the Eighth Judicial District Family Court.

Senior justices and judges also conduct specialty court programs in the district courts in the Second, Third, Fifth, Ninth, Tenth, and Eleventh [Judicial] Districts. Senior judges and justices conduct the drug and mental health courts in these rural areas. These programs succeed in providing alternatives to jail time for certain offenders and in assisting these offenders to become productive members of society. There are senior justices or judges actively serving the district courts. Their combined efforts provided assistance almost equivalent to six full-time judges for Nevada.

When I ran for the Supreme Court in 2006 when Justice Rose decided to retire, I ran unopposed except for a tough race against None of the Above. When I was elected, my mentor, Justice Mark Gibbons, suggested that our northern panel, which I was the presiding justice of, hold court in the rurals as well as Las Vegas and Reno so that I would get to know and love the entire state. We decided to hold court in various high schools and other venues. We heard actual cases, usually in front of high school government or social studies classes. Needless to say, the lawyers who participated in these cases loved the idea, since most lawyers are frustrated actors, and they liked the idea of displaying their talents to students. The presiding justice would allow the lawyers to let the audience know the facts of the case before arguments commenced, so that meant that the lawyers could use their entire argument time of 30 minutes arguing the law. When the court appeared at high schools, we would have in attendance not only students, but also local public officials and other dignitaries. After argument concluded, the panel or full court—sometimes the en banc court would go to high schools or other venues—they would have a Q and A, question and answer session, that included the participating lawyers. When I was the presiding justice, I made them stay. You have to stay and answer questions. The audience would love this portion of the session, although we could not discuss the case that was just argued. We have done these road shows all over the state, including but not limited to Ely, Elko, Panaca, Tonopah, Douglas County, Yerington, Winnemucca, Pahump, Fallon, Sparks, West Wendover, The National Judicial College, Boyd Law School, and numerous high schools in Las Vegas and Reno. It sounds like a Johnny Cash song. Needless to say, the publicity and good will gained during these road shows was overwhelming and was able to illustrate to the public the dynamics of our Judiciary.

The Access to Justice Commission—Justice Douglas and Justice Hardesty—assists us in providing legal services to everyone in the state. The Commission took on a task last year to develop a consistent set of legal forms for all rural counties. I would like to thank Judge Tod Young of Minden for heading up this effort. With the help of other members of that committee, Judge Young has completed a set of forms that self-represented litigants may use throughout the state. This fits into one of our goals: to support people who cannot afford an attorney so they can still access our courts. Access to Justice is comprised of 22 members from various legal and nonlegal backgrounds. It is one of our largest standing commissions. The goal is to promote equal justice for all Nevadans, regardless of their economic standing. The Commission encourages pro bono services by attorneys. I am pleased to report that 2,177 attorneys provided over 100,000 hours of no-fee, direct legal services to low-income clients. This is an excellent reflection on the high caliber of Nevada's attorneys. We are lucky to be surrounded by professionals who labor to build up our communities. Every December, we have a pro bono luncheon in Las Vegas, and we have lunch with 800 of our best friends. These are the attorneys who supply pro bono services, and we help give out the awards, and it is just a great thing. It is heartwarming to see the attorneys who do this. We are lucky to have the State Bar that we have.

Nevada has a long history of helping its residents get their day in court. This is incredible but in 1879, Nevada became the first state in the nation to authorize the appointment of attorneys in all criminal matters, including misdemeanors, and also provide payment for the attorneys' services. Thanks to the Nevada Legislature and the Nevada Supreme Court, we have a good history on our side. However, we still have work to do.

In our urban counties, a defendant can count on a public defender to provide prompt representation or a contract attorney. However, in the rural parts of our state, indigent

defendants may sit in jail for an extended period of time waiting to speak to an attorney while witnesses' memories fade and investigative leads go cold. Even after that defendant is appointed an attorney, he or she may be one of several hundred clients, all vying at the same time for the attention of that single attorney. Nevada's rural attorneys simply cannot shoulder the state's obligations under the Sixth Amendment of the *United States Constitution* any longer. The financial burden increases as the U.S. Supreme Court continually clarifies and expands the obligations an attorney owes the indigent accused. We must do better at providing representation to rural defendants. Rural persons are just as deserving of representation as their urban neighbors. I encourage you to provide equal justice to rural individuals too. I head up the Indigent Defense Commission in the Supreme Court. Chief Justice Maupin had appointed me in 2007. We established professional standards, and we're looking at caseload standards throughout the state. But now the time has come, ladies and gentlemen of this Legislature, for an independent indigent defense commission. We will be presenting a bill to you to try and establish an independent indigent defense commission.

As I said, Nevada's courts see much of society's ills from the front lines and specialty courts are one area where we have met social needs head on. We are grateful for the Legislature's support in expanding these courts with a special appropriation of \$3 million in new funding, and we hope to get it again. The legislative money from the last session created four new DUI courts in Elko, Las Vegas, Winnemucca, and for those individuals living in Fallon, Yerington, and northern Mineral County. In addition, new drug, habitual offender, and veterans' courts were established in Boulder City, Carson City, East Fork, Henderson, Laughlin, Las Vegas, Mesquite, North Las Vegas, Reno, Sparks, and Winnemucca. This means more people have the chance at breaking the revolving door cycle of addiction and recidivism. Success of specialty courts means one thing—more funds for education. The overreaching goal of a specialty court is to support participants to achieve total abstinence from drugs or alcohol. These courts promote responsibility and accountability and teach people how to become productive law-abiding citizens. This, in return, reduces criminal recidivism and provides for better, healthier communities. So, we are addressing a real need, and we appreciate your funding to expand those programs. Expanding specialty courts serves Nevadans, and I encourage you to continue providing support for these programs. We can keep people out of jails, give them a second chance, and improve our communities. Again, success in this area means more funds available for education.

Many of our courts are reaching out to our youth to provide them with support and inspiration. This is a heartwarming story. Just last month, the Las Vegas Youthful Offender Program celebrated its fortieth graduate. It is called the YO Program. This is a problem-solving court for participants between the ages of 18 and 24 who suffer with substance abuse dependency. It is the only court in the nation that requires family members to participate with their adult children in order for the addict to be accepted into the program. The court focuses on making the whole family healthy, not just the addicts who found their way into the criminal justice system. The participants learn how to maintain their sobriety. They are given tools to help them. To graduate, the participants must have a high school diploma or GED, and they must have successfully completed appropriate counseling; be employed; have established healthy, independent living; and have a savings account. Family members, as mandatory participants, learn about enabling and codependency and are armed with knowledge that "No" can be a complete sentence. Addiction is a family disease, and YO Court's focus is on treating the family. With opioid deaths surpassing automobile accidents for the first time last year, there could be no time more crucial than now for courts like YO Court. I am so proud to say that present today, we have Chief Judge Cedric Kerns of the Las Vegas Municipal Court and his fortieth graduate of the YO Program, Nicholas C.

Last year, at-risk fifth graders in North Las Vegas joined Judge Natalie Tyrrell in celebrating the 15th anniversary of the Kids in the Court program. Judge Tyrrell created the program in 2002 to educate students about the judicial system, law-related careers, and the importance of staying in school. The court had partnered with C. P. Squires, an at-risk school in North Las Vegas, to help students set new goals for themselves. With programs like this one, the Judiciary is doing much to lend a hand in civics education across the state. You know, not everybody can be successful in drug court or AA or any 12-step program, and thanks to the Governor and his

program for opioid abuse and Justice Stiglich, who made a presentation there, judges across the state are now accepting medication-assisted treatment programs such as methadone. I am so proud today to have with us two people who have done so much in the Las Vegas community for those who are using methadone on a regular basis. I have been to some of their programs, and these people stand up and say I couldn't make it in drug court, couldn't make it on probation, but now I have made it on methadone. I have my family together, I have employment, and I haven't been arrested or committed any type of crime. And with me today is the founder of the Adelson methadone clinic, Dr. Miriam Adelson, and the director of that clinic, Dr. Shirley Linzy. Miriam and Shirley, will you please stand, and let's say hello to them. That's some happy news. Now I have a little bit of sad news for you.

While we have been listening to those who use the Judiciary, we heard the frustrations of many Nevadans. For instance, the Commission to Study the Administration of Guardianships in Nevada's Courts spent 16 months listening to the concerns of persons subject to guardianship, experts on reform, guardians, and judges. Some of the testimony was alarming and some of it heartbreaking. Thanks go out to Justice James Hardesty, Judge David Barker, and Judge David Hardy for bringing this matter to our attention. And thanks to many individuals in the Administrative Office of the Courts who assisted in this effort, particularly Stephanie Heying, who assembled the final report. The result of this Commission is a 236-page report with dozens of recommendations for changes in guardianship law, policy, and court rules. This list of recommendations now goes before this assembly, including a bill of rights for individuals subject to guardianship and other protections aimed at reform. To put the focus where it should be, on the protection of the individual, 16 state law and 14 judicial rule changes are proposed. We provide these as suggestions based on our listening to those involved. These recommendations will go a long way to improve Nevada's guardianship system, and we encourage you to support these changes.

Another area where we have listened is the question of how do judges handle pretrial release. Frankly, our judges have been setting bail or releasing individuals in the blind. Let me explain. An individual comes to the court on a charge. Bail is set, and too often the person sits in jail waiting for their court date. Our judges do not know if the person is a risk to the community, and too many people have lost their jobs or their homes because they've had to wait in jail. In short, for the poor, bail means jail. Since the middle of 2015, we have been listening to people in the system to examine alternatives and improvements to Nevada's pretrial release system. I am pleased to say that a pilot program has been underway for nearly seven months in Clark, Washoe, and White Pine Counties. Judges are evaluating pretrial release based on evidence-based practices and risk assessment tools, and they are no longer in the dark. The pilot program has shown that risk assessment identifies the higher and lower risk defendants. This is a major reform that eventually may be expanded to all of Nevada. Again, I would like to thank staff from the Administrative Office of the Courts, particularly Jamie Gradick, and Justice Hardesty for chairing the study group. I think they deserve a round of applause.

On a happier note—finally, we took an active role in assisting persons in Clark County using the child welfare system. In conjunction with a mandate from the Supreme Court's Blue Ribbon for Kids Commission, the Eighth and Second Judicial [District] Courts implemented a one judge/one family case assignment model in the abuse and neglect case type. The Commission, chaired by my good friend who has left me—but at least we got Lidia in exchange—Nancy Saitta, who chairs this committee and showcases another example of the Judiciary listening to the concerns of people who work and participate in the child welfare system. This woman is the queen of adoptions and everything that has to do with foster care. And Nancy, what a job you've done. I know even though you retired and you are one of my senior judges and justices, you're still doing kids' work, and I know the Governor has appointed you and his own wife to handle some of these matters. Nancy, stand up and take a bow.

We are one of the few remaining western states to have judges ride a circuit. My good friend Judge Jim Shirley is the type of judge, covering the Eleventh Judicial District Court and traveling between Battle Mountain, Hawthorne, and Lovelock. In fact, he may be one of those people sprinting across our basins and ranges, and hopefully one who does not get tickets.

For long-term vacancies, we use senior judges to provide uninterrupted access to justice. However, sometimes an emergency takes place, keeping a judge from the bench too quickly for

a senior judge appointment. So what has Judge Shirley done? He has been talking to Judge Tom Stockard of Fallon, and this will allow each judge to cover for each other in an emergency. It is another example of how our judges work together and find ways to provide services to their communities.

Judge Shirley also has been working—and this is incredible. This guy was a tough DA [district attorney], and I thought, Oh boy, let's see how he does as a district court judge. Listen to this. Judge Shirley also has been working with the prison system on developing resources to allow prisoners to type their pleadings, in lieu of the handwritten pleadings, and then efile them. That should help tremendously. The efilings system should help in the appeals process, similar to the helpful changes in the appellate cases from Washoe and Clark Counties as a result of their efilings systems. Jim, you are a beautiful person. Thank you for what you do.

This number shows our workload continues to grow. This is our Court, the Supreme Court. In 2016, 2,452 cases were filed in the Supreme Court, almost 2,500 cases. It goes on and on, and I have a feeling we are going to get an influx of people from California who can't take it anymore, and they are going to come to northern Nevada and southern Nevada, and we're going to have a lot more people. We will be well over 3 million pretty soon. In 2016, we had 2,500 cases that were filed in the Supreme Court. With the addition of the Nevada Court of Appeals, we were able to assign 637 cases to the Court of Appeals. Now, I am the Chief Justice and the Court has been in effect since 2015, and they had '16 to do a bunch of cases. They did almost 700 cases in '16. And now I am assigning cases. And Abbi Silver, Chief Judge Abbi Silver, that former DA, that former municipal court judge, justice of the peace, district court judge—has promised me that if I give Mike and Abbi and Jerry a thousand cases, that they will be able to reduce our backlog so that justice will be swift in the state of Nevada. Good luck, Abbi. And Michael, I know you can do it.

Our trial courts also have been working hard to assure access to justice. Criminal filings increased by nearly 7 percent last year, with the primary cause a 13 percent increase in justice court criminal filings. Recent improvements in capturing data on civil matters have given the Judiciary a clearer picture of the types of civil cases impacting our courts. In particular, the district courts have improved the accuracy of assigning civil cases. This has led to speedier justice.

All of these developments are the result of efforts by the employees of the Nevada Judiciary who have worked hard to keep the judicial system up to date and accessible to Nevadans, and our success has been recognized by others. The Conference of State Court Administrators and the National Center for State Courts awarded the Administrative Office of the Courts with the Court Statistics Project Reporting Excellence Award in 2016. The award recognizes the Nevada Judiciary's work to improve caseload data reported to the National Center for State Courts. The Nevada statewide data model resulted in providing 92 percent publishable court statistics for the state's courts. This placed Nevada sixth in the nation for providing caseload statistics to the National Center for State Courts' national database. Publishable data is used for analysis by the Judiciary in learning how we can do a better job of providing access to justice.

The Nevada Association of Court Executives awarded the Administrative Office of the Courts with its 2015 Court of the Year Award. The award recognized the Judiciary for creating the Nevada Court of Appeals in less than two months and allowing the court to hear cases in January 2015. The Nevada Court of Appeals signified the start of a new era in Nevada justice, and one person really helped to usher this through in 2011 and 2013 so that the voters in 2014, after many tries and failures, were able to get a Court of Appeals. And of course, I am talking about no one other than the cookie man, Ben Graham. Now, in two short months, the staff of the Supreme Court implemented a brand new court, including but not limited to, setting up offices, computers, a case management system, budgets, court rules, filing procedures, and the investitures of the new judges. The completion of these tasks and many more enabled the Court of Appeals to commence operations on time and within budget. And again, the Nevada Supreme Court assigns cases to the Court of Appeals in a defunctive model. This was invented by Justice Hardesty and Justice Gibbons and then followed by Justice Parraguirre, and it is also being followed by me. And I tell my colleagues Gee, I thought maybe I could do something different. Jim, maybe it wasn't the best thing. Ron, maybe it wasn't the best thing. But what they've come up with, the way we were able to assign cases, is a magnificent thought and just works

perfectly, as far as I'm concerned, and will reduce the caseload substantially over the next few years. The goal of the Court is to reduce the sizeable backlog in appellate cases and eventually shortening the time for resolution of all appeals in Nevada. I want to say something else about my good friend Ben. He got everything through in 2011 so that then it could come to 2013—it was Michael in 2011 that ushered it through, Kris Pickering in 2013. But the person who was most responsible in 2013, of course, was Ben Graham. How many Republicans voted for the Court of Appeals? All of you. How many Democrats voted for the Court of Appeals? All of you. In other words, there was no gridlock when it came to the Court of Appeals to go to the voters. One hundred percent of those in the Senate and the Assembly voted for the Court of Appeals, and we thank you, thank you, thank you.

Now, two weeks ago, the Nevada Supreme Court and the Nevada Court of Appeals moved to a new courthouse in Las Vegas. We just couldn't take going to the seventeenth floor in elevators that didn't work or that would fall down. The building looks like a courthouse, from the statue of Lady Justice on the copper dome to the courtroom modeled after the first U.S. Supreme Courtroom. The new courthouse also features modern heating and cooling technology good enough for a Leadership in Energy and Environmental Design gold certification. The move from the Regional Justice Center will also save, Governor, you will like hearing this—approximately \$500,000 over the coming years in lease costs. Overall, the new courthouse will provide additional space in a modern building. It is an impressive courthouse, and we invite you to visit. Jim Hardesty worked day and night to make sure that everything got taken care of with the Governor, with the county, with the Court, with the RJC, to make sure we could leave, and we did a couple of weeks ago. He did a magnificent job. This is a magnificent courthouse, and we are having a grand opening on March 27 at 1 o'clock in the afternoon—that's a Monday—and we're hoping the Speaker can be there and Leader can be there, and all of the assistants and everybody else to come and see this beautiful edifice. And we've got a landlord, and he's more than a landlord. Well, we've got a developer, and he's more than a developer—the guy who made sure that we have this courthouse—and he and his right hand are here today. I want to present to you an artist, Yohan Lowie, and his right hand, Brett Harrison.

The Nevada Judiciary is blessed with many extraordinary people who work diligently with honor and integrity. The people and programs we have highlighted this evening showcase just a fraction of the many accomplishments and efforts of the Judiciary to improve access to justice. Without these dedicated members of the Legislative and Executive Branches, the Judiciary would be unable to meet our responsibility to Nevada. As the Chief Justice and the representative of the Judiciary, I thank you for your assistance in supporting our vision for providing fair and effective justice to all Nevadans. This is a wonderful state. I have been here 47 years and never regretted moving from Missouri and being in Las Vegas until 2006 and then living here in Carson since 2007. There are many opportunities and great people here in southern Nevada and northern Nevada. And when I talk about the road show, I encourage all of my friends in the Assembly and the Senate from southern Nevada to take a ride in rural Nevada. It is fantastic. It is gorgeous. It is God's gift to our state. I was so happy that Mark Gibbons encouraged me to go from place to place. And whenever we wanted to rest, we never went to a gas station; we always went to a courthouse. We'd go and meet everybody in the courthouse in rural Nevada, and it was just a wonderful experience. Nevada's Judiciary is a reflection of what you want it to be. This is your Judiciary and your system of justice. Many of you have taken the time to visit the courthouses in your communities. You have seen firsthand how the Judiciary works to improve the lives of Nevadans. We invite you to continue visiting and helping us to improve the services so important to our state. We also invite you to a reception at the Court, the Supreme Court rotunda, after this address.

In conclusion, I again wish to thank the Legislature for the privilege and honor of delivering this State of the Judiciary address. This thank you comes from all my colleagues in our Judiciary, who deeply appreciate your dedication and service to our state. I know what a sacrifice it is to leave your family for the 120 days, and hopefully maybe not a special session, and we certainly appreciate the work you do. As members of this Battle Born State government, I want to end it by recalling the words of Senator Edward Kennedy. People ask when you look at your duties and responsibilities, How do you feel? And this is what I want to leave you with,

what Kennedy said: “[The] work goes on, the cause endures, the hope still lives, and the dream shall never die.” God bless all of you.

Now I always have to do something different. My mother, may she rest in peace, always called me a rebel. I am honored at this time to introduce Christina Bourne to you. Christina is a 15-year veteran educator and currently teaches music and band at Mark Twain Elementary School. She is also a former Miss Nevada, and at my request, Christina will perform “God Bless America.” Christina.

Singing of “God Bless America” by Christina Bourne.

Senator Harris moved that the Senate and Assembly in Joint Session extend a vote of thanks to Chief Justice Cherry for his timely, able, and constructive message.

Seconded by Assemblywoman Jauregui.

Motion carried unanimously.

The Committee on Escort escorted Chief Justice Hardesty to the bar of the Assembly.

Assemblyman Carrillo moved that the Joint Session be dissolved.

Seconded by Senator Farley.

Motion carried.

Joint session dissolved at 6:02 p.m.

ASSEMBLY IN SESSION

At 6:04 p.m.

Mr. Speaker presiding.

Quorum present.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Paul Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Nate Jacobs.

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

On request of Assemblywoman Benitez-Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Christina Bourne, Todd Westergard, and Brooks Westergard.

On request of Assemblywoman Bilbray-Axelrod, the privilege of the floor of the Assembly Chamber for this day was extended to Troy Isaacson.

On request of Assemblyman Brooks, the privilege of the floor of the Assembly Chamber for this day was extended to Christian Augustin, Alison Brasier, and John Shook.

On request of Assemblywoman Bustamante Adams, the privilege of the floor of the Assembly Chamber for this day was extended to Ann Barnett and Louis Travano.

On request of Assemblywoman Carlton, the privilege of the floor of the Assembly Chamber for this day was extended to Krinn McCoy, Lois Nannini, and Mike Nannini.

On request of Assemblyman Carrillo, the privilege of the floor of the Assembly Chamber for this day was extended to Brent Conrad.

On request of Assemblywoman Cohen, the privilege of the floor of the Assembly Chamber for this day was extended to Shelbi Keyes and Katherine Higgins.

On request of Assemblyman Daly, the privilege of the floor of the Assembly Chamber for this day was extended to Dan O'Shea and Paul Malikowski.

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

On request of Assemblyman Edwards, the privilege of the floor of the Assembly Chamber for this day was extended to Jill Hardy, Steven Grierson, Doug Waite, Jim Whited, and John Jenson.

On request of Assemblyman Ellison, the privilege of the floor of the Assembly Chamber for this day was extended to Kurt Anderson, Robert Wilcox, Ron Miller, and Edward Lawson.

On request of Assemblyman Flores, the privilege of the floor of the Assembly Chamber for this day was extended to Paul Dudzinski.

On request of Assemblyman Frierson, the privilege of the floor of the Assembly Chamber for this day was extended to Boyd Martin and Mike Montero.

On request of Assemblyman Fumo, the privilege of the floor of the Assembly Chamber for this day was extended to Rob Patterson and Kimberly Surratt.

On request of Assemblyman Hambrick, the privilege of the floor of the Assembly Chamber for this day was extended to Leon Mead, Paul Cullen, and Chris Koenig.

On request of Assemblyman Hansen, the privilege of the floor of the Assembly Chamber for this day was extended to Bruce Widmer, Jonathan Dahl, and David Hansen.

On request of Assemblyman Kramer, the privilege of the floor of the Assembly Chamber for this day was extended to Nate Cartwright and Kathleen Sigurdson.

On request of Assemblyman Marchant, the privilege of the floor of the Assembly Chamber for this day was extended to Cory Santos, Sr., Will Sykes, and Maggie Colucci.

On request of Assemblyman McCurdy, the privilege of the floor of the Assembly Chamber for this day was extended to Justin Kittrell and Ben Cloward.

On request of Assemblywoman Miller, the privilege of the floor of the Assembly Chamber for this day was extended to Matthew Granda.

On request of Assemblywoman Monroe-Moreno, the privilege of the floor of the Assembly Chamber for this day was extended to Barbara Gallagher.

On request of Assemblywoman Neal, the privilege of the floor of the Assembly Chamber for this day was extended to Mariya Poling.

On request of Assemblyman Ohrenschall, the privilege of the floor of the Assembly Chamber for this day was extended to Gloria Sturman, Christina Kleist, Johnna Cashill, Riana Durrett, Jason Mills, Jeanette Dean, and Bill Bradley.

On request of Assemblyman Oscarson, the privilege of the floor of the Assembly Chamber for this day was extended to Judy Metz, Mary Kerner, and Jake Nelson.

On request of Assemblyman Pickard, the privilege of the floor of the Assembly Chamber for this day was extended to Bill Wellman and Kyle Hess.

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

On request of Assemblywoman Swank, the privilege of the floor of the Assembly Chamber for this day was extended to Colleen Wapole, Mark Maffey, and David Frommer.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Tim Bennett, Jennifer Tenby, Marta Poling Schmitt, Tom Roberts, Charles Redmon, Barbara Paulsen, Patti McGuire, Nolan Jones, Dennis Hutson, Paul Hansen, Michael Harris, Art Gafke, Jeanine Emma, Frank Emma, Rabbi Malcolm Cohen, Gary Bauman, and Linda Bell.

On request of Assemblywoman Titus, the privilege of the floor of the Assembly Chamber for this day was extended to Thomas Stockard and Stephen Wood.

On request of Assemblywoman Tolles, the privilege of the floor of the Assembly Chamber for this day was extended to Chad Schmucker, Derrick Williams, and Eva Segerblom.

On request of Assemblyman Watkins, the privilege of the floor of the Assembly Chamber for this day was extended to Erik Fox, Matthew Hoffmann, and Sabrina Wibicki.

On request of Assemblyman Wheeler, the privilege of the floor of the Assembly Chamber for this day was extended to Christian Morris, Eileen Herrington, and Jennifer Baker.

On request of Assemblywoman Woodbury, the privilege of the floor of the Assembly Chamber for this day was extended to Celssie Hardy, Lindsay Howard, and David Boehrer.

On request of Assemblyman Yeager, the privilege of the floor of the Assembly Chamber for this day was extended to Jim Mason, Dina Romaya-Ladah, and Melissa Exline.

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Thursday, March 9, 2017, at 11:30 a.m.

Motion carried.

Assembly adjourned at 6:04 p.m.

Approved:

JASON FRIERSON
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly