

**THE NINETY-THIRD DAY**

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CARSON CITY (Tuesday), May 9, 2017

Assembly called to order at 12:21 p.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Neal, Pickard, and Woodbury, who were excused.

Prayer by the Chaplain, Rabbi Evon J. Yakar.

I am honored to be here this morning. I am grateful for this opportunity to share words of prayer with all of you and certainly for your efforts on behalf of the citizens of the state of Nevada.

At this time of year, in the Jewish tradition, we are in the period of time called the *counting of the Omer*. In both the Biblical books of Leviticus and Deuteronomy, we are charged to count the seven weeks between the festivals of Passover and that of Shavuot. Passover marks our freedom from Egyptian bondage, and Shavuot, seven weeks later, points to the time the Israelites stood at Mt. Sinai receiving Torah. In synagogues the world over, there is a ritual of announcing the number of the day in this period of counting every evening, and today marks the twenty-eighth day of the *Omer*.

You all engage in this practice in your own way. Today marks the ninety-third day of the 79th Session. And while this may be a simple banal practice on the outside, there is an opportunity to be seized here. An 11th century sage, Rabbi Bachya Ibn Pakuda wrote, "Days are like scrolls; write on them only what you want to be remembered."

May the One who blessed our ancestors continue to bless us. May this Presence of the Divine, the Source of Creation, the Mystery of the Universe, whatever is our belief, encourage us to choose our words and our actions wisely, for they become the ink on our scrolls of each day. May each of us use the discernment to march on our own journey from the freedoms with which we are blessed to our own moments of learning and discovery symbolized by Sinai.

We pray: *HaMakom*—May the One Who is Ever Present grant each of us the ability to live up to our responsibilities and to ensure the ink we choose to write with on each day honors all those we serve.

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 Senate Bill No. 140, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JAMES OHRENSCHALL, *Chair*

*Mr. Speaker:*

Your Committee on Education, to which were referred Senate Bills Nos. 20, 241, 252, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

TYRONE THOMPSON, *Chair*

*Mr. Speaker:*

Your Committee on Health and Human Services, to which were referred Senate Bills Nos. 2, 27, 324, 326, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MICHAEL C. SPRINKLE, *Chair*

*Mr. Speaker:*

Your Committee on Judiciary, to which were referred Senate Bills Nos. 32, 35, 40, 42, 110, 362, 454, 515, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

STEVE YEAGER, *Chair*

#### MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 9, 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. 8.

SHERRY RODRIGUEZ  
*Assistant Secretary of the Senate*

#### MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 8.

Assemblywoman Carlton moved the adoption of the resolution.

Remarks by Assemblymen Carlton and Ohrenschall.

ASSEMBLYWOMAN CARLTON:

It is with affection and sadness mingled together that I rise today to speak about my friend, Gary Gray. Though Gary's name is not a household word in Nevada, very few people have made a deeper and more lasting impression on the Nevada Legislature.

Many of you will remember Gary as the spouse of our fellow legislator and Clark County Commissioner, affectionately known as Chris G. Others will remember his stellar and astonishingly successful career as a political consultant. Still others will remember the role he played in the Assembly Democratic Caucus.

Gary was born in South Dakota in 1946. His father, who worked for the United States Department of Agriculture, whetted Gary's appetite for politics by introducing him to such notable political leaders as Hubert H. Humphrey and George McGovern.

This early introduction helped to launch him toward a career as a truly great political consultant. As Jon Ralston put it, "Gary mastered the art of targeting voters, mobilizing special interests and electing political candidates, especially Democratic legislators." In the mid-1980s, he formed the Assembly Democratic Caucus, a well-oiled electoral machine that kept the people's house of the Legislature in Democratic hands for more than two decades. Gary also helped elect Bob Miller twice as Governor. Many other political consultants have taken a page or two from his playbook, but none can boast such a proud record.

Gary was an adventurous world traveler, having visited 135 countries on all 7 continents. In his travel blog, "Gray on the Road," he urged his readers to "break the tether of organized tours, cruises and tight planning and launch out on your own." He said in over 50 years of travel on every continent—and usually without reservations or really much of a plan, as I am sure his wife can attest, other than a loose outline—he only spent one night on the street, and he said that was one of the best nights of his life.

Gary has been called a renaissance man. He had many talents. He was a great teacher with a passionate love for English literature, especially Shakespeare. He could write a poem or cook a delicious meal. Gary could design a house or make a stained glass window. He loved good music, good stories, good conversation, and good friends. Gary enjoyed life to the fullest. In fact, he used to like to quote Rosalind Russell, "Life is a banquet, and most poor suckers are starving to death."

Gary was also an idealist. He believed in the essential goodness of human beings and he tried to make the world a better place, not only through his political work, but also through personal kindness and service. Whether he was mentoring high school students or sitting on the board for a senior housing project, he gave freely of his time to help others.

In short, Gary was one helluva guy. He was an exceptional person. I will always cherish my memories of his association and friendship. My heart goes out to his wife and my friend and to his many friends.

The resolution that is before us is a small token of our esteem and a fitting tribute to this great and good Nevadan. I urge all of you to give it your enthusiastic support.

ASSEMBLYMAN OHRENSCHALL:

I rise in support of Senate Concurrent Resolution No. 8. The first time I remember meeting Gary was in 1994 when my mom was running for Assembly. Former Assemblyman David Goldwater, who is in the gallery, former Speaker Buckley, and my mom were all first-time candidates running for Democratic seats. I was 21 years old and I was going to be my mom's campaign manager. I dearly wanted to see her win and get elected.

I remember a training that the Assembly Democratic Caucus threw and I realized that this man, Gary Gray, could teach me how. He taught me how to run a campaign, how to talk to voters. He told some wonderful stories that day during the training about campaigning with some greats who were in this building like Norman Ty Hilbrecht. He tells a story of walking door to door with Assemblyman Hilbrecht and a big German shepherd rushing through the screen door and attacking them. Gary said From now on whenever you knock on a door, if there is a screen door, put your foot on the corner and then knock on the door. Then you can talk to the voter. He told stories about the naked constituent who would come to the door sans clothing and how you handle that situation. I remember the story he told about Eileen Brookman and how much he loved her. He would show up at 8 a.m. to walk precincts with her and it would be noon before they ever got out. That is one thing we do not want to do to our volunteers.

I remember Gary always said that elections are not won, they are lost. I think about that every election; I try to live by his words. He was a great political strategist but he was also a great friend. He always encouraged me as I got to get him more through the years. Whenever I would go to a Democratic event I would see his pickup truck with his 1982 Harry Reid bumper sticker on the back and I would say Oh, good, Gary is here; I will get to talk to him—somebody I like I get to talk to. I miss seeing that truck and that bumper sticker when I go to Democratic events now. He was a wonderful man and I wish he were still with us. I am glad I got to know him. I urge support of this resolution.

Resolution adopted unanimously.

SECOND READING AND AMENDMENT

Senate Bill No. 7.

Bill read second time and ordered to third reading.

Senate Bill No. 16.

Bill read second time and ordered to third reading.

Senate Bill No. 22.

Bill read second time and ordered to third reading.

Senate Bill No. 44.

Bill read second time and ordered to third reading.

Senate Bill No. 45.

Bill read second time and ordered to third reading.

Senate Bill No. 57.

Bill read second time and ordered to third reading.

Senate Bill No. 105.

Bill read second time and ordered to third reading.

Senate Bill No. 148.

Bill read second time and ordered to third reading.

Senate Bill No. 160.

Bill read second time and ordered to third reading.

Senate Bill No. 175.

Bill read second time and ordered to third reading.

Senate Bill No. 202.

Bill read second time and ordered to third reading.

Senate Bill No. 412.

Bill read second time and ordered to third reading.

Senate Bill No. 466.

Bill read second time and ordered to third reading.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 29.

Bill read third time.

Remarks by Assemblywoman Titus.

#### ASSEMBLYWOMAN TITUS:

Assembly Bill 29, as amended, places the Commission on Off-Highway Vehicles within the State Department of Conservation and Natural Resources. The bill also creates the Off-Highway Vehicles Program within the Department to provide assistance to the Commission and to administer the Account for Off-Highway Vehicles. It further requires the Director to include in his or her budget the money necessary, within the limits of legislative appropriations, for the Account; certain expenses of the Program and the Commission; and a reserve amount.

The bill revises the membership of the Commission and provides that if money is available, that a member who is not an officer or employee of the state is entitled to receive a salary of not more than \$80 per day for each day of attendance. The bill requires the director of the Department to prepare a biennial report of the general and fiscal activities of the Commission for review and approval by the chair of the Commission and submittal to the Legislature.

Lastly, the bill reduces from \$25 to \$10 the late fee for reinstating the registration of a lapsed off-highway vehicle. The measure is effective upon passage and approval for the purpose of adopting regulations and on July 1, 2017, for all other purposes.

Roll call on Assembly Bill No. 29:

YEAS—26.

NAYS—Paul Anderson, Edwards, Ellison, Hambrick, Hansen, Kramer, Krasner, Marchant, McArthur, Oscarson, Titus, Tolles, Wheeler—13.

EXCUSED—Neal, Pickard, Woodbury—3.

Assembly Bill No. 29 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 309.

Bill read third time.

Remarks by Assemblywoman Spiegel.

ASSEMBLYWOMAN SPIEGEL:

Assembly Bill 309, as amended, requires the Administrator of the Division of Human Resource Management to certify the name of any veteran on the list of eligible persons and requires state agencies to interview any veteran certified for a position. The Administrator must ensure that the percentage of officers and employees in state employment who are veterans and widows and widowers of persons killed in the line of duty while on active duty in the Armed Forces is proportional to the percentage of veterans and widows and widowers residing in this state, to the extent practicable.

Additionally, the bill provides additional preference points to any open competitive examination in the classified service. The bill also removes the restriction on applying such points to more than one promotional examination.

Roll call on Assembly Bill No. 309:

YEAS—39.

NAYS—None.

EXCUSED—Neal, Pickard, Woodbury—3.

Assembly Bill No. 309 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 322.

Bill read third time.

Remarks by Assemblywoman Diaz.

ASSEMBLYWOMAN DIAZ:

Assembly Bill 322 eliminates the annual expiration requirement for driver authorization cards. Assembly Bill 322 also requires the Department of Motor Vehicles to develop regulations regarding the expiration date of a driver authorization card. The regulations must also ensure the period between the issuance and expiration of a driver authorization card is equal to the period between the issuance and expiration of a driver's license, except as otherwise required by federal law. This bill would be effective on July 1, 2017.

Roll call on Assembly Bill No. 322:

YEAS—26.

NAYS—Paul Anderson, Edwards, Ellison, Hambrick, Hansen, Kramer, Krasner, Marchant, McArthur, Oscarson, Titus, Tolles, Wheeler—13.

EXCUSED—Neal, Pickard, Woodbury—3.

Assembly Bill No. 322 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 449.

Bill read third time.

Remarks by Assemblywoman Carlton.

ASSEMBLYWOMAN CARLTON:

Assembly Bill 449, as amended, declares the fourth Saturday of each September to be “Public Lands Day” and requests the Governor to issue a proclamation every year encouraging the observance of Public Lands Day. The bill directs the Division of State Parks, upon proof of residency, to waive for residents of the state the entry, camping, and boating fees in state parks and recreational areas on Public Lands Day. This bill is effective on July 1, 2017.

Roll call on Assembly Bill No. 449:

YEAS—38.

NAYS—Krasner.

EXCUSED—Neal, Pickard, Woodbury—3.

Assembly Bill No. 449 having received a constitutional majority,  
Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 458.

Bill read third time.

Remarks by Assemblywoman Bustamante Adams.

ASSEMBLYWOMAN BUSTAMANTE ADAMS:

Assembly Bill 458, as amended, allows an injured employee to obtain an independent medical examination under various circumstances one time per calendar year. The bill requires a vocational rehabilitation counselor be appointed provided a written assessment or a plan for a program of vocational rehabilitation is required.

Roll call on Assembly Bill No. 458:

YEAS—33.

NAYS—Ellison, Krasner, Marchant, McArthur, Titus, Wheeler—6.

EXCUSED—Neal, Pickard, Woodbury—3.

Assembly Bill No. 458 having received a constitutional majority,  
Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 477.

Bill read third time.

Remarks by Assemblyman Sprinkle.

ASSEMBLYMAN SPRINKLE:

Assembly Bill 477 authorizes the Administrator of the Purchasing Division of the Department of Administration to appoint a General Counsel of the Division in the unclassified service who must be an attorney in good standing, licensed, and admitted to practice law in Nevada.

Roll call on Assembly Bill No. 477:

YEAS—39.

NAYS—None.

EXCUSED—Neal, Pickard, Woodbury—3.

Assembly Bill No. 477 having received a constitutional majority,  
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 481.

Bill read third time.

Remarks by Assemblyman Sprinkle.

ASSEMBLYMAN SPRINKLE:

Assembly Bill 481 eliminates the statutory requirement that the Administrator of the Division of Internal Audits of the Governor's Office of Finance appoint a Manager of Internal Controls, as required by NRS [*Nevada Revised Statutes*].

Roll call on Assembly Bill No. 481:

YEAS—39.

NAYS—None.

EXCUSED—Neal, Pickard, Woodbury—3.

Assembly Bill No. 481 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 201.

Bill read third time.

The following amendment was proposed by Assemblyman Hansen:

Amendment No. 644.

AN ACT relating to health care professionals; prohibiting certain health care professionals from providing certain types of sexual orientation or gender identity conversion ~~therapy~~ therapies to a minor; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Under existing law, the Legislature has the power to regulate licensed health care professionals for the benefit of the public's health, safety and welfare and to protect the well-being of patients from ineffective or harmful professional services. (*Dent v. West Virginia*, 129 U.S. 114, 122-23 (1889); *Hawker v. New York*, 170 U.S. 189, 191-95 (1898); *State ex rel. Kassabian v. State Bd. of Med. Exam'rs*, 68 Nev. 455, 463-65 (1951)) In exercising that power, the Legislature has enacted existing laws that regulate homeopathic physicians, advanced practitioners of homeopathy, homeopathic assistants and certain mental health professionals including psychiatrists, psychologists, licensed marriage and family therapists, certain registered nurses and certain licensed clinical or independent social workers. (Chapters 630, 630A, 632, 633 and 641-641B of NRS)

The purpose of this bill is to protect the well-being of children who are under 18 years of age by prohibiting such licensed health care professionals from providing children with aversive conversion therapies, which are any practices or treatments that seek to change the sexual orientation or gender identity of the children ~~and~~ and which involve application of any type of behavioral conditioning or modification in which noxious or painful stimuli, confinement, isolation or deprivation are used, in whole or in part, for the purpose of changing, eliminating or reducing behaviors or gender expressions. In section 1 of this bill, the Legislature finds and

declares that there is a legitimate and compelling need to protect the well-being of children from the harmful and destructive effects of **aversive** conversion therapies because such therapies ~~have not been proven to be medically or clinically effective but have been shown to~~ have a high potential to cause substantial harm to the physical and psychological well-being of children who are much more vulnerable to the potentially traumatic effects of such ~~intensive~~ **aversive** conversion therapies.

To carry out the Legislature's objectives, **section 1.5** of this bill prohibits homeopathic physicians, advanced practitioners of homeopathy, homeopathic assistants and certain mental health professionals from providing ~~sexual orientation or gender identity~~ **aversive** conversion therapies to children who are under 18 years of age. However, ~~there is nothing in this bill that regulates or prohibits licensed health care professionals from engaging in expressive speech or religious counseling with such children if the licensed health care professionals: (1) are acting in their pastoral or religious capacity as members of the clergy or as religious counselors; and (2) do not hold themselves out as operating pursuant to their professional licenses when so acting in their pastoral or religious capacity.~~

~~This bill is modeled on similar laws enacted in California and New Jersey. (Cal. Bus. & Prof. Code §§ 865 et seq.; N.J. Stat. Ann. §§ 45:1-54 et seq.) In interpreting those laws, courts have determined that the laws do not regulate or prohibit licensed health care professionals from engaging in expressive speech or religious counseling with children who are under 18 years of age if the licensed health care professionals: (1) are acting in their pastoral or religious capacity as members of the clergy or as religious counselors; and (2) do not hold themselves out as operating pursuant to their professional licenses when so acting in their pastoral or religious capacity. In addition, courts have also held that the laws: (1) are a constitutional exercise of the legislative power to regulate licensed health care professionals for the benefit of the public's health, safety and welfare and to protect the well-being of children from ineffective or harmful professional services; (2) do not violate any rights to freedom of speech, association or religion and are not unconstitutionally overbroad or vague under the First and Fourteenth Amendments to the United States Constitution; and (3) do not violate any other fundamental or substantive due process rights of licensed health care professionals or the parents or children who seek their professional services. (Pickup v. Brown, 740 F.3d 1208 (9th Cir. 2014), cert. denied, 134 S.Ct. 2871 and 2881 (2014); Welch v. Brown, 834 F.3d 1041 (9th Cir. 2016), cert. denied, No. 16-845, \_\_\_ S.Ct. \_\_\_ (May 1, 2017); King v. Governor of New Jersey, 767 F.3d 216 (3d Cir. 2014), cert. denied, 135 S.Ct. 2048 (2015); Doe v. Governor of New Jersey, 783 F.3d 150 (3d Cir. 2015), cert. denied, 136 S.Ct. 1155 (2016)).~~ **this bill does not apply to any non-aversive conversion therapies, including any counseling that provides spiritual or other support and guidance to such children and uses speech alone to**



**assist the children in discussing or achieving the desired sexual orientation or gender identity.**

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

**Section 1.** 1. The Legislature hereby finds that:

(a) For the past several decades, there has been a growing consensus among medical and mental health professionals that **aversive** conversion therapies, which involve any practices or treatments that seek to change the sexual orientation or gender identity of a patient, also known as reparative therapies or sexual orientation change efforts, ~~are~~

~~(1) Have been based on developmental theories whose scientific validity is questionable;~~

~~(2) Have relied on anecdotal reports of cures that have not been tested, substantiated or verified by any rigorous scientific research or peer reviewed studies; and~~

~~(3) Have not been proven to be medically or clinically effective but have been shown to~~, **and which involve application to the patient of any type of behavioral conditioning or modification in which noxious or painful stimuli, confinement, isolation or deprivation are used, in whole or in part, for the purpose of changing, eliminating or reducing behaviors or gender expressions,** have a high potential to cause substantial harm to the physical and psychological well-being of the patient, especially children under 18 years of age because they are much more vulnerable to the potentially traumatic effects of such ~~intensive~~ **aversive** conversion therapies.

(b) A significant number of well-known and well-respected professional and scientific organizations have publicly denounced or disavowed **aversive** conversion therapies because of the ~~highly doubtful effectiveness and~~ highly probable harmfulness of such therapies. Such organizations include, without limitation, the American Psychological Association, American Psychiatric Association, American Psychoanalytic Association, American Counseling Association Governing Council, American Medical Association Council on Scientific Affairs, American Academy of Child and Adolescent Psychiatry, American Academy of Pediatrics, American School Counselor Association, National Association of Social Workers and Pan American Health Organization.

(c) Such organizations have determined that **aversive** conversion therapies may be particularly harmful or destructive to children because such therapies:

(1) Aggravate and intensify harmful or destructive feelings, including, without limitation, confusion, depression, guilt, shame, stress, loneliness, helplessness, hopelessness, pointlessness, disappointment, self-blame, self-hatred, low self-esteem, marginalization, dehumanization, hostility, anger, betrayal or loss of faith, belief, interest, concern or motivation; and

(2) Increase the risk of harmful or destructive behaviors, including, without limitation, social withdrawal, isolation, substance abuse, suicide, deception, high-risk sexual behaviors and unlawful behaviors.

2. The Legislature hereby declares that there is a legitimate and compelling need to protect the well-being of children who are under 18 years of age from the harmful and destructive effects of **aversive** conversion therapies by prohibiting certain licensed health care professionals from providing children with **aversive** conversion therapies because such therapies ~~have not been proven to be medically or clinically effective but have been shown to~~ have a high potential to cause substantial harm to the physical and psychological well-being of children, who are much more vulnerable to the potentially traumatic effects of such ~~intensive~~ **aversive** conversion therapies.

**Sec. 1.5.** Chapter 629 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *A psychotherapist shall not provide any **aversive** conversion therapy to a person who is under 18 years of age regardless of the willingness of the person or his or her parent or legal guardian to authorize such therapy.*

2. *Any violation of subsection 1 is a ground for disciplinary action by a state board that licenses a psychotherapist as defined in subsection 3.*

3. *As used in this section:*

(a) ~~“Conversion”~~ *“**Aversive conversion therapy**” means any practice or treatment that ~~seeks~~:*

*(1) Seeks to change the sexual orientation or gender identity of a person, including, without limitation, a practice or treatment that seeks to change behaviors or gender expressions or to eliminate or reduce sexual or romantic attractions or feelings toward persons of the same gender ~~or~~; and*

*(2) Involves application to the person of any type of behavioral conditioning or modification in which noxious or painful stimuli, confinement, isolation or deprivation are used, in whole or in part, for the purpose of changing, eliminating or reducing behaviors or gender expressions, including, without limitation:*

*(I) Inducing nausea, vomiting or paralysis, administering electric shocks, targeting parts of the body with any snaps, slaps, pinches, hits, intrusions or other noxious or painful stimuli or using any noxious or painful light, images, video, audio, noise, sounds, odors, smells or other stimuli;*

*(II) Confining or isolating the person in any small space, darkened area, locked room or other confining or isolating situation; or*

*(III) Depriving the person of food, water, sleep, medicine or other essentials.*

*(b) The term “aversive conversion therapy” does not include any non-aversive conversion therapy, including, without limitation, counseling that:*

(1) Provides spiritual or other support and guidance to a person which uses speech alone to assist the person in discussing or achieving the desired sexual orientation or gender identity;

(2) Provides assistance to a person undergoing gender transition; or  
~~[(2)]~~ (3) Provides acceptance, support and understanding of a person or facilitates a person's ability to cope, social support and identity exploration and development, including, without limitation, an intervention to prevent or address unlawful conduct or unsafe sexual practices that is neutral as to the sexual-orientation of the person receiving the intervention and does not seek to change the sexual orientation or gender identity of the person receiving the intervention.

~~[(b)]~~ (c) "Psychotherapist" means:

(1) A psychiatrist licensed to practice medicine in this State pursuant to chapter 630;

(2) A homeopathic physician, advanced practitioner of homeopathy or homeopathic assistant licensed or certified pursuant to chapter 630A or NRS;

(3) A psychiatrist licensed to practice medicine in this State pursuant to chapter 633;

(4) A psychologist licensed to practice in this State pursuant to chapter 641 of NRS;

(5) A social worker licensed in this State as an independent social worker or a clinical social worker pursuant to chapter 641B of NRS;

(6) A registered nurse holding a master's degree in the field of psychiatric nursing and licensed to practice professional nursing in this State pursuant to chapter 632 of NRS;

(7) A marriage and family therapist or clinical professional counselor licensed in this State pursuant to chapter 641A of NRS; or

(8) A person who provides counseling services as part of his or her training for any of the professions listed in subparagraphs (1) to (7), inclusive.

**Sec. 2.** This act becomes effective:

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

2. On January 1, 2018, for all other purposes.

#### MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Assembly Amendment No. 644 be placed on the Chief Clerk's desk.

Assemblymen Hansen, Marchant, and Titus requested a roll call vote on Assemblywoman Benitez-Thompson's motion.

Roll call on Assemblywoman Benitez-Thompson's motion:

YEAS—Elliot Anderson, Araujo, Benitez-Thompson, Bilbray-Axelrod, Brooks, Bustamante Adams, Carlton, Carrillo, Cohen, Daly, Diaz, Flores, Frierson, Fumo, Jauregui, Joiner,

McCurdy, Miller, Monroe-Moreno, Ohrenschaal, Spiegel, Sprinkle, Swank, Thompson, Tolles, Watkins, Yeager—27.

NAYS—Paul Anderson, Edwards, Ellison, Hambrick, Hansen, Kramer, Krasner, Marchant, McArthur, Oscarson, Titus, Wheeler—12.

EXCUSED—Neal, Pickard, Woodbury—3.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 201.

Remarks by Assemblymen Thompson, Edwards, Tolles, Bilbray-Axelrod, and Araujo.

ASSEMBLYMAN THOMPSON:

Senate Bill 201 prohibits a psychotherapist from providing sexual orientation or gender identity conversion therapy to a person who is under 18 years of age. The measure does not include provisions that regulate or prohibit licensed health care professionals from engaging in expressive speech or religious counseling with a person who is under 18 years of age if the licensed health care professionals are acting in their pastoral or religious capacity as members of the clergy or as religious counselors and do not hold themselves out as operating pursuant to their professional licenses when so acting in their pastoral or religious capacity.

Conversion therapy is dangerous and an unethical practice that has been openly discredited and scrutinized by health care professionals across the country due to the devastating consequences on our young people. Due to the lack of sound data and scientific validity, the American Psychiatric Association recommends that ethical practitioners refrain from attempts to change individuals' sexual orientation. This form of therapy is an inhumane practice that targets some of our most vulnerable populations and groups in society, causing harm to our minors and leaving of lifetime of negative consequences that can lead to increased depression, homelessness, substance abuse, and negative self-image, ultimately leading to self-destructive behavior and higher rates of suicide. Senate Bill 201 protects the well-being of our minors by prohibiting health care professionals from using sexual orientation change efforts on persons under age 18. I urge our body to support Senate Bill 201.

ASSEMBLYMAN EDWARDS:

Conversion therapy is a terrible thing, and no one should have to undergo it. Not only has it been totally disproven as an effective form of therapy, it is simply dangerous, and I had hoped to be able to vote to ban it. But we also have an obligation to look at how broad this bill is written. We cannot ban those questioning their sexuality from having conversations with people they trust, whether they be those in religious life, parents, or counselors. That is effectively what this bill leads to.

I had hoped that we could see some amendments to tighten up the legislation and ensure that the proper protections were in place. In fact, I know that several people have tried to add in reasonable language that would have done exactly that. I commend them and thank them for their efforts. Sadly, they were not successful. Without clear language that protects parents, clergy, doctors, and patients and does not clearly preserve unfettered dialogue and parental rights, we should not adopt this. As I read this bill, we solve one problem but create three more. Without clear legislative language to prevent those problems, I cannot vote for this bill and must urge my colleagues not to vote for it either.

ASSEMBLYWOMAN TOLLES:

I want to restate the amended language. As the preamble states, which according to LCB [Legislative Counsel Bureau] would be used by the courts to determine free speech and religious liberty protections, there is nothing in this bill that regulates or prohibits licensed health care professionals from engaging in expressive speech or religious counseling with such children if the licensed health care professionals are acting in their pastoral or religious capacity as members of the clergy or as religious counselors and do not hold themselves out as operating pursuant to their professional licenses when so acting in their pastoral or religious capacity.

The American Medical Association, American Psychological Association, American Psychiatric Association, American Academy of Pediatrics, American Association of Marriage and Family Therapists, American Counseling Organization, National Association of Social Workers, World Health Organization, and others have opposed conversion therapy practices along with a growing number of religious and evangelical leaders and organizations who have joined in the dismissal of the effectiveness of these programs. Additionally, many of the leaders of ex-gay ministries have since apologized to the LGBT community and closed the door on their organizations.

I understand that there have been concerns raised about broader interpretations of this legislation and unintended consequences for individuals seeking counsel relating to their faith and questions about sexuality and gender. But after listening to the testimony of the sponsor on record, reviewing the scholarly research on conversion therapy as it is traditionally understood, looking at the other states that have already enacted similar legislation without incident, and examining the protections laid out both in this bill and by courts specifically addressing concerns of free speech and religious counseling regarding this topic, I feel reassured that the concerns raised do not warrant the opposition to the stated intentions of this legislation.

I want to take just a moment to thank the sponsor and the Assemblyman from District 3 for the amended language. The culture wars have left a great deal of damage to all sides engaged in these debates, and oftentimes, between the political posturing and the rhetoric, we forget that there are real people, families, individuals, and organizations that are impacted by these political debates. I believe that by offering the amended language on this, as well as on other legislation we have heard like A.J.R. 2 and A.B. 99, this bill has made space for individuals to remain protected from the harmful effects without impeding on free speech and religious liberty. I want to personally thank the Assemblyman for bringing that amended language, and I will support.

ASSEMBLYWOMAN BILBRAY-AXELROD:

I rise in support of Senate Bill 201. As has been stated by my colleagues from Assembly Districts 11 and 25, conversion therapy is dangerous and has been widely discredited by mainstream medical and mental health organizations for decades. Kids are especially vulnerable to conversion therapy, and it can lead to depression, drug use, homelessness, and suicide. Despite its danger, some practitioners continue to push this terrible, terrible practice, and they use it in a socially biased way against the members of the LGBTQ communities.

On a personal note, I think if my daughter was a child in this position, it would be love and support that she would need, not me or anyone else telling her to be different. I am glad this body will take steps to prevent licensed medical providers from offering these services and urge you to support S.B. 201.

ASSEMBLYMAN ARAUJO:

I rise in support of Senate Bill 201. For many years now I have had the honor and privilege of working directly with youth in Nevada that identify as LGBTQ. Some are too scared to come out. Some are out but are scared of the consequences of coming out. We in Nevada have a unique position we can currently take. We have made a lot of progress this session already with passage of Assembly Bill 99 and passage of other measures to ensure that our youth are feeling protected. This is going to take us another step forward.

I want to be able to say that I serve in the Legislature in a state that offers nothing but love and support to our youth, regardless of who they are. I want us to be able to stand proudly and say that we are becoming a model state for what progress should look like. I want us to be able to stand proudly and look at our youth, our future, and tell them that they are beautiful and that we love them regardless, and that we want to see them thrive. We can only do that if we take these steps forward to ensure that we are not hurting them, but instead we are helping them and offering them nothing but love and nurturing.

I urge this body to please look beyond the politics and think of these youth. Think of what they have to go through. Think of the fears that consume their lives every single day. Sit on that and please consider supporting Senate Bill 201. It is good for our youth, it is good for our future, and it is good for Nevada.

Roll call on Senate Bill No. 201:

YEAS—31.

NAYS—Edwards, Ellison, Hambrick, Hansen, Kramer, Marchant, Oscarson, Wheeler—8.

EXCUSED—Neal, Pickard, Woodbury—3.

Senate Bill No. 201 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 10.

Resolution read third time.

Remarks by Assemblyman Elliot Anderson.

ASSEMBLYMAN ELLIOT ANDERSON:

Senate Joint Resolution No. 10 repeals, rescinds, cancels, and nullifies each previous resolution passed by the Nevada Legislature that requested the Congress of the United States to convene a constitutional convention pursuant to Article V of the *United States Constitution*. The resolution urges other state legislatures to do the same.

Our *Constitution* is far from perfect, but an Article V constitutional convention is not in the Nation's interest at this time. I do not need to tell anyone that there is high-pitched partisan warfare going on in our nation's capital and about the influence of money and politics. The *Constitution*, for all its imperfections, is a rock of stability in an uncertain time. Therefore, I would urge you to support this to rescind our calls for an Article V constitutional convention to ensure that our *Constitution* continues to be that rock.

Roll call on Senate Joint Resolution No. 10:

YEAS—39.

NAYS—None.

EXCUSED—Neal, Pickard, Woodbury—3.

Senate Joint Resolution No. 10 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

#### UNFINISHED BUSINESS

#### SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 1, 85, 385, 451, and 490.

#### GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Carlton, the privilege of the floor of the Assembly Chamber for this day was extended to Chris Guinchigliani, Stephen Gray, Lindsey Jydstrup, and Doug Jydstrup.

On request of Assemblyman Frierson, the privilege of the floor of the Assembly Chamber for this day was extended to Barbara Buckley, John Ocegüera, and Richard Perkins.

On request of Assemblyman Hansen, the privilege of the floor of the Assembly Chamber for this day was extended to Faunie Jones, Jackie Naughton, Leslie Cortes, Randy Jones, Cheri Galloway, Adrian Deherrera, and Terry Naughton.

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

On request of Assemblywoman Krasner, the privilege of the floor of the Assembly Chamber for this day was extended to Gerard Mager and Illona Mager.

On request of Assemblyman Sprinkle, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, teachers, and chaperones from the Academy for Career Education: Adam Bumgarner, Estephany Cruz, Michael Rodriguez Campos, Luis Alfredo Salazar Lozano, Isaac Urena, Oswaldo Enriquez, Evan Fehr, Moises Henriquez, Matthew Ketring, Pauline May, Jestin Ogle, Lucas Reccelle, Yessenia Santiago Cruz, Alexis Santos, Roderick Steiner, Dayne Wells, and Ryan Wood.

On request of Assemblyman Thompson, the privilege of the floor of the Assembly Chamber for this day was extended to Pam Ertel, Steve Canavero, Greg Bortolin, Kelly Nicolls, Brett Barley, and Kelee Dupuis.

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

Motion carried.

Assembly adjourned at 1:20 p.m.

Approved:

JASON FRIERSON  
*Speaker of the Assembly*

Attest: SUSAN FURLONG  
*Chief Clerk of the Assembly*