

THE FORTIETH DAY

CARSON CITY (Friday), March 17, 2017

Senate called to order at 11:09 a.m.

President pro Tempore Denis presiding.

Roll called.

All present

Prayer by the Chaplain, Pastor Peggy J. Locke.

Happy St. Patrick's Day! I would like to speak an Irish prayer and an Irish blessing over us today in honor of St. Patrick's Day.

Let us pray. *May God give you, for every storm, a rainbow. for every tear, a smile, for every care, a promise and a blessing in each trial.*

And now a blessing: *May the road rise up to meet you, may the wind always be at your back, may the sun shine warm upon your face and rains fall soft upon your fields. And until we meet again, may God hold you in the palm of His hand.*

Father, we ask for Your abundant grace and peace as we set ourselves to serve the people of the great State of Nevada with truth, integrity and boldness. We pray for those in authority over us as well as those serving in harm's way. Bless each family represented today, and we give You thanks for Your great love for us. May we honor You in all that we do and say.

In Jesus name,

AMEN.

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 Judiciary, to which was referred Senate Bill No. 115, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

TICK SEGERBLOM, *Chair*

WAIVERS AND EXEMPTIONS

NOTICE OF EXEMPTION

March 17, 2017

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 124, 166, 169, 189, 229, 233.

MARK Krmpotic
Fiscal Analysis Division

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Health and Human Services:

Senate Joint Resolution No. 8—Urging Congress not to repeal the Patient Protection and Affordable Care Act or its most important provisions.

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

Motion carried.

Senator Ford moved that the following persons be accepted as accredited press representatives, and that they be assigned space at the press table and

allowed the use of appropriate media facilities: EL TIEMPO (HISPANIC PUBLICATION/LAS VEGAS REVIEW-JOURNAL): Anthony Avellaneda; KOLO-TV: Wade Barnett and Ed Pearce; LAS VEGAS REVIEW-JOURNAL: Victor Joecks; LAS VEGAS SUN: Chris Kudialis; LOTUS BROADCASTING: Chuck N. Baker; UNIVISION/ENTRAVISION: Anya Arechiga.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Hammond:

Senate Bill No. 293—AN ACT relating to education; expanding the authority of the Superintendent of Public Instruction to revise the schedule of apportionments of state money to a charter school; requiring the Department of Education to assign a unique identifier to each charter school and certain academic programs and new school models at a charter school; authorizing the establishment of an experimental academic program or new school model in certain charter schools; deeming each charter school a local educational agency for certain purposes; authorizing the governing body of a charter school with certain high-achieving experimental programs or new school models to submit a request to divide the school into multiple schools or establish a new charter school; authorizing a charter school that began as an experimental program or new school model to give priority in enrollment to certain pupils; revising provisions relating to written charters and charter contracts; revising provisions relating to the zoning of charter schools; expanding the applicability of certain provisions relating to impact fees; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Farley:

Senate Bill No. 294—AN ACT relating to bullying; creating certain exceptions to requirements concerning reporting and investigating incidents of bullying and cyber-bullying; revising the definition of the term “bullying”; prohibiting the inclusion of an incident of alleged bullying or cyber-bullying in the record of a pupil under certain circumstances; revising provisions governing the hotline and Internet website maintained by the Office for a Safe and Respectful Learning Environment within the Department of Education for reporting bullying and cyber-bullying; requiring the Department to accept applications for grants from the Bullying Prevention Account; revising provisions concerning training on bullying and cyber-bullying; revising provisions concerning discipline of administrators or principals or their designees for violating provisions concerning bullying; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Atkinson and Ford:

Senate Bill No. 295—AN ACT relating to cemeteries; clarifying that certain cemeteries must operate as endowment care cemeteries; prescribing the frequency with which the trustee of an endowment care fund of a cemetery must make disbursements; authorizing a cemetery authority to operate an endowment care fund as a unitrust; requiring the trustee of an endowment care fund to pay all capital gains taxes imposed on the fund from the principal of the fund; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hammond, Harris, Gansert, Cannizzaro, Gustavson, Kieckhefer, Ratti, Roberson, Settlemeyer, Woodhouse; Assemblymen Titus, Paul Anderson and Tolles:

Senate Bill No. 296—AN ACT relating to vital statistics; providing for the issuance of a certificate of birth resulting in stillbirth; authorizing the State Board of Health to adopt regulations concerning a certificate of birth resulting in stillbirth; imposing certain fees for a blank certificate of birth resulting in stillbirth; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Settlemeyer, Goicoechea, Gustavson, Hardy and Harris:

Senate Bill No. 297—AN ACT relating to public employees' retirement; requiring the establishment of a hybrid retirement program for certain employees; requiring the program to include a defined benefit plan and a defined contribution plan; setting forth the required provisions of each plan; requiring certain public employers under certain circumstances to make additional contributions to the Public Employees' Retirement System to reduce the unfunded liability of the System; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Gustavson, Settlemeyer, Goicoechea, Hammond, Hardy, Harris and Assemblyman Ellison:

Senate Bill No. 298—AN ACT relating to public assistance; requiring persons who apply for public assistance to submit to a test to detect the presence of a controlled substance; requiring a person who receives public

assistance to submit to a test to detect the presence of a controlled substance based on the reasonable suspicion of an employee of the Division of Welfare and Supportive Services of the Department of Health and Human Services that the person is a user of a controlled substance; requiring the Division to deny public assistance to a person whose test result indicates the presence of a controlled substance unless the person participates in a treatment program; providing exceptions for certain persons; providing for the confidentiality of test results; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Settlemeyer, Gustavson and Hammond:

Senate Bill No. 299—AN ACT relating to transportation; abolishing the Taxicab Authority and transferring the authority and duties of the Taxicab Authority to the Nevada Transportation Authority; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Senate Bill No. 300—AN ACT making an appropriation to the Clark County School District to carry out a program of peer assistance and review of teachers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Senate Bill No. 301—AN ACT relating to education; revising provisions governing the membership of the State Board of Education; abolishing the State Board for Career and Technical Education and transferring certain duties to the State Board of Education and the Superintendent of Public Instruction; changing the name of the Advisory Council on Parental Involvement and Family Engagement and revising certain duties of the Council; abolishing the Commission on Educational Technology and transferring certain duties to the Department of Education; abolishing the Interagency Panel; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Segerblom, Farley, Spearman, Cancela; Assemblymen Yeager and Brooks:

Senate Bill No. 302—AN ACT relating to marijuana; authorizing the sale of marijuana by certain establishments for purposes other than medical use for a limited period of time; imposing taxes; revising existing taxes for sales of marijuana for medical purposes; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Woodhouse, Ford, Manendo, Denis, Parks, Cancela, Harris, Ratti, Segerblom, Spearman; Assemblymen Carlton and Fumo:

Senate Bill No. 303—AN ACT relating to education; requiring the Department of Education to generate and carry out a plan for auditing the assessments conducted to monitor the performance of pupils and schools in the public school system in this State; requiring the plan to comply with the grant application process set forth in applicable federal law; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Settlemeyer, Roberson, Gansert, Goicoechea; Assemblymen Titus, Oscarson and Wheeler:

Senate Bill No. 304—AN ACT relating to public administrators; revising provisions governing the payment of compensation for public administrators; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Ratti, Ford, Segerblom, Manendo, Parks, Atkinson, Cancela, Spearman and Woodhouse:

Senate Bill No. 305—AN ACT relating to child welfare; requiring a court to appoint an attorney to represent a child in certain proceedings; providing that a guardian ad litem appointed for a child who may be in need of protection is not entitled to compensation; excluding certain persons from appointment as a guardian ad litem; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 306—AN ACT relating to offenders; expanding the authorization for offenders to have access to telecommunications devices under certain circumstances; directing the Board of State Prison

Commissioners to create a pilot program of education and training for certain offenders; setting forth the goals and functions of the pilot program; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Gustavson, Goicoechea, Settlemeyer; Assemblymen Titus, Ellison, Marchant, McArthur, Pickard and Wheeler:

Senate Bill No. 307—AN ACT relating to concealed weapons; removing the prohibition against carrying certain concealed weapons; repealing certain provisions relating to permits to carry concealed firearms; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Harris, Ford, Cancela, Settlemeyer, Roberson, Cannizzaro, Denis, Farley, Gansert, Goicoechea, Hardy, Kieckhefer, Manendo, Parks, Ratti, Segerblom, Spearman, Woodhouse; Assemblymen Watkins, Pickard, Frierson, Yeager, Araujo, Bilbray-Axelrod, Brooks, Bustamante Adams, Carlton, Cohen, Daly, Diaz, Edwards, Flores, Fumo, Hambrick, Jauregui, Joiner, Kramer, McCurdy II, Monroe-Moreno, Ohrenschall, Spiegel, Sprinkle, Swank, Thompson and Tolles:

Senate Bill No. 308—AN ACT relating to liability for motor vehicles; increasing the amount of coverage that must be provided by a policy of insurance and certain bonds that are required for a motor vehicle in this State; increasing the minimum amount of money required to satisfy certain judgments relating to a crash involving a motor vehicle; prohibiting a policy of motor vehicle insurance that includes uninsured and underinsured vehicle coverage from including certain limitations of coverage; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Gustavson, Parks, Gansert, Goicoechea, Hardy, Harris, Roberson, Settlemeyer; Assemblymen Titus, Ellison, Hambrick, Marchant, McArthur and Wheeler:

Senate Bill No. 309—AN ACT relating to motor carriers; revising the declaration of legislative purpose and policy governing the regulation of certain motor carriers; revising the criteria for granting or modifying certificates of public convenience and necessity for certain motor carriers; revising provisions governing the holding of, and participation as an intervenor in, a hearing on an application for such a certificate; revising provisions governing the filing of an application for a certificate of public convenience

and necessity by a person whose previous application has been denied; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 310—AN ACT relating to education; revising provisions governing the credit hours required for eligibility under the Silver State Opportunity Grant Program; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settlemeyer:

Senate Bill No. 311—AN ACT relating to sellers of travel; making permanent the repeal of provisions requiring certain sellers of travel to register and deposit security with the Consumer Affairs Division of the Department of Business and Industry; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Manendo:

Senate Bill No. 312—AN ACT relating to drivers; revising the duties of a driver upon approaching or being approached by certain emergency vehicles and other vehicles displaying flashing lights; revising the duties of a law enforcement officer upon finding certain unattended or disabled vehicles or property; revising the duties of a driver upon approaching a traffic incident; revising the duties of the driver of a vehicle that crashes and causes only property damage to a vehicle or other property; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Denis:

Senate Bill No. 313—AN ACT relating to libraries; requiring a library foundation to comply with certain provisions relating to open meetings and public records; exempting a library foundation from the taxes on transfers of real property; authorizing the trustees of certain libraries to enter into a lease or lease-purchase agreement respecting certain property and to convey property for the purpose of such an agreement; revising provisions governing gift funds of certain public libraries; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 314—AN ACT relating to renewable energy; revising provisions concerning restrictions or requirements imposed by the governing body of a local government on the installation of a system for obtaining wind energy; specifying that a governing body is not precluded from denying the issuance of a permit for the installation of a system for obtaining wind energy based on a determination that installation of the system represents a danger to the health, safety or welfare of the public; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Farley, Denis, Parks, Woodhouse, Cancela and Assemblyman Flores:

Senate Bill No. 315—AN ACT relating to waste disposal; requiring the State Environmental Commission to study and make recommendations concerning certain agreements; limiting the amount that a franchisee may charge certain persons for the disposal of construction and demolition waste; prohibiting the governing body of a municipality from displacing or limiting competition in the collection, transportation and disposal of commercial recyclable material; requiring a county whose population is 100,000 or more to divert a certain percentage of solid waste from landfills; revising the statutory goal for recycling solid waste; requiring the board of county commissioners of each county in this State to report certain information to the Commission and the Legislature; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Segerblom:

Senate Bill No. 316—AN ACT relating to taxation; authorizing the imposition of an additional tax on the gross receipts from the rental of transient lodging in certain counties for the support of capital projects of the county school district; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 122.

Bill read second time and ordered to third reading.

Senate Bill No. 207.

Bill read second time and ordered to third reading.

Senator Woodhouse moved that Senate Bills Nos. 122 and 207 be taken from the General File and re-referred to the Committee on Finance.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Goicoechea, the privilege of the floor of the Senate Chamber for this day was extended to Jerry Cooney and Jim Cooney.

Senator Ford moved that the Senate adjourn until Monday, March 20, 2017, at 11:00 a.m.

Motion carried.

Senate adjourned at 11:24 a.m.

Approved:

MOISES DENIS

President pro Tempore of the Senate

Attest: CLAIRE J. CLIFT

Secretary of the Senate