

THE ONE HUNDRED AND SEVENTEENTH DAY

CARSON CITY (Friday), May 31, 2019

Assembly called to order at 11:48 a.m.

Mr. Speaker presiding.

Roll called.

All present and one vacant.

Prayer by the Chaplain, Captain Leslie Cyr.

Lord, we thank You for this day and for Your grace. We pray with this Assembly that You would bless us with insight and discernment on the decisions of the day, and that Your goodness and mercy would rest on us. The session has been long and the days are drawing to a close, and so we pray for wisdom and clarity on the remaining hours that the decisions would be a benefit to the state of Nevada.

I pray for the shift back into everyday life as I have heard this place and time called "The Bubble." I am sure they are all ready to leave this bubble and be with their families, communities, and occupations outside of this capital building. I pray, bless them in this transition and let Your presence of peace be felt.

I pray for harmony in our land and unity as one people, one country, the United States of America. To God be all glory. I pray in Jesus' Name.

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 Government Affairs, to which were referred Senate Bills Nos. 69, 111, 153, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

EDGAR FLORES, *Chair*

Mr. Speaker:

Your Committee on Ways and Means, to which were referred Assembly Bills Nos. 541, 542, 543, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Ways and Means, to which was referred Senate Bill No. 537, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Ways and Means, to which were referred Senate Bills Nos. 542, 545, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MAGGIE CARLTON, *Chair*

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 11:53 a.m.

ASSEMBLY IN SESSION

At 11:59 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Assembly Bill No. 543 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 30, 2019

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 92, 276, 526.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 209, 263, 377, 378, 425, 472.

SHERRY RODRIGUEZ

Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 209.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

Senate Bill No. 263.

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

Motion carried.

Senate Bill No. 377.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 378.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 425.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

Senate Bill No. 472.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Flores moved that the Assembly do not recede from its action on Senate Bill No. 463, that a conference be requested, and that Mr. Speaker appoint a Conference Committee consisting of three members to meet with a like committee of the Senate.

Remarks by Assemblyman Flores.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Flores, McCurdy, and Hardy as a Conference Committee to meet with a like committee of the Senate for the further consideration of Senate Bill No. 463.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Flores moved that the Assembly do not recede from its action on Senate Bill No. 403, that a conference be requested, and that Mr. Speaker appoint a Conference Committee consisting of three members to meet with a like committee of the Senate.

Remarks by Assemblyman Flores.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen Flores, Monroe-Moreno, and Tolles as a Conference Committee to meet with a like committee of the Senate for the further consideration of Assembly Bill No. 403.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblywoman Cohen moved that the Assembly do not recede from its action on Senate Bill No. 203, that a conference be requested, and that Mr. Speaker appoint a Conference Committee consisting of three members to meet with a like committee of the Senate.

Remarks by Assemblywoman Cohen.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblywomen Cohen, Benitez-Thompson, and Titus as a Conference Committee to meet with a like committee of the Senate for the further consideration of Senate Bill No. 203.

GENERAL FILE AND THIRD READING

Assembly Bill No. 541.

Bill read third time.

Remarks by Assemblywoman Carlton.

ASSEMBLYWOMAN CARLTON:

Assembly Bill 541 is our capital improvement projects [CIP] bill. I have always affectionately called it our jobs bill because this is where we put planning dollars and building on the ground and keep people working and building things for the state. This year, appropriated from the General Fund to the State Public Works Division of the Department of Administration is the sum of \$60,842,548. If the body will review the bill, they will see a number of excellent projects that we have prioritized: veterans' homes, new areas at the Southern Nevada Veterans Memorial Cemetery; the Northern Nevada Veterans Memorial Cemetery with new columbarium; Marlette Lake; domestic hot water. We are going to fix all kinds of doors and windows and hot water heaters and all the types of things that are done within this CIP bill.

This is one of my favorite bills of the session because I know that everything we do keeps the citizens of Nevada working. It is my pleasure to stand before you and support Assembly Bill 541.

Roll call on Assembly Bill No. 541:

YEAS—41.

NAYS—None.

VACANT—1.

Assembly Bill No. 541 having received a two-thirds majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 542.

Bill read third time.

Remarks by Assemblywoman Carlton.

ASSEMBLYWOMAN CARLTON:

Assembly Bill 542 provides for the compensation of state employees and establishes the maximum allowable salaries for certain employees not in the classified service of the state. The bill also makes appropriations from the General Fund and Highway Fund for salary increases for nonclassified, classified, and unclassified state employees. Specifically the bill includes funding for the 3 percent salary increase in Fiscal Year 2020, effective July 1, 2019.

It also authorizes the Department of Health and Human Services and the Department of Corrections to provide callback pay for unclassified medical positions and pharmacists to perform on-call responsibilities to ensure 24-hour coverage in psychiatric and medical facilities.

The bill also authorizes the Gaming Control Board to continue the credential pay plan, which provides up to \$5,000 annually for unclassified employees who possess a current Nevada certified public accountant certificate, a license to practice law, or are in a qualifying position as electronic laboratory engineer and possess a Bachelor of Science or higher degree in engineering, electronic engineering, or computer science.

This bill becomes effective July 1, 2019. That is when our employees will get their raises.

Roll call on Assembly Bill No. 542:

YEAS—41.

NAYS—None.

VACANT—1.

Assembly Bill No. 542 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 69.

Bill read third time.

Remarks by Assemblyman Hafen.

ASSEMBLYMAN HAFEN:

Senate Bill 69 requires certain municipalities to maintain a cybersecurity response plan. In addition, it designates the month of October of each year as “Cybersecurity Awareness Month.”

Roll call on Senate Bill No. 69:

YEAS—41.

NAYS—None.

VACANT—1.

Senate Bill No. 69 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 111.

Bill read third time.

Remarks by Assemblyman Smith.

ASSEMBLYMAN SMITH:

Senate Bill 111 reduces from 25 percent to 16.67 percent the budgeted ending fund balance of a local government, other than a school district, the amount that must be excluded from collective bargaining negotiations and cannot be considered by a fact finder or arbitrator in determining the local government employer’s ability to pay compensation or monetary benefits.

Roll call on Senate Bill No. 111:

YEAS—28.

NAYS—Edwards, Ellison, Hafen, Hambrick, Hansen, Hardy, Kramer, Krasner, Leavitt, Roberts, Titus, Tolles, Wheeler—13.

VACANT—1.

Senate Bill No. 111 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 153.

Bill read third time.

Roll call on Senate Bill No. 153:

YEAS—28.

NAYS—Edwards, Ellison, Hafen, Hambrick, Hansen, Hardy, Kramer, Krasner, Leavitt, Roberts, Titus, Tolles, Wheeler—13.

VACANT—1.

Senate Bill No. 153 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 537.

Bill read third time.

Roll call on Senate Bill No. 537:

YEAS—41.

NAYS—None.

VACANT—1.

Senate Bill No. 537 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 542.

Bill read third time.

Remarks by Assemblymen Wheeler, Titus, and Carlton.

ASSEMBLYMAN WHEELER:

We feel Senate Bill 542 should be a two-thirds vote. I just wanted to get that on the record.

ASSEMBLYWOMAN TITUS:

What this technology fee does is an extension of a fee that we should no longer have to be paying. This fee was put in to support the STAR Program which unfortunately was a failure and we have dumped millions of dollars into this program only to have to start again. So hopefully as citizens continue to pay for this tax, the product will be better, but I cannot support bad business policies by our state. I will not be supporting the extension of this fee.

ASSEMBLYWOMAN CARLTON:

I rise in support of Senate Bill 542. I do understand the frustration of the body on this particular program. I have lived with the beginning of it, the middle of it, the inconsistency in how it was reported back to us, and the failure that happened. But unfortunately, some decisions were made in the previous administration, some contracts were not done the way they needed to be done. Lessons were learned, but that does not mean that we do not move forward. We still fix the problem that the state is responsible to fix. I would hazard a guess that most of us hear more complaints about the Department of Motor Vehicles [DMV] than we hear about anything else in our legislative careers. This is something that needs to be addressed. A mistake was made. It is in the works to be rectified, but just because a mistake was made does not mean we go back and say Whoops, we cannot fix it. Let's walk away. You go back, you roll up your sleeves up, you figure out where it did not work and you get the job done for the citizens of the state. That requires extending this fee so that we can accomplish our mission with this program at the DMV which will benefit every constituent in this state.

Roll call on Senate Bill No. 542:

YEAS—28.

NAYS—Edwards, Ellison, Hafen, Hambrick, Hansen, Hardy, Kramer, Krasner, Leavitt, Roberts, Titus, Tolles, Wheeler—13.

VACANT—1.

Senate Bill No. 542 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 545.

Bill read third time.

Roll call on Senate Bill No. 545:

YEAS—40.

NAYS—Edwards.

VACANT—1.

Senate Bill No. 545 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 12:31 p.m.

ASSEMBLY IN SESSION

At 7:28 p.m.

Mr. Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Health and Human Services, to which was referred Senate Bill No. 540, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

LESLEY E. COHEN, *Chair*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 427, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

STEVE YEAGER, *Chair*

Mr. Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 263, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DINA NEAL, *Chair*

Mr. Speaker:

Your Committee on Ways and Means, to which was rereferred Assembly Bill No. 96, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

Also, your Committee on Ways and Means, to which was rereferred Assembly Bill No. 43, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Ways and Means, to which was rereferred Assembly Bill No. 483, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Ways and Means, to which was rereferred Assembly Bill No. 486, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Ways and Means, to which was referred Assembly Bill No. 495, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MAGGIE CARLTON, *Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 31, 2019

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 291, Amendment No. 1027; Assembly Bill No. 449, Amendment No. 1019, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 507, 528, 552.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in Assembly Amendments Nos. 817, 901 to Senate Bill No. 8; Assembly Amendment No. 819 to Senate Bill No. 218; Assembly Amendment No. 781 to Senate Bill No. 221; Assembly Amendment No. 822 to Senate Bill No. 368; Assembly Amendment No. 823 to Senate Bill No. 431; Assembly Amendments Nos. 720, 920 to Senate Bill No. 435.

Also, I have the honor to inform your honorable body that the Senate on this day concurred in Assembly Amendment No. 822 to Senate Bill No. 368.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Ratti, Spearman and Hardy as a Conference Committee concerning Senate Bill No. 203.

Also, I have the honor to inform your honorable body that the Senate on this day appointed Senators Denis, Harris and Hammond as a Conference Committee concerning Senate Bill No. 403.

SHERRY RODRIGUEZ

Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 507.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 528.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 552.

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

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 43.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1043.

AN ACT relating to courts; increasing the number of district judges in the Second, Fourth and Eighth Judicial Districts; **making appropriations**; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

The Nevada Constitution authorizes the Legislature to increase or decrease the number of district judges. (Nev. Const. Art. 6, § 5) **Section 1** of this bill increases the number of district judges from six to seven who are judges of the family court in the Second Judicial District. (NRS 3.0125) **Section 2** of this bill increases the number of district judges from two to three in the Fourth Judicial District. (NRS 3.014) **Section 4** of this bill increases the number of district judges from 20 to 26 who are judges of the family court in the Eighth Judicial District. (NRS 3.0185) **Section 5** of this bill sets out the time frame for the election of the additional district judges who will take office on January 4, 2021. **Section 5.5 of this bill makes appropriations for the salaries, travel expenses and retirement benefits of the additional district judges.**

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

Section 1. NRS 3.0125 is hereby amended to read as follows:

3.0125 For the Second Judicial District, in addition to the district judges established pursuant to NRS 3.012, there must be ~~six~~ **seven** district judges who are judges of the family court.

Sec. 2. NRS 3.014 is hereby amended to read as follows:

3.014 For the Fourth Judicial District there must be ~~two~~ **three** district judges.

Sec. 3. (Deleted by amendment.)

Sec. 4. NRS 3.0185 is hereby amended to read as follows:

3.0185 For the Eighth Judicial District, in addition to the district judges established pursuant to NRS 3.018, there must be ~~20~~ **26** district judges who are judges of the family court.

Sec. 5. Each additional district judge required pursuant to the amendatory provisions of sections 1 to 4, inclusive, of this act must be selected at the General Election to be held on November 3, 2020, and take office on January 4, 2021, for a term that expires on January 4, 2027.

Sec. 5.5. 1. There is hereby appropriated from the State General Fund to the Supreme Court of Nevada the sum of \$1,032,759 for the salaries and travel expenses of the additional district judges required by the amendatory provisions of sections 1 to 4, inclusive, of this act.

2. There is hereby appropriated from the State General Fund to the Supreme Court of Nevada the sum of \$72,147 for the retirement benefits of the additional district judges required by the amendatory provisions of sections 1 to 4, inclusive, of this act.

3. Any remaining balance of the appropriations made by subsections 1 and 2 must not be committed for expenditure after June 30, 2021, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 17, 2021, by either the entity to

which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 17, 2021.

Sec. 6. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 7. 1. This section and ~~sections~~ **section 5.5 of this act become effective on July 1, 2019.**

2. Sections 5 and 6 of this act become effective October 1, 2019.

~~2~~ **3.** Sections 1 to 4, inclusive, of this act become effective on January 4, 2021.

Assemblywoman Carlton moved the adoption of the amendment.

Remarks by Assemblywoman Carlton.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Assembly Bill No. 483.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1029.

AN ACT relating to motor vehicles; requiring the Department of Motor Vehicles to conduct a pilot program to gather data from certain motor vehicles in this State; requiring the Department to provide certain reports based on the data gathered; requiring certain owners of motor vehicles to provide to the Department certain information at the time of registration and transfer or renewal of registration of motor vehicles; **making an appropriation;** and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 2 of this bill requires the Department of Motor Vehicles to conduct a pilot program to gather data on the annual vehicle miles traveled for certain motor vehicles registered in this State. **Section 2** also requires the Department to gather data on mileage, type of vehicle and type of fuel system for each such motor vehicle and compile a report to be provided every 6 months to the Legislature and the respective Chairs of the Assembly and Senate Standing Committees on Growth and Infrastructure.

Section 3 of this bill requires the owners of certain motor vehicles in this State to report the mileage shown on the odometer of the motor vehicle and certain other information required by the Department at the time of initial registration, renewal of registration and transfer of registration, if applicable. For those motor vehicles for which evidence of compliance with emissions standards is required, **section 3** requires that the mileage and other information be transmitted to the Department along with the evidence of compliance with emissions standards. For all other motor vehicles required to provide the mileage and other information, **section 3** requires the owner to report the mileage and other information in a manner prescribed by the Department.

Section 3 also provides certain exemptions from the requirement to participate in the pilot program. **Sections 4-6** of this bill make conforming changes. **Section 6.5 of this bill makes an appropriation to the Department for the cost of computer programming required to implement the pilot program.** **Section 7** of this bill provides that the pilot program expires by limitation on December 31, 2026.

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

Section 1. Chapter 482 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 and 3 of this act.

Sec. 2. 1. *The Legislature hereby finds and declares that:*

(a) The State faces major financial challenges to adequately fund the construction and maintenance of the highways of this State as revenues from taxes imposed on fuel, at both the state and federal level, long used to fund construction and maintenance of the highways of this State and many other states, have declined primarily because of the improved efficiency of the motor vehicles operated on the highways of this State.

(b) The Legislature must seek significant and innovative solutions in order to meet the challenges of adequately funding the construction and maintenance of the highways of this State into the future, among them the concept of basing revenue collection on the annual vehicle miles traveled by each vehicle using the highways of this State.

2. *The Legislature therefore directs the Department of Motor Vehicles to conduct a pilot program to gather data on annual vehicle miles traveled and other relevant information for certain motor vehicles registered in this State.*

3. *Upon receipt of the information obtained pursuant to section 3 of this act, the Department shall compile the data and prepare a report on the annual vehicle miles traveled of those motor vehicles in this State required to provide odometer readings pursuant to section 3 of this act by categories determined by the Department, including, without limitation, the annual vehicle miles traveled by:*

(a) Type of motor vehicle, including, without limitation:

- (1) Passenger car;***
- (2) Light-duty;***
- (3) Heavy-duty;***
- (4) Motortruck;***
- (5) Truck-tractor;***
- (6) Bus; and***
- (7) Recreational vehicle.***

(b) Weight of motor vehicle, including, without limitation:

- (1) Less than 6,000 pounds;***
- (2) From 6,000 pounds to 8,499 pounds;***
- (3) From 8,500 pounds to 10,000 pounds;***

- (4) *From 10,001 pounds to 26,000 pounds;*
- (5) *From 26,001 pounds to 80,000 pounds; and*
- (6) *Over 80,000 pounds.*
- (c) *Motor vehicle fuel type or power source, including, without limitation:*
 - (1) *Compressed natural gas;*
 - (2) *Diesel;*
 - (3) *Electric;*
 - (4) *Flexible fuel E85;*
 - (5) *Flexible fuel M85;*
 - (6) *Hybrid diesel;*
 - (7) *Hybrid electric;*
 - (8) *Hybrid gasoline/gasohol;*
 - (9) *Hydrogen;*
 - (10) *Gasoline/gasohol;*
 - (11) *Liquefied natural gas; and*
 - (12) *Propane.*

4. *Beginning not later than December 31, 2019, the Department shall compile all the information available to produce the report required pursuant to subsection 3 every 6 months, and shall transmit the report not later than January 1 and July 1 of each year to:*

(a) *The Chair of the Assembly Standing Committee on Growth and Infrastructure;*

(b) *The Chair of the Senate Standing Committee on Growth and Infrastructure; and*

(c) *The Director of the Legislative Counsel Bureau for transmittal to the Legislative Commission, if the report is received during an odd-numbered year, or to the next session of the Legislature, if the report is received during an even-numbered year.*

5. *The Department may apply for and accept gifts, grants and donations to assist with the implementation of the pilot program.*

6. *The Department shall:*

(a) *Adopt regulations which establish procedures for implementing the pilot program, including, without limitation, those procedures required for:*

(1) *A person to provide to the Department the mileage shown on the odometer of each vehicle and other information as required by section 3 of this act; and*

(2) *Any exemptions from the requirements of section 3 of this act that the Department deems appropriate to avoid undue hardship for the registered owner of a motor vehicle.*

(b) *Investigate and, where possible, implement technology or other solutions which allow a person required to provide to the Department the mileage shown on the odometer of his or her vehicle and other information pursuant to section 3 of this act to provide that digitally or electronically to the Department.*

Sec. 3. 1. Except as otherwise provided in subsection 4, upon application for the initial registration of any motor vehicle pursuant to this chapter, the applicant shall provide the Department or registered dealer the mileage shown on the odometer of the vehicle at the time of application and any other information required by the Department. Upon application for the transfer of registration pursuant to NRS 482.399 to another motor vehicle, the applicant shall provide to the Department or registered dealer the mileage shown on the odometer of the vehicle to which the registration is to be transferred at the time of application and any other information required by the Department.

2. At the time of renewal of registration of a motor vehicle pursuant to this chapter, the mileage shown on the odometer of the vehicle and any other information required by the Department must be provided to the Department as follows:

(a) If the vehicle is required upon renewal of registration to submit evidence of compliance with standards for the control of emissions pursuant to chapter 445B of NRS, the mileage shown on the odometer of the vehicle at the time of the inspection and any other information required by the Department must be noted on the evidence of compliance.

(b) If the vehicle is not required upon renewal of registration to submit evidence of compliance with standards for the control of emissions pursuant to chapter 445B of NRS, the mileage shown on the odometer of the vehicle at the time of renewal and any other information required by the Department must be noted by the owner in a manner prescribed by the Department.

3. Upon the transfer of the ownership of or interest in a motor vehicle and the expiration of the registration pursuant to NRS 482.399, the holder of the original registration must provide to the Department the mileage shown on the odometer of the vehicle at the time of the transfer and any other information required by the Department in a manner prescribed by the Department.

4. The provisions of this section do not apply to a:

(a) Motorcycle or moped.

(b) Vehicle that is exempt from registration pursuant to NRS 482.210.

(c) Vehicle registered as a farm vehicle.

(d) Vehicle that is registered through the Motor Carrier Division pursuant to the provisions of NRS 706.801 to 706.861, inclusive, and which has a declared gross weight in excess of 10,000 pounds.

(e) Vehicle that has been exempted by regulations adopted pursuant to subsection 6 of section 2 of this act.

5. The Department or its agents may inspect the odometer of a vehicle for which the mileage shown on the odometer is reported pursuant to paragraph (b) of subsection 2 not more than once every 2 years to verify the mileage reported.

Sec. 4. NRS 482.215 is hereby amended to read as follows:

482.215 1. Except as otherwise provided in NRS 482.2155, all applications for registration, except applications for renewal of registration, must be made as provided in this section.

2. Except as otherwise provided in NRS 482.294, applications for all registrations, except renewals of registration, must be made in person, if practicable, to any office or agent of the Department or to a registered dealer.

3. Each application must be made upon the appropriate form furnished by the Department and contain:

(a) The signature of the owner, except as otherwise provided in subsection 2 of NRS 482.294, if applicable.

(b) The owner's residential address.

(c) The owner's declaration of the county where he or she intends the vehicle to be based, unless the vehicle is deemed to have no base. The Department shall use this declaration to determine the county to which the governmental services tax is to be paid.

(d) ***If required pursuant to section 3 of this act, the mileage shown on the odometer of the vehicle at the time of application and any other information required by the Department.***

(e) A brief description of the vehicle to be registered, including the name of the maker, the engine, identification or serial number, whether new or used, and the last license number, if known, and the state in which it was issued, and upon the registration of a new vehicle, the date of sale by the manufacturer or franchised and licensed dealer in this State for the make to be registered to the person first purchasing or operating the vehicle.

~~(e)~~ (f) Except as otherwise provided in this paragraph, if the applicant is not an owner of a fleet of vehicles or a person described in subsection 5:

(1) Proof satisfactory to the Department or registered dealer that the applicant carries insurance on the vehicle provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State as required by NRS 485.185; and

(2) A declaration signed by the applicant that he or she will maintain the insurance required by NRS 485.185 during the period of registration. If the application is submitted by electronic means pursuant to NRS 482.294, the applicant is not required to sign the declaration required by this subparagraph.

~~(f)~~ (g) If the applicant is an owner of a fleet of vehicles or a person described in subsection 5, evidence of insurance provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State as required by NRS 485.185:

(1) In the form of a certificate of insurance on a form approved by the Commissioner of Insurance;

(2) In the form of a card issued pursuant to NRS 690B.023 which identifies the vehicle or the registered owner of the vehicle; or

(3) In another form satisfactory to the Department, including, without limitation, an electronic format authorized by NRS 690B.023.

↪ The Department may file that evidence, return it to the applicant or otherwise dispose of it.

~~[(g)]~~ (h) If required, evidence of the applicant's compliance with controls over emission.

~~[(h)]~~ (i) If the application for registration is submitted via the Internet, a statement which informs the applicant that he or she may make a nonrefundable monetary contribution of \$2 for each vehicle registered for the Complete Streets Program, if any, created pursuant to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the declaration made pursuant to paragraph (c). The application form must state in a clear and conspicuous manner that a contribution for a Complete Streets Program is nonrefundable and voluntary and is in addition to any fees required for registration, and must include a method by which the applicant must indicate his or her intention to opt in or opt out of making such a contribution.

4. The application must contain such other information as is required by the Department or registered dealer and must be accompanied by proof of ownership satisfactory to the Department.

5. For purposes of the evidence required by paragraph ~~[(f)]~~ (g) of subsection 3:

(a) Vehicles which are subject to the fee for a license and the requirements of registration of the Interstate Highway User Fee Apportionment Act, and which are based in this State, may be declared as a fleet by the registered owner thereof on his or her original application for or application for renewal of a proportional registration. The owner may file a single certificate of insurance covering that fleet.

(b) Other fleets composed of 10 or more vehicles based in this State or vehicles insured under a blanket policy which does not identify individual vehicles may each be declared annually as a fleet by the registered owner thereof for the purposes of an application for his or her original or any renewed registration. The owner may file a single certificate of insurance covering that fleet.

(c) A person who qualifies as a self-insurer pursuant to the provisions of NRS 485.380 may file a copy of his or her certificate of self-insurance.

(d) A person who qualifies for an operator's policy of liability insurance pursuant to the provisions of NRS 485.186 and 485.3091 may file or provide electronic evidence of that insurance.

Sec. 5. NRS 482.280 is hereby amended to read as follows:

482.280 1. Except as otherwise provided in NRS 482.2155, the registration of every vehicle expires at midnight on the day specified on the receipt of registration, unless the day specified falls on a Saturday, Sunday or legal holiday. If the day specified on the receipt of registration is a Saturday, Sunday or legal holiday, the registration of the vehicle expires at midnight on the next judicial day. The Department shall mail to each holder of a certificate

of registration a notification for renewal of registration for the following period of registration. The notifications must be mailed by the Department in sufficient time to allow all applicants to mail the notifications to the Department or to renew the certificate of registration at a kiosk or authorized inspection station or via the Internet or an interactive response system and to receive new certificates of registration and license plates, stickers, tabs or other suitable devices by mail before the expiration of their registrations. An applicant may present or submit the notification to any agent or office of the Department.

2. A notification:

(a) Mailed or presented to the Department or to a county assessor pursuant to the provisions of this section;

(b) Submitted to the Department pursuant to NRS 482.294; or

(c) Presented to an authorized inspection station or authorized station pursuant to the provisions of NRS 482.281,

↪ must include, if required, evidence of compliance with standards for the control of emissions.

3. The Department shall include with each notification mailed pursuant to subsection 1:

(a) The amount of the governmental services tax to be collected pursuant to the provisions of NRS 482.260.

(b) The amount set forth in a notice of nonpayment filed with the Department by a local authority pursuant to NRS 484B.527.

(c) A statement which informs the applicant:

(1) That, pursuant to NRS 485.185, the applicant is legally required to maintain insurance during the period in which the motor vehicle is registered which must be provided by an insurance company licensed by the Division of Insurance of the Department of Business and Industry and approved to do business in this State; and

(2) Of any other applicable requirements set forth in chapter 485 of NRS and any regulations adopted pursuant thereto.

(d) ***A statement which informs the applicant that, if the applicant is required to report the mileage or any other information required by the Department pursuant to section 3 of this act, the applicant must submit to the Department the mileage shown on the odometer of the vehicle at the time of application for renewal and any other information required by the Department.***

(e) A statement which informs the applicant that, if the applicant renews a certificate of registration at a kiosk or via the Internet, he or she may make a nonrefundable monetary contribution of \$2 for each vehicle registration renewed for the Complete Streets Program, if any, created pursuant to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the declaration made pursuant to paragraph (c) of subsection 3 of NRS 482.215. The notification must state in a clear and conspicuous manner that a contribution for a Complete

Streets Program is nonrefundable and voluntary and is in addition to any fees required for registration.

~~(e)~~ (f) Any amount due for reissuance of a license plate or a plate reissued pursuant to subsection 2 of NRS 482.265, if applicable.

4. An application for renewal of a certificate of registration submitted at a kiosk or via the Internet must include a statement which informs the applicant that he or she may make a nonrefundable monetary contribution of \$2, for each vehicle registration which is renewed at a kiosk or via the Internet, for the Complete Streets Program, if any, created pursuant to NRS 244.2643, 277A.285 or 403.575, as applicable, based on the declaration made pursuant to paragraph (c) of subsection 3 of NRS 482.215. The application must state in a clear and conspicuous manner that a contribution for a Complete Streets Program is nonrefundable and voluntary and is in addition to any fees required for registration, and must include a method by which the applicant must indicate his or her intention to opt in or opt out of making such a contribution.

5. An owner who has made proper application for renewal of registration before the expiration of the current registration but who has not received the license plate or plates or card of registration for the ensuing period of registration is entitled to operate or permit the operation of that vehicle upon the highways upon displaying thereon the license plate or plates issued for the preceding period of registration for such a time as may be prescribed by the Department as it may find necessary for the issuance of the new plate or plates or card of registration.

Sec. 6. NRS 482.480 is hereby amended to read as follows:

482.480 There must be paid to the Department for the registration or the transfer or reinstatement of the registration of motor vehicles, trailers and semitrailers, fees according to the following schedule:

1. Except as otherwise provided in this section, for each stock passenger car and each reconstructed or specially constructed passenger car registered to a person, regardless of weight or number of passenger capacity, a fee for registration of \$33.

2. Except as otherwise provided in subsection 3:

(a) For each of the fifth and sixth such cars registered to a person, a fee for registration of \$16.50.

(b) For each of the seventh and eighth such cars registered to a person, a fee for registration of \$12.

(c) For each of the ninth or more such cars registered to a person, a fee for registration of \$8.

3. The fees specified in subsection 2 do not apply:

(a) Unless the person registering the cars presents to the Department at the time of registration the registrations of all the cars registered to the person.

(b) To cars that are part of a fleet.

4. For every motorcycle, a fee for registration of \$33 and for each motorcycle other than a trimobile, an additional fee of \$6 for motorcycle safety. The additional fee must be deposited in the State General Fund for

credit to the Account for the Program for the Education of Motorcycle Riders created by NRS 486.372.

5. For every moped, a one-time fee for registration of \$33.
6. For each transfer of registration, a fee of \$6 in addition to any other fees.
7. Except as otherwise provided in subsection 6 of NRS 485.317, to reinstate the registration of a motor vehicle that is suspended pursuant to that section:
 - (a) A fee as specified in NRS 482.557 for a registered owner who failed to have insurance on the date specified by the Department, which fee is in addition to any fine or penalty imposed pursuant to NRS 482.557; or
 - (b) A fee of \$50 for a registered owner of a dormant vehicle who cancelled the insurance coverage for that vehicle or allowed the insurance coverage for that vehicle to expire without first cancelling the registration for the vehicle in accordance with subsection 3 of NRS 485.320,
 - ↪ both of which must be deposited in the Account for Verification of Insurance which is hereby created in the State Highway Fund. The money in the Account must be used to carry out the provisions of NRS 485.313 to 485.318, inclusive.
8. For every travel trailer, a fee for registration of \$27.
9. For every permit for the operation of a golf cart, an annual fee of \$10.
10. For every low-speed vehicle, as that term is defined in NRS 484B.637, a fee for registration of \$33.
11. To reinstate the registration of a motor vehicle that is suspended pursuant to NRS 482.451 or 482.458, a fee of \$33.
12. For each vehicle for which the registered owner has indicated his or her intention to opt in to making a contribution pursuant to paragraph ~~(4)~~ (i) of subsection 3 of NRS 482.215 or subsection 4 of NRS 482.280, a contribution of \$2. The contribution must be distributed to the appropriate county pursuant to NRS 482.1825.

Sec. 6.5. 1. There is hereby appropriated from the State Highway Fund to the Department of Motor Vehicles the sum of \$121,142 for computer programming necessary to implement the pilot program required by section 2 of this act.

2. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2021, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 17, 2021, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted back to the State Highway Fund on or before September 17, 2021.

Sec. 7. ~~This~~ 1. This section and section 6.5 of this act become effective on July 1, 2019.

2. Sections 1 to 6, inclusive, of this act ~~becomes~~ **become** effective on October 1, 2019, and ~~expires~~ **expire** by limitation on December 31, 2026.

Assemblywoman Carlton moved the adoption of the amendment.

Remarks by Assemblywoman Carlton.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Assembly Bill No. 486.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1048.

AN ACT relating to outdoor recreation; creating the Division of Outdoor Recreation within the State Department of Conservation and Natural Resources; providing ~~that~~ **for the appointment and duties of the Administrator of the Division**; ~~is the executive head of the Division;~~ creating the Advisory Board on Outdoor Recreation ~~which shall~~ **to** advise the Administrator of the Division on any matter concerning outdoor recreation in this State; **making an appropriation**; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 15 of this bill creates the Division of Outdoor Recreation within the State Department of Conservation and Natural Resources. **Section 4** of this bill makes a conforming change. **Section 16** of this bill creates the position of the Administrator of the Division. **Section 1** of this bill provides that this Administrator is the executive head of the Division. **Sections 2, 3 and 5** of this bill make conforming changes.

Section 17 of this bill provides the qualifications for the Administrator. **Section 18** of this bill provides that the Administrator is in the unclassified service of the State ~~Section 18 further provides how the salary of the Administrator is to be paid and the~~ **and prescribes certain** restrictions on other employment that apply to the Administrator. **Section 20** of this bill requires the Administrator to employ a ~~Deputy Administrator for Business Development for Outdoor Recreation and a Deputy Administrator for Preservation of Natural Resources for Outdoor Recreation. Section 20 additionally authorizes the Administrator to employ additional deputies.~~ **deputy administrator in the unclassified service and prescribes certain restrictions on other employment that apply to the deputy administrator. Section 20 also authorizes the Administrator to employ, within the limits of available money, such other staff as is necessary for the operation of the Division. Section 21** of this bill authorizes the Administrator to make certain expenditures. **Section 22** of this bill provides the various duties of the Administrator ~~and Deputy Administrators.~~ **Section 23** of this bill requires the Administrator to submit certain reports to the Director of the ~~State~~ Department ~~of Conservation and Natural Resources.~~ **Section 24** of this bill

authorizes the Administrator to adopt such regulations as ~~he or she finds~~ necessary for carrying out the provisions governing the Division. **Section 26** of this bill authorizes the Administrator to accept gifts, grants and contributions to carry out the provisions governing the Division or to defray expenses incurred by the Division in the discharge of its duties.

Section 27 of this bill creates the Advisory Board on Outdoor Recreation. **Section 27** requires the Advisory Board to advise the Administrator on any matter concerning outdoor recreation in this State. **Section 28** of this bill provides the process through which the members of the Advisory Board are to be compensated.

Section 33.5 of this bill makes an appropriation to the Department for the personnel and operating costs of the Division.

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

Section 1. Chapter 232 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The executive head of the Division of Outdoor Recreation shall be the Administrator of the Division of Outdoor Recreation, who shall be appointed by and be responsible to the Director.*

2. *The Administrator and the employees of the Division of Outdoor Recreation shall administer the provisions of sections 6 to 28, inclusive, of this act.*

Sec. 2. NRS 232.010 is hereby amended to read as follows:

232.010 As used in NRS 232.010 to 232.162, inclusive ~~††~~, ***and section 1 of this act:***

1. “Department” means the State Department of Conservation and Natural Resources.

2. “Director” means the Director of the State Department of Conservation and Natural Resources.

Sec. 3. NRS 232.020 is hereby amended to read as follows:

232.020 There is hereby created the State Department of Conservation and Natural Resources, in which is vested the administration of the provisions of NRS 232.010 to 232.162, inclusive ~~††~~, ***and section 1 of this act.***

Sec. 4. NRS 232.090 is hereby amended to read as follows:

232.090 1. The Department consists of the Director and the following:

- (a) The Division of Water Resources.
- (b) The Division of State Lands.
- (c) The Division of Forestry.
- (d) The Division of State Parks.
- (e) The Division of Environmental Protection.
- (f) The Office of Historic Preservation.
- (g) ***The Division of Outdoor Recreation.***
- (h) Such other divisions as the Director may from time to time establish.

2. The State Environmental Commission, the State Conservation Commission, the Commission for Cultural Centers and Historic Preservation, the Commission on Off-Highway Vehicles, the Conservation Districts Program, the Nevada Natural Heritage Program, the Sagebrush Ecosystem Council and the Board to Review Claims are within the Department.

Sec. 5. NRS 232.140 is hereby amended to read as follows:

232.140 1. Except as otherwise provided in NRS 232.159 and 232.161, money to carry out the provisions of NRS 232.010 to 232.162, inclusive, *and section 1 of this act* and to support the Department and its various divisions and other units must be provided by direct legislative appropriation from the State General Fund.

2. All money so appropriated must be paid out on claims approved by the Director in the same manner as other claims against the State are paid.

Sec. 6. Title 35 of NRS is hereby amended by adding thereto a new chapter to consist of the provisions set forth as sections 7 to 28, inclusive, of this act.

Sec. 7. *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 10 to 14, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 8. (Deleted by amendment.)

Sec. 9. (Deleted by amendment.)

Sec. 10. *“Administrator” means the Administrator of the Division.*

Sec. 11. *“Advisory Board” means the Advisory Board on Outdoor Recreation created by section 27 of this act.*

Sec. 12. *“Department” means the State Department of Conservation and Natural Resources.*

Sec. 13. *“Director” means the Director of the Department.*

Sec. 14. *“Division” means the Division of Outdoor Recreation of the Department.*

Sec. 15. *There is hereby created the Division of Outdoor Recreation in the State Department of Conservation and Natural Resources.*

Sec. 16. 1. *The position of the Administrator is hereby created.*

2. *The Administrator is appointed by and responsible to the Director.*

Sec. 17. *The Administrator shall have demonstrated executive ability and be experienced in:*

1. *Marketing and business development; or*

2. *Conservation and implementing or interpreting policies regarding natural resources.*

Sec. 18. 1. *The Administrator is in the unclassified service of the State.*

2. ~~*The salary of the Administrator may be apportioned and paid from any money available to the Division, unless otherwise provided by law.*~~

~~3.~~ *Except as otherwise provided in NRS 284.143, the Administrator shall devote his or her entire time and attention to the business of his or her*

office and shall not pursue any other business or occupation or hold any other office of profit.

Sec. 19. (Deleted by amendment.)

Sec. 20. 1. ~~The Administrator shall employ f~~

~~(a) The Deputy Administrator for Business Development for Outdoor Recreation who has demonstrated executive ability and has experience in marketing and business development, and~~

~~(b) The Deputy Administrator for Preservation of Natural Resources for Outdoor Recreation who has demonstrated executive ability and has experience in conservation and implementing or interpreting policies regarding natural resources.~~

~~2. The Administrator shall employ:~~

~~(a) One deputy administrator described in subsection 1 in the classified service of the State; and~~

~~(b) One} a deputy administrator {described in subsection 1} in the unclassified service of the State.~~

~~{3. To the extent practicable, the Administrator shall require at least one deputy administrator employed pursuant to subsection 1 to keep his or her principal office in a county whose population is 700,000 or more.~~

~~4. The Administrator may employ any deputy or deputies of the Administrator in addition to the deputy administrators required pursuant to subsection 1.~~

~~5. The salaries for any person employed pursuant to this section must be paid from the State General Fund or from money received as grants from the Federal Government to the extent allowable pursuant to federal law, or both.~~

~~6.} 2. Except as otherwise provided in NRS 284.143, {each} the deputy administrator shall devote his or her entire time and attention to the business of his or her office and shall not pursue any other business or occupation or hold any other office of profit.~~

3. The Administrator may employ, within the limits of available money, such other staff as is necessary for the operation of the Division.

Sec. 21. The Administrator may purchase such material and incur such expenses for traveling and other purposes as may be necessary for the proper conduct and maintenance of the Division, to be paid from the money which may be appropriated for such purposes from time to time, as other state claims are paid.

Sec. 22. 1. As the executive head of the Division, the Administrator, subject to administrative supervision by the Director, shall direct and supervise all administrative, fiscal, budget and technical activities of the Division and all programs administered by the Division as provided by law.

2. The Administrator may organize the Division into various sections and, from time to time, alter such organization and reassign responsibilities and duties as the Administrator may deem appropriate.

3. ~~The Administrator and the Deputy Administrator for Business Development for Outdoor Recreation employed pursuant to section 20 of this act~~ shall:

(a) Coordinate all activities relating to marketing and business development for outdoor recreation, including, without limitation, marketing, advertising and securing media opportunities that reflect the opportunities for outdoor recreation in this State.

(b) Coordinate with the Department of Tourism and Cultural Affairs and the Office of Economic Development concerning the promotion and growth of any businesses and opportunities related to outdoor recreation.

(c) Promote economic development by working with the Office of Economic Development to attract outdoor recreation industries to this State and develop the growth of new business opportunities within this State.

~~4. The Administrator and the Deputy Administrator for Preservation of Natural Resources for Outdoor Recreation employed pursuant to section 20 of this act shall coordinate~~

(d) Coordinate with the Department, the Department of Wildlife and any other organization, association, group or other entity concerned with matters of conservation and natural resources regarding conservation and the implementation or interpretation of policies regarding natural resources.

~~5. The Administrator shall perform such duties as are or may be prescribed by law and the Director.~~

~~6. The Administrator shall:~~

~~(a) Coordinate the activities of the various sections of the Division.~~

~~(b)~~ (e) Promote the growth of the outdoor recreation economy in this State so that there is support for economic growth as well as stewardship and conservation of any natural resource in this State.

~~(c)~~ (f) Advocate for and coordinate outdoor recreation policy, management and promotion among state and federal agencies and local government entities in this State.

~~(d)~~ (g) Recommend policies and initiatives to the Director to enhance outdoor recreational amenities and experiences in this State and help implement such policies and initiatives.

~~(e)~~ (h) Create and maintain a statewide list of lands to be conserved, enhanced and publicized for outdoor recreation.

~~(f)~~ (i) Develop data regarding the impacts of outdoor recreation in this State.

~~(g)~~ (j) Advocate on behalf of the State for federal funding, including, without limitation, any funding opportunities that are available pursuant to the Land and Water Conservation Fund established by 54 U.S.C. § 200302.

~~(h)~~ (k) Promote the health and social benefits of outdoor recreation.

~~(i)~~ (l) Promote the engagement of communities that are diverse in outdoor recreation.

Sec. 23. The Administrator shall:

1. Report to the Director upon all matters pertaining to the administration of the Administrator's office.

2. Submit a biennial report to the Director on the work of the Division, with such recommendations that the Administrator may deem advisable.

Sec. 24. The Administrator may adopt such regulations as ~~he or she~~ ~~finds~~ necessary for carrying out the provisions of this chapter.

Sec. 25. (Deleted by amendment.)

Sec. 26. The Administrator may apply for and receive gifts, grants, contributions or other money from governmental and private agencies, affiliated associations and other persons to carry out the provisions of this chapter and to defray expenses incurred by the Division in the discharge of its duties.

Sec. 27. 1. There is hereby created the Advisory Board on Outdoor Recreation composed of:

- (a) The Lieutenant Governor or his or her designee;
- (b) The Director or his or her designee;
- (c) The Director of the Department of Tourism and Cultural Affairs or his or her designee;
- (d) The Executive Director of the Office of Economic Development or his or her designee;
- (e) The Director of the Department of Wildlife or his or her designee;
- (f) The Administrator of the Division of State Parks of the Department;
- (g) The Chair of the Nevada Indian Commission; and
- (h) The following four members who must be appointed by the Governor from a list of nominees submitted by the Lieutenant Governor and the Director:

- (1) A representative of the outdoor recreation industry;
- (2) A representative of conservation interests;
- (3) A person with experience in and knowledge of education; and
- (4) A person with experience in and knowledge of public health.

2. The Lieutenant Governor or his or her designee shall:

- (a) Serve as Chair of the Advisory Board; and
- (b) Appoint a member of the Advisory Board to serve as Vice Chair of the Advisory Board.

3. The Advisory Board shall meet at such times and places as are specified by a call of the Chair but not less than once a year. Six members of the Advisory Board constitute a quorum. The affirmative vote of a majority of the Advisory Board members present is sufficient for any action of the Advisory Board.

4. The Advisory Board shall advise the Administrator on any matter concerning outdoor recreation in this State.

Sec. 28. 1. Each member of the Advisory Board who is not a public employee is entitled to receive compensation of not more than \$80 per day, as fixed by the Advisory Board, while engaged in the business of the Advisory Board.

2. *A member of the Advisory Board who is a public employee may not receive any compensation for his or her services as a member of the Advisory Board. Any member of the Advisory Board who is a public employee must be granted administrative leave from the duties of the member to engage in the business of the Advisory Board without loss of his or her regular compensation. Such leave does not reduce the amount of the other accrued leave of the member.*

3. *In addition to any compensation received pursuant to this section, while engaged in the business of the Advisory Board, each member and employee of the Advisory Board is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.*

Sec. 29. (Deleted by amendment.)

Sec. 30. (Deleted by amendment.)

Sec. 31. (Deleted by amendment.)

Sec. 32. (Deleted by amendment.)

Sec. 33. (Deleted by amendment.)

Sec. 33.5. 1. There is hereby appropriated from the State General Fund to the State Department of Conservation and Natural Resources for the personnel and operating costs of the Division of Outdoor Recreation in the Department created by section 15 of this act the following sums:

For the Fiscal Year 2019-2020..... \$208,911

For the Fiscal Year 2020-2021..... \$448,293

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 18, 2020, and September 17, 2021, respectively, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 18, 2020, and September 17, 2021, respectively.

Sec. 34. The Administrator of the Division of Outdoor Recreation **in the State Department of Conservation and Natural Resources, which is created by section 15 of this act,** shall conduct, complete and, on or before February 15, 2020, submit to the Director of the State Department of Conservation and Natural Resources an initial impact study regarding industries involved with outdoor recreation in this State, including, without limitation, business opportunities in this State for such industries, and regarding any other related topics deemed appropriate by the Director.

Sec. 35. (Deleted by amendment.)

Sec. 36. This act becomes effective on July 1, 2019.

Assemblywoman Carlton moved the adoption of the amendment.

Remarks by Assemblywoman Carlton.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Assembly Bill No. 495.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1046.

SUMMARY—Makes ~~an appropriation to the Nevada Alliance of Boys and Girls Clubs, Inc. to be used for programs provided by the Alliance throughout~~ **appropriations to certain nonprofit organizations in** the State. (BDR S-1118)

AN ACT making ~~an appropriation~~ **appropriations** to the Nevada Alliance of Boys and Girls Clubs, Inc. to be used for programs provided by the Alliance throughout the State ~~+~~ **and to Nevada Partners to be used for the construction and operation of a community learning center;** and providing other matters properly relating thereto.

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

Section 1. 1. There is hereby appropriated from the State General Fund to the Nevada Alliance of Boys and Girls Clubs, Inc. the sum of \$2,000,000 to be used for programs provided by the Alliance throughout the State.

2. Upon acceptance of the money appropriated by subsection 1, the Nevada Alliance of Boys and Girls Clubs, Inc. agrees to:

(a) Prepare and transmit a report to the Interim Finance Committee on or before December 18, 2020, that describes each expenditure made from the money appropriated by subsection 1 from the date on which the money was received by the Nevada Alliance of Boys and Girls Clubs, Inc. through December 1, 2020;

(b) Prepare and transmit a final report to the Interim Finance Committee on or before September 17, 2021, that describes each expenditure made from the money appropriated by subsection 1 from the date on which the money was received by the Nevada Alliance of Boys and Girls Clubs, Inc. through June 30, 2021; and

(c) Upon request of the Legislative Commission, make available to the Legislative Auditor any of the books, accounts, claims, reports, vouchers or other records of information, confidential or otherwise, of the Nevada Alliance of Boys and Girls Clubs, Inc., regardless of their form or location, that the Legislative Auditor deems necessary to conduct an audit of the use of the money appropriated pursuant to subsection 1.

3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2021, by the entity to which

the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 17, 2021, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 17, 2021.

Sec. 1.5. 1. There is hereby appropriated from the State General Fund to Nevada Partners the sum of \$1,800,000 to be used for the construction and operation of a community learning center.

2. Of the sum appropriated by subsection 1, Nevada Partners shall use not more than \$1,175,000 for the design, implementation and operation of a community learning center.

3. Of the sum appropriated by subsection 1, Nevada Partners shall use not more than \$625,000 for the completion of construction of a community learning center.

4. To the greatest extent practicable, Nevada Partners shall use the money appropriated by subsection 1 to provide programs and services relating to education, workforce development, financial literacy, housing and parent engagement to low-income and moderate-income children, families and other persons. When providing programs and services pursuant to this subsection, Nevada Partners shall, to the greatest extent practicable, prioritize programs and services to persons who reside in or near the Southern Nevada Enterprise Community, as designated in section 5 of chapter 407, Statutes of Nevada 2007.

5. Upon acceptance of the money appropriated by subsection 1, Nevada Partners agrees to:

(a) Prepare and transmit a report to the Interim Finance Committee on or before December 18, 2020, that describes each expenditure made from the money appropriated by subsection 1 from the date on which the money was received by Nevada Partners through December 1, 2020;

(b) Prepare and transmit a final report to the Interim Finance Committee on or before September 17, 2021, that describes each expenditure made from the money appropriated by subsection 1 from the date on which the money was received by Nevada Partners through June 30, 2021;

(c) Upon request of the Legislative Commission, make available to the Legislative Auditor any of the books, accounts, claims, reports, vouchers or other records of information, confidential or otherwise, of Nevada Partners, regardless of their form or location, that the Legislative Auditor deems necessary to conduct an audit of the use of the money appropriated pursuant to subsection 1; and

(d) Prepare and transmit a report to the Interim Finance Committee and the Director of the Legislative Counsel Bureau for transmission to the 81st Session of the Nevada Legislature on or before February 1, 2021, that describes performance benchmarks and best practices for the community

learning center constructed and operated using the money appropriated pursuant to subsection 1.

6. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2021, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 17, 2021, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 17, 2021.

Sec. 2. This act becomes effective on July 1, 2019.

Assemblywoman Carlton moved the adoption of the amendment.

Remarks by Assemblywoman Carlton.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 96.

Bill read third time.

Roll call on Assembly Bill No. 96:

YEAS—41.

NAYS—None.

VACANT—1.

Assembly Bill No. 96 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 263.

Bill read third time.

Remarks by Assemblywoman Neal.

ASSEMBLYWOMAN NEAL:

Senate Bill 263 provides that certain vapor products and alternative nicotine products as defined in the bill are subject to a 30 percent wholesale tax that currently applies to tobacco products other than cigarettes. This bill also provides for civil penalties for the sale of cigarettes and other tobacco products to persons under the age of 18. It also applies to the Nevada Clean Indoor Air Act.

Assemblywoman Hardy moved to take Senate Bill No. 263 from the General File and place it on the Chief Clerk's desk for the purposes of amendment.

Motion failed on a division of the house.

Remarks by Assemblymen Carrillo, Titus, Bilbray-Axelrod, Tolles, Wheeler, Benitez-Thompson, and Neal.

ASSEMBLYMAN CARRILLO:

I was not intending to speak, but I have had some people come to my office in the last few days talking about this S.B. 263. One specific thing that really stood out was the age of the vaping versus the smoking. I think that one should follow the other. I know there is an effort to push vaping to 21 and I think smoking should follow that same age. I rise in opposition.

ASSEMBLYWOMAN TITUS:

This may come as a shock to everybody, but I am actually in support of Senate Bill 263. I traditionally have stood up on this floor against taxes, especially increasing taxes. But this is actually not a new tax. This is recognizing vaping for what it is. It is a nicotine product and it does need to come under the umbrella of other nicotine products. We have heard time and time again, people lobbying us saying, You are taxing the mechanisms, you are not just taxing nicotine. I will tell you, we have a standard already. We tax pipes, we tax other things under that “cigarettes or other tobacco products.” I would urge my colleagues to support S.B. 263.

ASSEMBLYWOMAN BILBRAY-AXELROD:

I wanted to rise and explain to my colleagues that the reason we were attempting to put this bill on the desk was to raise the age to 21. I am a mother as you all know. You all know my daughter probably pretty well. When I see vaping products come across with names like Bubble Gum and Cotton Candy and Cherry Coke and I hear compelling testimony that you all heard who are receiving these vaping products from kids in their schools, I think it is imperative that we address this issue. They are 100 percent marketing to our children. This is not a cigarette, this is not a Marlboro, and this is not a Camel. These are things that they are trying to get in the hands of our kids at very young ages.

This is probably one of the first times that I have actually stood up with my minority party, and I am happy to do it because I think it is important for our kids. That is the reason I did it and I want to go on the record for that.

ASSEMBLYWOMAN TOLLES:

I also would like to echo the sentiments of my colleague from down south. I am a mother of two teenagers and I can tell you this has reached epidemic levels among youth. Some of these kids that I have known since they were in kindergarten are now so addicted that they cannot go an hour. I would really like to see our state move towards a 21 requirement, but I do support S.B. 263 for the sake of increasing that tax to treat vaping like nicotine like my colleague stated before me.

ASSEMBLYMAN WHEELER:

As the only smoker in here, I come with a bit of expertise. What I have looked into and what I have seen is that most of the people under 18 that attain these products get them from someone who is 18. Over 70 percent of 18-year-olds are still in high school. They can go to their local store, buy a vape product, or a cigarette for that matter, and redistribute those back through their schools. What we were trying to accomplish here, Mr. Speaker, was to get an amendment in here that would have kept everything in this bill but would have raised the age to 21. I would hope that you understood what we were trying to do. If I had not started at under 18, I probably would not be smoking today.

ASSEMBLYWOMAN BENITEZ-THOMPSON:

I rise in support of the bill as is, unamended. I rise as a member who has had six years, three sessions, of conversation on whether or not we were going to tax this product. The good news is that every session we have gotten closer to it, and right now I feel like we are the closest we have ever been. In the past years, there has always been an additional thing that different members have wanted to add to the bill, all of them legitimate and all of them good, but all of them, when you get the aggregate of the measures together, would mean that it would not prevail.

I guess what I am most excited about is finally getting some action on this, finally seeing that we can indeed put a tax on this product. We can finally lay a foundation in our *Nevada Revised Statutes* upon which we can grow. I imagine that if we can get this bill passed, we will come back in two years and have more conversations, not only about the age but a number of different things. I do not think this is the end of this conversation at all. I see it as a beginning, and I look forward to the opportunity to plant this language into *Nevada Revised Statutes* and for us to finally have a win on this issue that so many of us have been waiting for for so long. I respect everyone’s opinions and viewpoints and I know that there are very heartfelt reasons attached to them. More than anything, I would love to be able to have certainty that we get this done and that is why I am rising in support.

ASSEMBLYWOMAN NEAL:

I rise in support of S.B. 263. It is troubling that the process is being held up on this bill, because I examined the tax policy. I asked questions—Why 18? Tobacco is actually legal and being taxed at 18. So that is why we chose to do vape at 18. I examined the sponsor's policy to determine if she was falling out of the federal regulations. Everything in the bill followed what the feds had placed as language except for devices, which was a catch-all piece that she had in the bill. I then looked and I asked the question—why would she not be willing to do 21? Prevention was her focus. There is \$5 million of prevention in this bill. She is seeking to prevent exactly what is being stated on this floor.

I asked the question about why there could not be any movement. At this point if we change the age, we would lose the revenue needed in order to have prevention to keep 16- and 15-year-olds, 12-year-olds, and fifth graders from using vape products.

I find it amazing that we would challenge the policy. I have served for two sessions as the chair on this committee. I have made sure that policy that walked out of that committee did not have any flaws. The flaws are opinion. It is not a flaw, necessarily, in the policy.

I understand that people are trying to figure out the methodology, but our colleague in the other house said that she would look at this. If something was amiss and there was a better way, she would look at it next session. I believe her, only because I know she is a person of integrity. I know that she has been consistent in her—when she says it, she does it. I ask my colleagues to vote on this measure positively and vote yes. The policy was examined; all sides and angles were looked at. If people felt it was not vetted on the other side, I looked at it. I looked at it six different ways. I do not know how many ways you can look at a bill, but I did. I tried to ask those questions. I tried to move the needle in the policy. So what is happening right now, especially on this—I just ask my colleagues to vote yes.

Roll call on Senate Bill No. 263:

YEAS—30.

NAYS—Carrillo, Edwards, Ellison, Fumo, Hafen, Hardy, Kramer, Krasner, Leavitt, Roberts, Wheeler—11.

VACANT—1.

Senate Bill No. 263 having received a two-thirds majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 427.

Bill read third time.

Roll call on Senate Bill No. 427:

YEAS—40.

NAYS—Ellison.

VACANT—1.

Senate Bill No. 427 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 7:50 p.m.

ASSEMBLY IN SESSION

At 7:51 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Senate Bill No. 540 be taken from its position on the General File and placed at the bottom of the General File

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 43.

Bill read third time.

Roll call on Assembly Bill No. 43:

YEAS—41.

NAYS—None.

VACANT—1.

Assembly Bill No. 43 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 483.

Bill read third time.

Roll call on Assembly Bill No. 483:

YEAS—33.

NAYS—Edwards, Ellison, Hafen, Hansen, Kramer, Krasner, Titus, Wheeler—8.

VACANT—1.

Assembly Bill No. 483 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 486.

Bill read third time.

Roll call on Assembly Bill No. 486:

YEAS—35.

NAYS—Edwards, Ellison, Hafen, Hansen, Kramer, Titus—6.

VACANT—1.

Assembly Bill No. 486 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 495.

Bill read third time.

Roll call on Assembly Bill No. 495:

YEAS—41.

NAYS—None.

VACANT—1.

Assembly Bill No. 495 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Senate Bill No. 540 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 15, 25, 41, 50, 60, 62, 64, 66, 73, 76, 78, 112, 126, 129, 132, 140, 141, 151, 161, 163, 166, 174, 175, 205, 226, 232, 239, 242, 244, 252, 254, 261, 275, 282, 286, 288, 298, 299, 301, 303, 307, 310, 316, 317, 336, 353, 361, 363, 365, 367, 376, 378, 397, 400, 403, 404, 417, 421, 422, 427, 429, 434, 439, 440, 457, 458, 462, 465, 477, 485, and 492; Assembly Joint Resolutions Nos. 1 and 2; Senate Bills Nos. 254, 276, 295, 314, 321, 376, 368, 497, 532, 536, 539, and 541.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Ellison, the privilege of the floor of the Assembly Chamber for this day was extended to Demar Dahl.

On request of Assemblyman Kramer, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, teachers, and chaperones from Fritsch Elementary School: Masyn Arding, Ruby Bertrand, Zachary David, Kya Flynn, Janaki Gonugunta, Ainsley Isaacson, Madison Harris, Cavery Jones, Braxton McIntosh, Hailey Miner, Altaf Pardis, Lezly Perez, Joel Saldua, Landon Stokes-Castro, Connor Thackston, Isaac Tovar, Gabe White, Kristopher White, Hunter Wilson, Christopher Acosta-Bruno, Zachary Binford, Noa Dixon, Paxton Good, Dakota Jacobsen-Gitthens, Guadalupe Medina-Pena, Holly Miller, Marlene Montalvo-Castillo, Avani Navarro-Llamas, Elisha Nolan, Rylan Oliver, Kelli Plautz, Jefferson Sanchez-Romero, Makenzie Shaw, Gabriel Storey, Mackenzie Veatch, Isaiah Villarreal, Serena Walker, Conner Watson, Natalia Armstrong, Hope Brown, Bryce Card, Brielle Caron, Drevon Carpenter, Emery Cooper, Benjamin Crossman, Bryce Dorsey, Isabella Eisenmesser, Kristian Guilford, Noah Isaacson, Piper Jensick, Mara Kuchnicki, Andrew Leon, Logan Lobsinger, Tilly Morgan, Bryan Neddenriep, Amelia Papez, Mana Payan, Zarek Pereira, Miguel Rodriguez, Skyler Roston, Grace Syndergaard, Charles Turner, Shaun Axalan, Gabriel Borst, Avery Copeland, Chloe Correlli, Livia Fassett, Fernando Garcia Jimenez, Chloe Herman, Madison Krueger, John Lombardi, Devyn Martindale, Rene Mellow, Donovan Nichols, Molly Russell, Owen Sarkissian, Isiah Solano, Kanye Taylor, Jaylene Victorio, Kobe Victorio, Arturo Vieira-Godinez, Alyx Wertz, Conner Anderson, Jorge Ellingsen, Charmaine Fleming, Destiny Fowler, Chase Fratis, Olivia Garcia, Sophia Gaunt, Layla Gold, Vineet Kalia, Sayda Kane, Sophia

Llamas, Rylan Miller, Adra Parrish, Noah Ramirez, Jesse Smith and Aryana Zuanos.

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Saturday, June 1, 2019, at 11:30 a.m.

Motion carried.

Assembly adjourned at 7:56 p.m.

Approved:

JASON FRIERSON
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly