

THE THIRTY-EIGHTH DAY

CARSON CITY (Wednesday), March 15, 2017

Senate called to order at 12:08 p.m.

President pro Tempore Denis presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Tony Brandon.

Creator of Heaven and Earth, we approach You in prayer knowing that You love us and are very much concerned about what goes on here, today, as the Senate seeks to be stewards of the trust placed in them by the people.

We confess our human frailty and pray to be delivered from taking up today's agenda out of self-interest or peer pressure, but rather lead us to do justice, have love, mercy and walk humbly with our God. Grant each person wisdom in their thinking on the issues, grace in their attitudes toward one another, and above all, courage in their convictions.

We offer this prayer in sincerity and humility.

AMEN.

REMARKS FROM THE FLOOR

Remarks by President Pro Tempore Denis.

We are delighted to have the Vietnam Veterans Association, Chapter 989, Honor Guard, with us today. The team members for our Honor Guard are: Linda Dickerson and Hal Wakeling.

Presentation of the Colors by the Vietnam Veterans Association Honor Guard.

Pledge of Allegiance to the Flag.

By previous order of the Senate, the reading of the Journal is dispensed with, and the President pro Tempore and Secretary are authorized to make the necessary corrections and additions.

REPORTS OF COMMITTEES

Mr. President pro Tempore:

Your Committee on Natural Resources, to which was referred Senate Bill No. 219, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Health and Human Services.

YVANNA D. CANCELA, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 14, 2017

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bills Nos. 142, 146, 191.

CAROL AIELLO-SALA
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Cancela moved that Senate Bill No. 219, just reported out of Committee, be re-referred to the Committee on Health and Human Services.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Health and Human Services:

Senate Bill No. 266—AN ACT relating to health care; providing for the certification and regulation of providers of community-based living arrangement services; making similar changes relating to providers of supported living arrangement services; revising certain definitions; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ford:

Senate Bill No. 267—AN ACT relating to real property; providing for the continuation of certain provisions relating to an expedited process for the foreclosure of abandoned residential property; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 268—AN ACT relating to corrections; requiring the Director of the Department of Corrections to verify the full legal name and age of an offender who is to be released by obtaining certain documents before providing a photo identification card to the offender; requiring a sheriff, chief of police, town marshal or director of a facility for the detention of children, upon request, to provide a photo identification card to a person who is to be released from a jail or detention facility; revising provisions governing the allowance of credits to a prisoner of a local detention facility who successfully completes a program of education or a program of treatment for alcohol or drug abuse; revising the documents which may be furnished to the Department of Motor Vehicles as proof of the full legal name and age of the offender to apply for a driver's license or identification card; providing for the waiver of certain fees relating to driver's licenses and identification cards for certain persons who are released from a jail or detention facility; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 269—AN ACT relating to water; authorizing the State Engineer to approve the inclusion of certain limitations, restrictions, requirements and other provisions in a groundwater management plan; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 270—AN ACT relating to water; requiring a claimant of pre-statutory water rights to submit proof of the claim to the State Engineer on or before a certain date; requiring the State Engineer to provide certain notice of this requirement; eliminating the procedure for taking proofs of claims on and after a certain date; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 271—AN ACT relating to water; requiring the State Engineer to continue to allow withdrawals of groundwater from domestic wells for certain purposes in groundwater basins where withdrawals have been restricted to conform to priority rights; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 272—AN ACT relating to water; authorizing the State Engineer to limit withdrawals from new domestic wells in certain basins; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Goicoechea and Assemblyman Ellison (by request):

Senate Bill No. 273—AN ACT relating to school personnel; revising provisions relating to the dismissal of a probationary employee of a school district; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Ratti, Farley, Segerblom, Cancela, Parks, Cannizzaro, Denis, Manendo, Spearman and Woodhouse:

Senate Bill No. 274—AN ACT relating to child welfare; revising provisions governing certain reports of an agency which provides child welfare services concerning a child who is in need of protection; requiring a court to allow a sibling of a child who is found to be in need of protection to inspect certain records; revising provisions governing a hearing to determine whether to

include an order for visitation with a sibling in a decree of adoption; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Atkinson, Segerblom, Parks, Ford, Farley, Ratti and Spearman:
Senate Bill No. 275—AN ACT relating to crimes; revising provisions relating to the crime of burglary; reclassifying certain criminal offenses from a category B felony to a category C felony; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settelmeyer:

Senate Bill No. 276—AN ACT relating to insurance; authorizing an insurer to process claims of industrial insurance at an office located outside of this State; requiring that persons processing claims of industrial insurance be accessible to an employer and his or her employees who are located in this State; and providing other matters properly relating thereto.

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

Motion carried.

Assembly Bill No. 142.

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

Motion carried.

Assembly Bill No. 146.

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

Motion carried.

Assembly Bill No. 191.

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

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 148.

Bill read third time.

Remarks by Senator Spearman.

This bill is necessary because, during the time of Don't Ask Don't Tell and even before, there were many veterans who were separated from the service. Those veterans do not have access to veterans' benefits. I think it is important for us to recognize their service and the fact this Country now says it is okay to be who you are and to serve your Country.

Senate Bill No. 148 requires the Director of the Department of Veterans Services to provide assistance and information relating to aid, benefits and services to veterans and members of the military who are lesbian, gay, bisexual or transgender (LGBT) and their spouses and dependents. The Director is further required to assist a veteran who is LGBT in applying for an upgrade to the character of the veteran's discharge from service or a change in the narrative reason for the discharge.

Finally, the measure prohibits the denial of a veteran's eligibility for any program, service, benefit, activity or facility in Nevada for which the veteran would otherwise be eligible solely based on a veteran's status as a discharged veteran who is LGBT. There are some veterans who are buried in Arlington National Cemetery, and we salute them as well.

Roll call on Senate Bill No. 148:

YEAS—21.

NAYS—None.

Senate Bill No. 148 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to Assembly.

Senate Bill No. 197.

Bill read third time.

Remarks by Senator Kieckhefer.

Senate Bill No. 197 extends by ten years, from June 30, 2020, to June 30, 2030, the deadline for the issuance of the remainder of the general obligation bonds that were required in 2009 to be issued to carry out certain projects to improve the environment in the Lake Tahoe Basin.

The Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System voted unanimously to request the legislation to extend by ten years to June 30, 2030, the authority for the issuance of the general obligation bonds authorized, but not yet issued, to fund Nevada's apportioned share of the costs for the Lake Tahoe Environmental Improvement Program (EIP). The Lake Tahoe EIP is a partnership between Nevada and California, the federal government, local governments and the private sector. Some bonds for the Lake Tahoe EIP have not been issued despite legislative authorization to do so because of the limited general obligation debt capacity. Testimony indicated that the total bonding authority remaining for the second phase of the Lake Tahoe EIP is in excess of \$92 million.

Roll call on Senate Bill No. 197:

YEAS—21.

NAYS—None.

Senate Bill No. 197 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to Assembly.

Senate Bill No. 198.

Bill read third time.

Remarks by Senator Kieckhefer.

Senate Bill No. 198 extends by five years, from June 30, 2019, to June 30, 2024, the deadline for the issuance of the remainder of the general obligation bonds that were authorized, but not yet issued, for the Conservation and Resource Protection Grant Program. In 2001, the Nevada Legislature approved Assembly Bill 9 of the 17th Special Session, which required that a proposal be submitted to the voters of Nevada to issue general obligation bonds to protect, preserve and obtain the benefits of the property and natural resources of Nevada. The total bonding was not to exceed \$200 million. The voters approved Question 1 on November 5, 2002.

Most recently, S.B. 489 of the 2013 Session extended the date, by five years, for the issuance of general obligation bonds for the Question 1 Program from June 30, 2014, to June 30, 2019. Testimony indicated that, not including bond sales contemplated in the Executive Budget for the upcoming biennium, there is still a remaining funding authority of \$18.6 million. The Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System voted unanimously to request legislation to extend by 5 years the authority for the issuance of these general obligation bonds.

Roll call on Senate Bill No. 198:

YEAS—21.

NAYS—None.

Senate Bill No. 198 having received a constitutional majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to Assembly.

UNFINISHED BUSINESS
SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President pro Tempore and Secretary of the Senate signed Initiative Petition No. 1.

REMARKS FROM THE FLOOR

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

I have the honor to present a proclamation today in recognition of veterans. I would like to first say to all of you in attendance that we appreciate you all. My brother is in the Army Reserve. To me, that demonstrates his willingness to put his life on the line to protect, for example, what we do here—the legislative process and being able to exercise our rights under our Constitution to try to move our State forward. November 17, 2015, was a proud day for me as a father because my son finished the Great American Challenge. This is a challenge for fifth graders that requires them to recite the Gettysburg Address, name all of the presidents in order by year and do several other things. I was so proud of my son, Alexander Ford, that I posted this on Facebook under the hashtag "raising patriots." I did this because this is more than just saying I appreciate and love you, it is instilling in our children the importance of what you do and the importance of our democracy. That is the reason each time my children see a serviceman or woman, they are going to say five words—every single time. Those words are, "Thank you for your service." I also want to say thank you for your service. I would like to present First Lt. Andrew LePeilbet a proclamation. He has had a distinguished career. He received the Distinguished Service Cross, the Silver Star twice, the Bronze Star, a Purple Heart, an Air Medal and an Army Commendation. Because of your service and the service of those here, today, I would like to present, on behalf of the Nevada Senate, this proclamation. We love you and appreciate you, and thank you for your service.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Atkinson, the privilege of the floor of the Senate Chamber for this day was extended to Major Eric Stringer.

On request of Senator Denis, the privilege of the floor of the Senate Chamber for this day was extended to Nevada National Guard Brigadier General William Burks.

On request of Senator Ford, the privilege of the floor of the Senate Chamber for this day was extended to Kerry Durmick, Andrew LePeilbet, Glenna Smith and Tracy Soliday.

On request of Senator Gustavson, the privilege of the floor of the Senate Chamber for this day was extended to Andru Casado, Christina Casado and the Sierra Academy Charter School.

On request of Senator Kieckhefer, the privilege of the floor of the Senate Chamber for this day was extended to Caroline Moassessi, Cyrus Moassessi, Leila Moassessi and Kenneth Santor.

On request of Senator Spearman, the privilege of the floor of the Senate Chamber for this day was extended to Bruce Bertrum, Anthony Blaisdell, Darrol Brown, James H. Caughron III, James Combs, Anne Davis, John Dickinson, Linda Dickinson, Kerry Durmick, Jerry Finley, Dee Garder, Ted Henson, David Hugus, Elinor Lee Jackson, Rick Kaspar, Jim Kittrell, John J. Louritt, Peter McNamara, Jack McQuirk, Katherine Miller, Stu Miller, Greg Montalvo, Richard Moyer, Leonard Munoz, Laretta Nawojski, Roberta Oates, Jack Pardick, Ramiro Parocua, Frank Reynolds, Mitch Roach, Chuck Sanicola, Charley Smith, Major Eric Stringer, Felicia Tate, Bob Terhune, Diane Wagar and Sally Wiley.

Senator Ford moved that the Senate adjourn until Thursday, March 16, 2017, at 11:30 a.m.

Motion carried.

Senate adjourned at 12:47 p.m.

Approved:

MOISES DENIS

President pro Tempore of the Senate

Attest: CLAIRE J. CLIFT

Secretary of the Senate