

THE THIRTY-SEVENTH DAY

CARSON CITY (Tuesday), March 14, 2017

Assembly called to order at 11:46 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Tony Brandon.

Creator of Heaven and earth, today I ask that You establish this Assembly full of Your knowledge, wisdom, understanding, and love.

I ask that You extend Your hand of protection over each servant here and their families. Give this Assembly strength as they lead. May each one have a special sense of Your guidance today as issues are discussed.

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.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Corrections, Parole, and Probation, to which was referred Assembly Bill No. 23, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES OHRENSCHALL, *Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 13, 2017

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Initiative Petition No. 1.

SHERRY RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

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

Assembly Joint Resolution No. 9—Urging Congress not to repeal the Patient Protection and Affordable Care Act or its most important provisions.

Assemblywoman Joiner moved that the resolution be referred to the Committee on Health and Human Services.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblywomen Woodbury and Titus; Senator Hardy:

Assembly Bill No. 284—AN ACT relating to professions; providing for the licensure and regulation of physician assistants by the Board of Medical Examiners rather than by the Board of Medical Examiners and the State Board of Osteopathic Medicine; authorizing a physician assistant who is licensed in this State or in another state or territory of the United States to provide voluntary health care service in this State in association with a sponsoring organization without the supervision of a supervising physician; creating the Committee on Physician Assistants appointed by the Board of Medical Examiners; requiring the Committee to review and provide recommendations to the Board of Medical Examiners on each application for licensure as a physician assistant; authorizing a physician assistant to render medical care without the supervision of a supervising physician when responding to an emergency or disaster; revising provisions relating to the licensure of physician assistants by the Board of Medical Examiners; designating physician assistants as primary care providers under certain circumstances; and providing other matters properly relating thereto.

Assemblywoman Woodbury moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Kramer and Wheeler; Senator Settelmeyer (by request):

Assembly Bill No. 285—AN ACT relating to roads; revising provisions governing the disposition of money from the sale of certain parcels of land by the Administrator of the Division of State Lands of the State Department of Conservation and Natural Resources; requiring the Department of Transportation to use money from that sale to repair and improve certain roads; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Elliot Anderson:

Assembly Bill No. 286—AN ACT relating to criminal procedure; revising provisions concerning the eligibility of a defendant for assignment to a program for the treatment of veterans and members of the military; authorizing a district court, justice court or municipal court to establish such a program; and providing other matters properly relating thereto.

Assemblyman Elliot Anderson moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

By Assemblymen Frierson and McCurdy:

Assembly Bill No. 287—AN ACT relating to deceptive trade practices; prohibiting the issuance of a gift certificate that expires on a certain date; and providing other matters properly relating thereto.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Joiner, Frierson, Benitez-Thompson, Carrillo, Diaz, Araujo, Carlton, Fumo, Jauregui, Monroe-Moreno and Swank:

Assembly Bill No. 288—AN ACT relating to the protection of certain persons; revising provisions relating to immunity from civil or criminal liability for certain acts; increasing the maximum term of imprisonment for a person who commits certain acts against an older person or a vulnerable person that result in substantial bodily or mental harm to or the death of the person; revising the penalties for committing certain acts against an older person or a vulnerable person or conspiring to commit certain acts against an older person or a vulnerable person; establishing provisions relating to certain arbitration clauses included in contracts used by facilities for long-term care; and providing other matters properly relating thereto.

Assemblywoman Joiner moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Wheeler, Ellison, Kramer, Oscarson, Hambrick, Edwards, Marchant and Tolles; Senators Spearman and Settelmeyer:

Assembly Bill No. 289—AN ACT relating to mining; authorizing a person who intends to locate or expand a facility for smelting, processing or refining ores or metal to apply to the Office of Economic Development for a partial abatement of certain property or sales and use taxes; establishing criteria by which such a facility may qualify for such a partial abatement; establishing the maximum duration and percentage of such partial abatements; requiring the State Environmental Commission to adopt regulations providing for the reimbursement of certain permit fees and establishing an expedited process for the issuance of certain permits by the State Department of Conservation and Natural Resources and the Division of Environmental Protection of the Department; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Wheeler, Kramer, Hambrick and Ellison:

Assembly Bill No. 290—AN ACT relating to local governments; authorizing the Local Government Employee-Management Relations Board to appoint a Deputy Commissioner; revising the period during which a new, extended or modified collective bargaining agreement or similar agreement

must be posted and made available before a public hearing; requiring the chief executive officer of a local government to report to the governing body of the local government whether a proposed collective bargaining agreement or similar agreement is financially sustainable; revising the process of fact-finding and arbitration after an impasse in bargaining; revising provisions relating to the budgeted ending fund balance of the general fund of a local government; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Ohrenschall:

Assembly Bill No. 291—AN ACT relating to criminal procedure; revising provisions relating to presentence investigations and reports; requiring certain information to be included in a presentence report; revising the limitation of time for disclosure of the factual content of reports of presentence investigations by the Division of Parole and Probation of the Department of Public Safety; and providing other matters properly relating thereto.

Assemblyman Ohrenschall moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

By Assemblymen Carrillo, Fumo, Ohrenschall, Joiner and Swank; Senator Manendo:

Assembly Bill No. 292—AN ACT relating to education; requiring the principal of a public school who receives a report of bullying or cyber-bullying to report the matter to the board of trustees of the school district in which the school is located; requiring the principal to notify the parents or guardians of certain pupils before interviewing such a pupil about the matter; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Araujo, Yeager, Flores, Diaz, Spiegel, Cohen, Fumo, Jauregui, Joiner, Miller and Swank; Senators Segerblom and Manendo:

Assembly Bill No. 293—AN ACT relating to elections; providing in certain circumstances for presidential preference primary elections; setting forth requirements and procedures for any presidential preference primary election; and providing other matters properly relating thereto.

Assemblyman Araujo moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 6.

Bill read second time and ordered to third reading.

Assembly Bill No. 85.

Bill read second time and ordered to third reading.

Assembly Bill No. 141.

Bill read second time and ordered to third reading.

Assembly Bill No. 162.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 142.

Bill read third time.

Remarks by Assemblymen Ohrenschall, Pickard, Flores, and Edwards.

ASSEMBLYMAN OHRENSCHALL:

Assembly Bill 142 authorizes the district court to make the factual findings necessary to enable a child to apply for federal status as a special immigrant juvenile. The findings may be made by the district court at any time during a proceeding held in the district court or a division of the district court having jurisdiction to make judicial determinations regarding the custody and care of juveniles. A person may file a petition with the court requesting that the court make these findings to enable a child to apply for status as a special immigrant juvenile. If the court determines there is evidence to support these findings, the court is required to issue an order setting forth the findings. This measure also provides that any records containing information concerning the immigration status of such a child that are not otherwise confidential must be sealed and made available for inspection only by certain persons. Lastly, the Supreme Court is required to adopt any rules and procedures necessary to implement the provisions of this bill.

ASSEMBLYMAN PICKARD:

I rise in support of this bill. I think it is important to understand that this is intended to protect the most vulnerable among us, however they may have arrived in our country. We have a duty to protect them, and this is a small step in ensuring that they achieve the protections that they need.

ASSEMBLYMAN FLORES:

I rise in support. I just want to let my colleagues know that this entire conversation that wraps around this bill is about federalism. The idea is very simple. Federal law dictates what the definition is and what the law is under special immigrant juvenile, procedurally how that works. Federal law dictates that it is up to the state to grant this guardianship and/or custody because federal law recognizes that every single state has different laws pertaining to guardianship and custody. The differences that we have in the states mandate that we give the flexibility to each individual jurisdiction to say how that is going to work. But it is federal law mandating, telling us that we have to do it. The reason we had to bring this bill forward is that there is no parity right now between federal law and state law. Federal law is mandating that we do this and the state law has no guidance. All this bill does is take the federal language, we put it in the NRS [*Nevada Revised Statutes*], and we create guidance so that the courts know what they are supposed to do per federal mandate, and then it goes through the vetting process at the Department of Homeland Security level. We are not giving any more authority than federal law mandates that we give. I urge all of my colleagues to vote in support of this measure.

ASSEMBLYMAN EDWARDS:

This bill has been a little bit back and forth in my mind as far as the federalism issues, the judicial issues, and so on. I can understand the comments of my colleague from the south. I think it clarified a couple of things for me, and I would say this: As we move forward with this kind of legislation, we need to be very mindful of just what a contentious issue this could be. I want to make sure that we make sure the state does what the state is supposed to do, and the feds do what they are supposed to do, and we never intermingle the two. I will be supporting the measure, but I do so while issuing some caution that we do it right.

Roll call on Assembly Bill No. 142:

YEAS—38.

NAYS—Krasner, Marchant, McArthur, Wheeler—4.

Assembly Bill No. 142 having received a constitutional majority,
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 146.

Bill read third time.

Remarks by Assemblyman Watkins.

ASSEMBLYMAN WATKINS:

Assembly Bill 146 enacts the Uniform Recognition and Enforcement of Canadian Domestic-Violence Protection Orders Act. The measure provides for the enforcement and registration of domestic violence protection orders issued by Canadian courts. The state, its agencies and political subdivisions, and certain persons who enforce a Canadian domestic violence protection order based upon a reasonable belief that the order is valid, or refuse to enforce such an order based upon a reasonable belief that the order is not valid, are provided immunity from civil or criminal liability.

Roll call on Assembly Bill No. 146:

YEAS—42.

NAYS—None.

Assembly Bill No. 146 having received a constitutional majority,
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 191.

Bill read third time.

Remarks by Assemblywoman Cohen.

ASSEMBLYWOMAN COHEN:

Assembly Bill 191 requires the State Board of Health to develop and distribute to hospitals and obstetric centers a declaration for the voluntary acknowledgment of parentage. This declaration is deemed to have the same effect as a judgment or order of a court determining the existence of the relationship of parent and child if the declaration is signed in this or any other state by the parents of the child. A signed declaration is required to show consent by a person who intends to be a parent of a child born by assisted reproduction. Additionally, the measure prohibits the adoption of certain children of whom Nevada is or was the home state except upon an order of a district court. The bill removes the requirement that a petitioner must have resided in Nevada for a period of six months before the granting of the petition for adoption of a child.

Roll call on Assembly Bill No. 191:

YEAS—42.

NAYS—None.

Assembly Bill No. 191 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Carlton moved that Assembly Bill No. 141 be rereferred to the Committee on Ways and Means.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Brooks, the privilege of the floor of the Assembly Chamber for this day was extended to Yale Yeandel.

On request of Assemblyman Hambrick, the privilege of the floor of the Assembly Chamber for this day was extended to John Petkus, Kristopher Sanchez, Renata Szczech, Anna Maria Anders, Mariusz M. Brymora, Beata Drzazga, and Erica Adler.

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

On request of Assemblywoman Krasner, the privilege of the floor of the Assembly Chamber for this day was extended to Karin Hilgersom, Matthew Helmick, Kyle Dalpe, and Elena Bubnova.

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Wednesday, March 15, 2017, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:20 p.m.

Approved:

JASON FRIERSON
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly