

NEVADA LEGISLATURE

Eightieth Session, 2019

SENATE DAILY JOURNAL

THE NINETY-THIRD DAY

CARSON CITY (Tuesday), May 7, 2019

Senate called to order at 11:56 a.m.

President Marshall presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Louis Locke.

Let us pray. Lord, as we gather in this place today, we give You thanks and praise for Your mercies are new every morning and Your thoughts towards us are gracious, longsuffering and abounding in goodness and truth.

In the midst of the pressures and demands of this Session, may we be reminded of King David's advice from Psalm 55 which says, "Cast your burden on the Lord, and He will sustain you. He will never permit the righteous to be moved."

We also ask that You, O Lord, bless the men and women of this Senate, their families and staff. In the Name of the Most High God, I pray.

AMEN.

Pledge of Allegiance to the Flag.

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

REPORTS OF COMMITTEE

Madam President:

Your Committee on Finance, to which was re-referred Senate Bill No. 94, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JOYCE WOODHOUSE, *Chair*

Madam President:

Your Committee on Growth and Infrastructure, to which was referred Assembly Bill No. 110, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

YVANNA D. CANCELA, *Chair*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Government Affairs:

Senate Bill No. 538—AN ACT relating to governmental administration; creating the Office for New Americans in the Office of the Governor; establishing the duties of the Office; requiring state agencies and political subdivisions to provide certain assistance to the Office; requiring each regulatory body to create an online resource for immigrants that provides information about obtaining a license or similar authorization to practice certain occupations or professions; and providing other matters properly relating thereto.

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

Motion carried.

WAIVERS AND EXEMPTIONS
WAIVER OF JOINT STANDING RULE(S)

A Waiver requested by Senate Standing Committee on Government Affairs.

For: Senate Bill No. 538.

To Waive:

Subsection 1 of Joint Standing Rule No. 14.2 (dates for introduction of BDRs requested by individual legislators and committees).

Subsection 1 of Joint Standing Rule No. 14.3 (out of final committee of house of origin by 68th day).

Subsection 2 of Joint Standing Rule No. 14.3 (out of house of origin by 79th day).

Subsection 3 of Joint Standing Rule No. 14.3 (out of final committee of 2nd house by 103rd day).

Subsection 4 of Joint Standing Rule No. 14.3 (out of 2nd house by 110th day).

Has been granted effective: Monday, May 6, 2019.

NICOLE J. CANNIZZARO
Senate Majority Leader

JASON FRIERSON
Speaker of the Assembly

SECOND READING AND AMENDMENT

Assembly Bill No. 8.

Bill read second time and ordered to third reading.

Assembly Bill No. 16.

Bill read second time and ordered to third reading.

Assembly Bill No. 61.

Bill read second time and ordered to third reading.

Assembly Bill No. 126.

Bill read second time and ordered to third reading.

Assembly Bill No. 133.

Bill read second time and ordered to third reading.

Assembly Bill No. 156.

Bill read second time and ordered to third reading.

Assembly Bill No. 228.

Bill read second time and ordered to third reading.

Assembly Bill No. 266.

Bill read second time and ordered to third reading.

Assembly Bill No. 342.

Bill read second time and ordered to third reading.

Assembly Bill No. 418.

Bill read second time and ordered to third reading.

Assembly Bill No. 461.

Bill read second time and ordered to third reading.

Assembly Bill No. 464.

Bill read second time and ordered to third reading.

Assembly Bill No. 480.

Bill read second time and ordered to third reading.

Assembly Bill No. 481.

Bill read second time and ordered to third reading.

Assembly Bill No. 482.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 22.

Bill read third time.

Remarks by Senator Brooks.

Assembly Bill No. 22 removes the \$50,000 limitation on the amount of a contract price the Director of the Department of Transportation must retain until certain highway contracts are completed satisfactorily, and it reduces the percentage of the contract price that must be retained by the Director to 2.5 percent. The bill also requires the Department to perform a final inspection of a highway project upon notice of completion from a contractor. If the final inspection reveals the work is not satisfactory, the Department must provide the contractor with notice of the deficiencies that require correction. If the inspection discloses the work was completed satisfactorily, the Department must reduce the amount of the contract price retained by the Department to not more than \$50,000 not later than 30 days after the final inspection, with any remaining amount to be retained until the entire contract is completed satisfactorily and accepted by the Director. Finally, Assembly Bill No. 22 reduces the amount of payment that a contractor may withhold from a subcontractor before a subcontractor may contact the Department for assistance. This measure is effective upon passage and approval. The amendatory provisions of this bill do not apply to a highway contract made or awarded before the effective date of this bill.

Roll call on Assembly Bill No. 22:

YEAS—21.

NAYS—None.

Assembly Bill No. 22 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

REMARKS FROM THE FLOOR

Senator Seevers Gansert requested that her remarks be entered in the Journal.

I would like to introduce my family who are here today. I have with me my parents, Leo and Diane Seevers; my husband, Guy Gansert; and my youngest son, Hank Gansert, who is back from school. Today is a special day, because I want to recognize my father who will be turning 80 in July. I know it is shock to him, but he will be turning 80 in July, and I would like to speak a bit about my parents. My parents were married in 1960 and will be celebrating their 59th wedding anniversary this year. My father is the youngest of nine children. He was born in Reno, Nevada, so I am a second generation from Reno. His family came from Round Mountain, then to Fallon, then to Reno. His father, my grandfather, retired from the Reno Police Department after 22 or 23 years, so we have a long history in the area. My dad was on the first Economic Forum, which we still continue to hold. He was appointed by Bill Raggio and served under three Governors. He was a founder and a board member of First Independent Bank in Nevada and retired as a banker about 20 years ago. He was also the chairman of the board for Hometown Health and was a board member for almost 18 years. While on the Renown board, he was awarded the Trustee of Excellence award by the Nevada Hospital Association. When he was in high school, he was a member of Junior Achievement and later, as an adult, he was recognized as Man of the Year by Junior Achievement. He was the chair of the Reno-Sparks Chamber, the Cancer Society and on and on. I am so grateful for having my parents here today and for all they have done. I wanted to recognize him now, and I have a surprise for him in a few minutes. Thank you for your indulgence; please make them feel welcome.

Senator Seevers Gansert moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 12:19 p.m.

SENATE IN SESSION

At 12:30 p.m.

President Marshall presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 27.

Bill read third time.

Remarks by Senator Hardy.

Assembly Bill No. 27 revises the State Contractors' Board requirement to issue a cease and desist order if a person who acts as a contractor or submits bids on a job does not have a valid contractors' license instead of not having an active license of the proper classification. The bill sets forth the actions that the Board is required or authorized to take after issuing such an order, including, but not limited to, confirming the occurrence of a cease and desist order; imposing certain administrative penalties and reporting repeated violations to the district attorney for further criminal prosecution; allowing remedies for a violation; allowing a person to contest a cease and desist order; and vacating or clarifying the terms of a cease and desist order.

Roll call on Assembly Bill No. 27:

YEAS—21.

NAYS—None.

Assembly Bill No. 27 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 29.

Bill read third time.

Remarks by Senator Settelmeyer.

Assembly Bill No. 29 requires that every construction project shall have one, but not more than one, licensed prime contractor, unless the project is not required to have a prime contractor. Additionally, a single construction project shall not have more than one general building contractor performing management and counseling services for a professional fee.

A general engineering contractor acting as prime contractor may not hire more than one general contractor on a project, and a general building contractor who has contracted to provide management and counseling services may not hire more than one general building contractor to provide equipment, materials or work on a project.

Roll call on Assembly Bill No. 29:

YEAS—21.

NAYS—None.

Assembly Bill No. 29 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 45.

Bill read third time.

Remarks by Senator Hardy.

Assembly Bill No.45 creates and sets forth the duties of the Nevada Threat Analysis Center and the Nevada Threat Analysis Center Advisory Committee in the Investigation Division of Nevada's Department of Public Safety. The measure authorizes the Advisory Committee to hold a closed meeting to receive or provide security briefings or to discuss certain topics regarding potential threats to public safety. All information and materials received or prepared by the Advisory Committee during a closed meeting and all minutes and audiovisual or electronic reproductions are confidential. However, if a criminal proceeding is initiated as a result of information or materials received or prepared by the Advisory Committee during a closed meeting, such information or materials are subject to discovery and disclosure in accordance with applicable law.

Roll call on Assembly Bill No. 45:

YEAS—21.

NAYS—None.

Assembly Bill No. 45 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 49.

Bill read third time.

Remarks by Senator Hardy.

Assembly Bill No. 49 amends various provisions of the Nevada Controlled Substances Act by requiring the chief medical officer or his or her designee to upload to the Prescription Drug Monitoring Program, commonly known as the PMP, certain information regarding a person who has suffered or is suspected of having suffered a drug overdose, rather than requiring a coroner,

medical examiner or deputy to upload such information. Secondly, specifying that law enforcement agencies only include in the PMP information regarding the arrests involving a prescription for a controlled substance or a report of a stolen prescription for a controlled substance, as prescribed by regulation of the State Board of Pharmacy; and, thirdly, authorizing the State Board of Pharmacy to terminate access to the PMP by an occupational licensing board if the board accesses the database for an unauthorized purpose. In addition, the State Board of Pharmacy is authorized to suspend or revoke a practitioner's registration to dispense controlled substances if he or she violates certain requirements of the PMP.

Roll call on Assembly Bill No. 49:

YEAS—18.

NAYS—Goicoechea, Hansen, Settlemeyer—3.

Assembly Bill No. 49 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 85.

Bill read third time.

Remarks by Senators Hammond, Ratti and Kieckhefer.

SENATOR HAMMOND:

Assembly Bill No. 85 requires the State Board of Health, Division of Public and Behavioral Health and Department of Health and Human Services to adopt regulations concerning the involuntary administration of medication to certain persons with mental illness; the completion of a medical examination before a person is admitted to a mental health facility and reporting of certain information concerning emergency admissions. The bill further authorizes the Board to adopt regulations requiring a public or private mental health facility or hospital to adopt a plan to discharge patients admitted to the facility or hospital.

The bill replaces the term "person with mental illness" with the term "person in a mental health crisis" and defines that term to mean any person who has a mental illness and has a diminished capacity that presents a substantial likelihood of serious harm to himself or herself or others.

The bill requires the immediate release of a person admitted to a public or private mental health facility on a voluntary basis upon his or her request and standardizes the time periods a person may be detained to no longer than 72 hours in specified cases related to emergency admissions.

The bill revises various provisions concerning the transporting of a person to a mental health facility. Further revisions are made regarding the period for a judge to hear a petition for an involuntary court-ordered admission and for the court to release a person admitted as an emergency admission who is determined not to be a person in a mental health crisis. Finally, the bill revises provisions regarding notification of a patient admission to a mental health facility and authorizes the disclosure of certain information concerning the patient to a provider of health care to assist with his or her treatment.

SENATOR RATTI:

This is a bill that resulted from legislation that was passed last Session to create the Regional Behavioral Health Boards. This Board chose to tackle some weighty topics, including legal 2000 holds and the processes around them. They brought together a coalition of stakeholders who did the work and brought us a clean bill that could have been challenging, but they did the legwork for us. I commend not only the content of the bill, but also process that brought this bill forward to us including creating the Regional Health Boards and the work that this particular Board did across some long distances in our rural communities. That Board did a phenomenal job in bringing this bill to us.

SENATOR KIECKHEFER:

There are few people who are adjudicated as unable to take care of themselves and placed in psychiatric hospitals on a court order. Often there are negotiations with attorneys and an adjudication process never occurs, so very few people are put into the background check system as unsafe. When it comes to this process, will this bill make this a more difficult thing for a judge to do, or will it have no impact?

SENATOR RATTI:

I do not believe this process does that, but I cannot verify it 100 percent. We can take a pause on this bill to verify it if you would like. This was brought by the Regional Board and was designed to address some of the challenges facing rural communities. I heard nothing during the presentation of this bill that would have me believe it does, but I cannot state this 100 percent because I was not as intimately involved with the details of this bill. I will leave it up to you as to whether you would like to have us take a pause or whether you are comfortable with it as is.

Roll call on Assembly Bill No. 85:

YEAS—21.

NAYS—None.

Assembly Bill No. 85 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 89.

Bill read third time.

Remarks by Senator Washington.

Assembly Bill No. 89 removes the State residency qualification of Veterans seeking appointment and a promotion to position into classified service of the Executive Branch of State government; thereby, making veterans who are not residents of Nevada eligible for certain veterans preferences. This bill also requires the Administrator of the Division of Human Resource Management of the Department of Administration to submit to the Director of the Department of Veteran Services a list of names of all resident and nonresident veterans and certain other persons who are employed in the classified or unclassified service of the State. This bill is effective upon passage and approval for the purposes of adopting any regulations and performing any other preparatory tasks; and on October 1, 2019 for all other purposes.

Roll call on Assembly Bill No. 89:

YEAS—21.

NAYS—None.

Assembly Bill No. 89 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 124.

Bill read third time.

Remarks by Senator Spearman.

Assembly Bill No. 124 requires the Division of Public and Behavioral Health of the Department of Health and Human Services to convene a working group, including hospital and independent center for emergency medical care representatives and experts in the treatment of sexual assault, to write a medically and factually accurate document that includes information and resources to provide to victims of sexual assault and attempted sexual assault. The document is required to be organized in a manner that allows a victim to easily identify services that are available in his or her region. Furthermore, the Division is required to distribute copies of the document to

each hospital and independent center for emergency medical care in the State, post it on an Internet website and update the document as necessary. Each hospital and independent center for emergency medical care is required to ensure that victims of sexual assault or attempted sexual assault are provided with a copy of the document and an oral explanation of the information contained in the document. This bill is effective upon passage and approval for the purposes of adopting regulations and performing any other preparatory administrative tasks; and on January 1, 2020, for all other purposes.

Roll call on Assembly Bill No. 124:

YEAS—21.

NAYS—None.

Assembly Bill No. 124 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 131.

Bill read third time.

The following amendment was proposed by Senator Ratti:

Amendment No. 659.

SUMMARY—Revises provisions governing facilities and services for adults with special needs. (BDR 40-170)

AN ACT relating to health care; providing for the licensing and regulation of providers of community-based living arrangement services as facilities for the dependent; prohibiting certain convicted persons from serving as an operator, employee or contractor of a provider of community-based living arrangement services; requiring certain employment agencies to be licensed; requiring the statewide information and referral system to provide certain nonemergency information and referrals; requiring the Legislative Committee on ~~[Senior Citizens, Veterans and Adults With Special Needs]~~ Health Care to conduct a study concerning standards of training for unlicensed persons who provide care at certain facilities or homes or through certain agencies or providers; providing penalties; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law defines the term "community-based living arrangement services" to mean flexible, individualized services that are: (1) provided in the home, for compensation, to persons with mental illness or persons with developmental disabilities; and (2) designed and coordinated to assist such persons in maximizing their independence. (NRS 433.605) Existing law requires each provider of community-based living arrangement services to obtain a certificate from the Division of Public and Behavioral Health of the Department of Health and Human Services. (NRS 433.607) Existing law also requires each facility for the dependent to be licensed by the Division. (NRS 449.030) Section 16 of this bill repeals existing provisions governing community-based living arrangement services. Section 3 of this bill instead requires a provider of community-based living arrangement services to be licensed and regulated as a facility for the dependent. Providing

community-based living arrangement services without such a license is made to be a misdemeanor. (NRS 449.210)

Existing law requires an applicant for a license to operate certain facilities, hospitals, agencies, programs or homes and each employee or independent contractor of such a facility, hospital, agency, program or home to receive a criminal background check. (NRS 449.122, 449.123) Existing law prohibits a person from operating or serving as an employee or contractor for such a facility, hospital, agency, program or home if the person has been convicted of certain crimes. (NRS 449.125, 449.174) Sections 5 and 6 of this bill apply those requirements to providers of community-based living arrangement services and employees and contractors of such providers. Providing false information in connection with the required background check is made to be a misdemeanor. (NRS 449.123) Section 7 of this bill requires certain inspections of a provider of community-based living arrangement services. Section 8 of this bill requires a provider of community-based living arrangement services to notify a person receiving such services from the provider, his or her parent or guardian or another designated person upon the discovery by the Division of a deficiency affecting the health and safety of a patient. Section 10 of this bill provides a recipient of community-based living arrangement services with the same rights as recipients of services from other facilities for the dependent. Sections 1, 2, 9, 12, 13 and 15 of this bill make conforming changes.

Existing law requires an employment agency that contracts with persons to provide nonmedical services related to personal care to elderly persons or persons with disabilities in the home to obtain a license from the State Board of Health. (NRS 449.03005) Section 4 of this bill clarifies that this requirement applies when the contracted services are provided in this State, regardless of where the employment agency is located.

Existing law requires the Department to establish and maintain a statewide information and referral system to provide nonemergency information and referrals to the general public concerning the health, welfare, human and social services provided by public or private entities in this State. That system must be accessible to a person using the public telephone system by dialing the digits 2-1-1. (NRS 232.359) Section 11 of this bill requires that system to include information concerning the licensing status of any medical facility or facility for the dependent and certain other entities. Section 11 also requires the Department to review and update such information at least quarterly.

Assembly Bill No. 299 of the 2017 Legislative Session required the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs to conduct a study during the 2017-2018 interim concerning standards of training for persons who are not providers of health care and who provide care to a person through employment or a contractual arrangement with certain entities. (Chapter 279, Statutes of Nevada 2017, p. 1490) Section 14 of this bill requires the Legislative Committee on Health Care to conduct a similar study during the 2019-2020 interim. Section 14 requires the study to: (1) compare

standards of training required by different entities; and (2) determine whether employees and contractors of such entities should be required to complete training concerning a minimum set of competencies or complete a minimum amount of training.

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

Section 1. NRS 439B.225 is hereby amended to read as follows:

439B.225 1. As used in this section, "licensing board" means any division or board empowered to adopt standards for the issuance or renewal of licenses, permits or certificates of registration pursuant to NRS ~~[433.601 to 433.621, inclusive,]~~ 435.3305 to 435.339, inclusive, chapter 449, 625A, 630, 630A, 631, 632, 633, 634, 634A, 635, 636, 637, 637B, 639, 640, 640A, 640D, 641, 641A, 641B, 641C, 652 or 654 of NRS.

2. The Committee shall review each regulation that a licensing board proposes or adopts that relates to standards for the issuance or renewal of licenses, permits or certificates of registration issued to a person or facility regulated by the board, giving consideration to:

- (a) Any oral or written comment made or submitted to it by members of the public or by persons or facilities affected by the regulation;
- (b) The effect of the regulation on the cost of health care in this State;
- (c) The effect of the regulation on the number of licensed, permitted or registered persons and facilities available to provide services in this State; and
- (d) Any other related factor the Committee deems appropriate.

3. After reviewing a proposed regulation, the Committee shall notify the agency of the opinion of the Committee regarding the advisability of adopting or revising the proposed regulation.

4. The Committee shall recommend to the Legislature as a result of its review of regulations pursuant to this section any appropriate legislation.

Sec. 2. NRS 449.0026 is hereby amended to read as follows:

449.0026 "Community-based living arrangement services" ~~[has the meaning ascribed to it in NRS 433.605.]~~ *means flexible, individualized services, including, without limitation, training and habilitation services, that are:*

1. *Provided in the home, for compensation, to persons with mental illness ~~for persons with developmental disabilities, as defined in NRS 435.007,]~~ who are served by the Division or any other entity; and*
2. *Designed and coordinated to assist such persons in maximizing their independence.*

Sec. 3. NRS 449.0045 is hereby amended to read as follows:

449.0045 "Facility for the dependent" includes:

1. A facility for the treatment of abuse of alcohol or drugs;
2. A halfway house for recovering alcohol and drug abusers;
3. A facility for the care of adults during the day;
4. A residential facility for groups;

5. An agency to provide personal care services in the home;
6. A facility for transitional living for released offenders;
7. A home for individual residential care;
8. A peer support recovery organization; ~~and~~
9. A community health worker pool ~~[-]~~; *and*
10. *A provider of community-based living arrangement services.*

Sec. 4. NRS 449.03005 is hereby amended to read as follows:

449.03005 1. Except as otherwise provided in NRS 449.03017, a person must obtain a license from the Board to operate an employment agency that contracts with persons *in this State* to provide nonmedical services related to personal care to elderly persons or persons with disabilities in the home ~~[-]~~, *regardless of whether the agency is located in this State.*

2. The Board shall adopt:

- (a) Standards for licensing of employment agencies that provide nonmedical services related to personal care to elderly persons or persons with disabilities in the home;
- (b) Standards relating to the fees charged by such employment agencies;
- (c) Regulations governing the licensing of such employment agencies; and
- (d) Regulations establishing requirements for training the persons who contract with such employment agencies to provide such nonmedical services.

3. An employment agency that is licensed pursuant to this section shall not refer a person to a home to provide nonmedical services related to personal care to elderly persons or persons with disabilities if that person has not met the requirements set forth in NRS 449.115 to 449.125, inclusive.

4. A person who violates the provisions of subsection 3 is liable for a civil penalty to be recovered by the Attorney General in the name of the Board for the first offense of not more than \$10,000 and for a second or subsequent offense of not less than \$10,000 nor more than \$20,000. Unless otherwise required by federal law, the Board shall deposit all civil penalties collected pursuant to this section into a separate account in the State General Fund to be used to administer and carry out the provisions of NRS 449.001 to 449.430, inclusive, 449.435 to 449.531, inclusive, and chapter 449A of NRS and to protect the health, safety, well-being and property of the persons served by employment agencies.

Sec. 5. NRS 449.089 is hereby amended to read as follows:

449.089 1. Each license issued pursuant to NRS 449.029 to 449.2428, inclusive, expires on December 31 following its issuance and is renewable for 1 year upon reapplication and payment of all fees required pursuant to NRS 449.050 unless the Division finds, after an investigation, that the facility has not:

- (a) Satisfactorily complied with the provisions of NRS 449.029 to 449.2428, inclusive, or the standards and regulations adopted by the Board;

(b) Obtained the approval of the Director of the Department of Health and Human Services before undertaking a project, if such approval is required by NRS 439A.100; or

(c) Conformed to all applicable local zoning regulations.

2. Each reapplication for an agency to provide personal care services in the home, an agency to provide nursing in the home, a community health worker pool, a facility for intermediate care, a facility for skilled nursing, *a provider of community-based living arrangement services*, a hospital described in 42 U.S.C. § 1395ww(d)(1)(B)(iv) which accepts payment through Medicare, a psychiatric hospital that provides inpatient services to children, a psychiatric residential treatment facility, a residential facility for groups, a program of hospice care, a home for individual residential care, a facility for the care of adults during the day, a facility for hospice care, a nursing pool, a peer support recovery organization, the distinct part of a hospital which meets the requirements of a skilled nursing facility or nursing facility pursuant to 42 C.F.R. § 483.5, a hospital that provides swing-bed services as described in 42 C.F.R. § 482.58 or, if residential services are provided to children, a medical facility or facility for the treatment of abuse of alcohol or drugs must include, without limitation, a statement that the facility, hospital, agency, program, pool, organization or home is in compliance with the provisions of NRS 449.115 to 449.125, inclusive, and 449.174.

3. Each reapplication for an agency to provide personal care services in the home, a community health worker pool, a facility for intermediate care, a facility for skilled nursing, a facility for the care of adults during the day, a peer support recovery organization, a residential facility for groups or a home for individual residential care must include, without limitation, a statement that the holder of the license to operate, and the administrator or other person in charge and employees of, the facility, agency, pool, organization or home are in compliance with the provisions of NRS 449.093.

Sec. 6. NRS 449.119 is hereby amended to read as follows:

449.119 “Facility, hospital, agency, program or home” means an agency to provide personal care services in the home, an employment agency that contracts with persons to provide nonmedical services related to personal care to elderly persons or persons with disabilities in the home, an agency to provide nursing in the home, a community health worker pool, a facility for intermediate care, a facility for skilled nursing, *a provider of community-based living arrangement services*, a hospital described in 42 U.S.C. § 1395ww(d)(1)(B)(iv) which accepts payment through Medicare, a psychiatric hospital that provides inpatient services to children, a psychiatric residential treatment facility, a peer support recovery organization, a residential facility for groups, a program of hospice care, a home for individual residential care, a facility for the care of adults during the day, a facility for hospice care, a nursing pool, the distinct part of a hospital which meets the requirements of a skilled nursing facility or nursing facility pursuant to

42 C.F.R. § 483.5, a hospital that provides swing-bed services as described in 42 C.F.R. § 482.58 or, if residential services are provided to children, a medical facility or facility for the treatment of abuse of alcohol or drugs.

Sec. 7. NRS 449.131 is hereby amended to read as follows:

449.131 1. Any authorized member or employee of the Division may enter and inspect any building or premises at any time to secure compliance with or prevent a violation of any provision of NRS 449.029 to 449.245, inclusive.

2. The State Fire Marshal or a designee of the State Fire Marshal shall, upon receiving a request from the Division or a written complaint concerning compliance with the plans and requirements to respond to an emergency adopted pursuant to subsection 9 of NRS 449.0302:

(a) Enter and inspect a residential facility for groups ~~or~~ *or a building operated by a provider of community-based living arrangement services in which such services are provided*; and

(b) Make recommendations regarding the adoption of plans and requirements pursuant to subsection 9 of NRS 449.0302,

↪ to ensure the safety of the residents of the facility *or persons receiving care from the provider, as applicable*, in an emergency.

3. The Chief Medical Officer or a designee of the Chief Medical Officer shall enter and inspect at least annually each building or the premises of a residential facility for groups *and each building operated by a provider of community-based living arrangement services in which such services are provided* to ensure compliance with standards for health and sanitation.

4. An authorized member or employee of the Division shall enter and inspect any building or premises operated by a residential facility for groups *or provider of community-based living arrangement services* within 72 hours after the Division is notified that a residential facility for groups *or provider of community-based living arrangement services* is operating without a license.

Sec. 8. NRS 449.134 is hereby amended to read as follows:

449.134 A facility for intermediate care, facility for skilled nursing, residential facility for groups , *provider of community-based living arrangement services* or home for individual residential care shall immediately provide notice of a deficiency affecting the health and safety of a patient discovered during the course of an inspection of the facility for intermediate care, facility for skilled nursing, residential facility for groups , *provider of community-based living arrangement services* or home for individual residential care conducted by the Division to:

1. A person receiving care at the facility or home ~~or~~ *or from the provider, as applicable*;

2. The parent or legal guardian of the person receiving care at the facility or home ~~or~~ *or from the provider, as applicable*; or

3. Any other natural person designated to receive such notice by the person receiving care at the facility or home *or from the provider, as applicable*, or the parent or guardian of the person.

Sec. 9. NRS 449A.009 is hereby amended to read as follows:

449A.009 “Community-based living arrangement services” has the meaning ascribed to it in NRS ~~[433.605.]~~ 449.0026.

Sec. 10. NRS 449A.031 is hereby amended to read as follows:

449A.031 “Facility for the dependent” ~~includes:~~

- ~~1. A facility for the treatment of abuse of alcohol or drugs;~~
- ~~2. A halfway house for recovering alcohol and drug abusers;~~
- ~~3. A facility for the care of adults during the day;~~
- ~~4. A residential facility for groups;~~
- ~~5. An agency to provide personal care services in the home;~~
- ~~6. A facility for transitional living for released offenders;~~
- ~~7. A home for individual residential care;~~
- ~~8. A peer support recovery organization; and~~
- ~~9. A community health worker pool.]~~ *has the meaning ascribed to it in NRS 449.0045.*

Sec. 11. NRS 232.359 is hereby amended to read as follows:

232.359 1. The Department, in collaboration with any state or local agencies or community-based organizations which provide information and referral services concerning health, welfare, human and social services and any group established by the Governor to implement a statewide information and referral system concerning health, welfare, human and social services, shall establish and maintain a statewide information and referral system to provide nonemergency information and referrals to the general public concerning the health, welfare, human and social services provided by public or private entities in this State. The system must:

(a) Integrate any information and referral systems previously established by state agencies, local agencies or community-based organizations with the system established pursuant to this section;

(b) Be the sole system in this State which is accessible to a person by dialing the digits 2-1-1 and which provides nonemergency information and referrals to the general public concerning the health, welfare, human and social services provided by public or private entities in this State;

(c) Be accessible to a person using the public telephone system by dialing the digits 2-1-1; ~~and~~

(d) ~~Include~~ *Except as otherwise provided in paragraph (e), include information that is updated periodically* ~~;~~ *and*

(e) *Include information concerning the licensing status of any entity licensed pursuant to chapter 449 of NRS that is reviewed and updated at least quarterly.*

2. In establishing the statewide information and referral system, the Department, any state or local agencies or community-based organizations

which provide information and referral services concerning health, welfare, human and social services and any group established by the Governor to implement a statewide information and referral system concerning health, welfare, human and social services shall consult with representatives of:

- (a) The Public Utilities Commission of Nevada;
- (b) Telephone companies which provide service through a local exchange in this State;
- (c) Companies that provide wireless phone services in this State;
- (d) Existing information and referral services established by state agencies, local agencies or community-based organizations;
- (e) State and local agencies or other organizations that provide health, welfare, human and social services;
- (f) Nonprofit organizations; and
- (g) Such other agencies, entities and organizations as determined necessary by the Department, any state or local agencies or community-based organizations which provide information and referral services concerning health, welfare, human and social services or any group established by the Governor to implement a statewide information and referral system concerning health, welfare, human and social services.

3. The Public Utilities Commission of Nevada, each telephone company which provides service through a local exchange in this State and each company that provides wireless phone services in this State shall cooperate with the Department, any state or local agencies or community-based organizations which provide information and referral services concerning health, welfare, human and social services and any group established by the Governor to implement a statewide information and referral system concerning health, welfare, human and social services in the establishment of the statewide information and referral system.

Sec. 12. NRS 433.806 is hereby amended to read as follows:

433.806 1. Any person or entity, including, without limitation, the Division, that determines the placement of a person with a mental illness or a person with a developmental disability in a mental health facility, medical facility, ~~facility for the dependent~~, ~~with a provider of community-based living arrangement services~~ or any other placement shall, when making such a determination, consider whether the mental health facility, medical facility, ~~facility for the dependent~~, ~~provider of community-based living arrangement services~~ or other placement is capable of:

- (a) Adequately addressing the needs of the person for care and services, including, without limitation, the administration of medication; and
- (b) Ensuring the safety of the person in the event of a fire or other emergency.

2. As used in this section:

- (a) ~~“Community based living arrangement services” has the meaning ascribed to it in NRS 433.605.~~

~~(b)~~ “Facility for the dependent” has the meaning ascribed to it in NRS 449.0045.

~~(e)~~ (b) “Medical facility” has the meaning ascribed to it in NRS 449.0151.

Sec. 13. NRS 632.316 is hereby amended to read as follows:

632.316 The provisions of NRS 632.315 do not prohibit:

1. Gratuitous nursing by friends or by members of the family of a patient.
2. The incidental care of the sick by domestic servants or persons primarily employed as housekeepers as long as they do not practice nursing within the meaning of this chapter.
3. Nursing assistance in the case of an emergency.
4. The practice of nursing by students enrolled in accredited schools of nursing or by graduates of those schools or courses pending the results of the first licensing examination scheduled by the Board following graduation. A student or graduate may not work as a nursing assistant unless the student or graduate is certified to practice as a nursing assistant pursuant to the provisions of this chapter.
5. The practice of nursing in this State by any legally qualified nurse or nursing assistant of another state whose engagement requires the nurse or nursing assistant to accompany and care for a patient temporarily residing in this State during the period of one such engagement, not to exceed 6 months, if the person does not represent or hold himself or herself out as a nurse licensed to practice in this State or as a nursing assistant who holds a certificate to practice in this State.
6. The practice of any legally qualified nurse of another state who is employed by the United States Government, or any bureau, division or agency thereof, while in the discharge of his or her official duties in this State, including, without limitation, providing medical care in a hospital in accordance with an agreement entered into pursuant to NRS 449.2455.
7. Nonmedical nursing for the care of the sick, with or without compensation, if done by the adherents of, or in connection with, the practice of the religious tenets of any well-recognized church or religious denomination, if that nursing does not amount to the practice of practical or professional nursing as defined in NRS 632.017 and 632.018, respectively.
8. A personal assistant from performing services for a person with a disability pursuant to NRS 629.091.
9. A natural person from providing community-based living arrangement services if:
 - (a) That person has been issued a ~~certificate~~ license pursuant to ~~[NRS 433.601 to 433.621, inclusive,] chapter 449 of NRS~~ and the regulations adopted pursuant ~~[to NRS 433.609,] thereto;~~ or
 - (b) That person is employed or retained as an independent contractor by a partnership, firm, corporation or association, state or local government or agency thereof that has been issued a ~~certificate~~ license pursuant to

~~[NRS 433.601 to 433.621, inclusive,] chapter 449 of NRS and the regulations adopted pursuant ~~[to NRS 433.609.]~~ thereto.~~

↪ As used in this subsection, “community-based living arrangement services” has the meaning ascribed to it in NRS ~~[433.605.]~~ 449.0026.

10. A natural person from providing supported living arrangement services if:

(a) That person has been issued a certificate pursuant to NRS 435.3305 to 435.339, inclusive, and the regulations adopted pursuant to NRS 435.3305 to 435.339, inclusive; or

(b) That person is employed or retained as an independent contractor by a partnership, firm, corporation or association, state or local government or agency thereof that has been issued a certificate pursuant to NRS 435.3305 to 435.339, inclusive, and the regulations adopted pursuant to NRS 435.3305 to 435.339, inclusive.

↪ As used in this subsection, “supported living arrangement services” has the meaning ascribed to it in NRS 435.3315.

Sec. 14. 1. The Legislative Committee on ~~[Senior Citizens, Veterans and Adults With Special Needs created by NRS 218E.750]~~ Health Care shall conduct a study during the 2019-2020 interim concerning standards of training for natural persons who are not providers of health care and who provide care to a person through employment or a contractual arrangement with a facility for intermediate care, facility for skilled nursing, facility for the care of adults during the day, residential facility for groups, home for individual residential care, an agency to provide nursing in the home, an agency to provide personal care services in the home or a provider of community-based living arrangement services or supported living arrangement services.

2. In conducting the study, the Legislative Committee on Health Care shall:

(a) Compare standards of training required by different entities described in subsection 1; and

(b) Determine whether the natural persons described in subsection 1 should be required to complete training concerning a minimum set of competencies or complete a minimum amount of training. If the Legislative Committee on Health Care determines that such requirements should be imposed, the Committee shall determine whether any class of natural persons described in subsection 1 should be exempt from those requirements.

3. The Legislative Committee on Health Care shall ~~[include in its report required by subsection 3 of NRS 218E.760 on or before January 15, 2021,]~~ submit a report of the results of the study conducted pursuant to this section and any recommendations for legislation ~~[t]~~ to the Director of the Legislative Counsel Bureau for transmittal to the Legislature not later than September 1, 2020.

4. As used in this section:

(a) “Agency to provide nursing in the home” has the meaning ascribed to it in NRS 449.0015.

(b) “Agency to provide personal care services in the home” has the meaning ascribed to it in NRS 449.0021.

(c) “Community-based living arrangement services” has the meaning ascribed to it in NRS 449.0026, as amended by section 2 of this act.

(d) “Facility for intermediate care” has the meaning ascribed to it in NRS 449.0038.

(e) “Facility for skilled nursing” has the meaning ascribed to it in NRS 449.0039.

(f) “Facility for the care of adults during the day” has the meaning ascribed to it in NRS 449.004.

(g) “Home for individual residential care” has the meaning ascribed to it in NRS 449.0105.

(h) “Residential facility for groups” has the meaning ascribed to it in NRS 449.017.

(i) “Supported living arrangement services” has the meaning ascribed to it in NRS 435.3315.

Sec. 15. 1. A certificate to provide community-based living arrangement services issued pursuant to NRS 433.601 to 433.621, inclusive, that is valid on January 1, 2020, remains valid until its date of expiration, if the holder of the certificate otherwise remains qualified for the issuance or renewal of the certificate on or after January 1, 2020.

2. Any regulations adopted by the State Board of Health pursuant to NRS 433.609 that do not conflict with the provisions of this act shall be deemed to have been adopted pursuant to NRS 449.0302 and continue in effect until amended or repealed. The Legislative Counsel shall, in preparing supplements to the Nevada Administrative Code:

(a) Substitute appropriately the term “license” for the term “certificate” in the regulations described in this subsection; and

(b) Move the regulations described in this subsection from chapter 433 of the Nevada Administrative Code to chapter 449 of the Nevada Administrative Code.

3. Any regulations adopted by the State Board of Health that conflict with any of the provisions of this act are void. The Legislative Counsel shall remove those regulations from the Nevada Administrative Code as soon as practicable after January 1, 2020.

4. As used in this section, “community-based living arrangement services” has the meaning ascribed to it in NRS 449.0026, as amended by section 2 of this act.

Sec. 16. NRS 433.601, 433.603, 433.605, 433.607, 433.609, 433.611, 433.613, 433.615, 433.617, 433.619 and 433.621 are hereby repealed.

Sec. 17. This act becomes effective:

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

2. On January 1, 2020, for all other purposes.

LEADLINES OF REPEALED SECTIONS

433.601 Definitions.

433.603 “Certificate” defined.

433.605 “Community-based living arrangement services” or “services” defined.

433.607 Certificate required to provide services; exception.

433.609 Regulations; fees for issuance and renewal of certificate.

433.611 Application for renewal of certificate to include information relating to state business license; denial of renewal for unpaid debt assigned to State Controller for collection.

433.613 Authority of Division.

433.615 Division authorized to seek injunction against provision of services without valid certificate.

433.617 Statement concerning obligation for child support required for issuance or renewal of certificate of natural person.

433.619 Application of natural person for certificate required to contain social security number.

433.621 Suspension of certificate of natural person for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of certificate.

Senator Ratti moved the adoption of the amendment.

Remarks by Senator Ratti.

Amendment No. 659 to Assembly Bill No. 131 aligns the definition of "community-based living arrangement services" with the definition provided in Assembly Bill No. 252; and it requires the Legislative Committee on Health Care, rather than the Legislative Committee on Senior Citizens, Veterans and Adults with Special Needs, to conduct a study during the 2019-2020 Interim concerning the standards of training for nonmedical providers of care in certain facilities.

Amendment adopted.

Bill ordered reprinted, re-engrossed and to third reading.

Motion carried.

Assembly Bill No. 137.

Bill read third time.

Remarks by Senator Pickard.

Assembly Bill No. 137 provides that when a county or city election official establishes one or more polling places within the boundaries of an Indian reservation or an Indian colony, the election official must continue to establish polls at a location or locations approved by the Indian tribe during early voting or on the day of any primary or general election unless the tribe requests otherwise.

Roll call on Assembly Bill No. 137:

YEAS—21.

NAYS—None.

Assembly Bill No. 137 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 170.

Bill read third time.

Remarks by Senator Ratti.

Assembly Bill No. 170 requires every health carrier that provides a health benefit network plan to provide to the Office for Consumer Health Assistance of the Department of Health and Human Services the contact information for a navigator, case manager or facilitator employed by the health carrier. The bill requires the Office to assist consumers with accessing a navigator, case manager or facilitator to obtain certain health care services and to collect certain data, which must be reported annually to the Legislature. Furthermore, the bill authorizes the Office to assist a consumer with filing complaints against a health carrier.

This section of the bill ensures when people get stuck in their health care plan and are trying to figure out what is going on between their provider and their payer, they can reach out to the Office for Consumer Health Assistance, and there will be a person that will help them. That person will have the contact information for all of the health plans to be able to do that and will be able to track it and provide information back so we know more about what is going on in that world. It is an important patient protection.

This bill also aligns Nevada law with federal law by requiring all insurers to offer health insurance coverage, regardless of a person's health status, including any preexisting medical conditions. It prohibits an insurer from denying, limiting or excluding a covered benefit or requiring an insured to pay a higher premium, deductible, coinsurance or copay based on the health status of the insured or the covered spouse or dependent of the insured.

Additionally, Assembly Bill No. 170 prohibits the exclusion of claims based on certain preexisting conditions related to reinstated coverage for various government insurance plans and authorizes certain group health plans to include wellness programs under the same conditions as prescribed in federal regulations.

This is similar to a bill you heard earlier. It makes sure no health insurance plan or payer can discriminate against an individual based on their health conditions. This is our protection for people with preexisting conditions clause. This Assembly bill mirrors identically the bill we passed out of this Body with the additional pieces that have the Office for Consumer Health Assistance taking care of folks who are having a challenge navigating a plan. I urge your support. This is significant patient protection and worthy of the time and energy of this Body.

Roll call on Assembly Bill No. 170:

YEAS—21.

NAYS—None.

Assembly Bill No. 170 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 177.

Bill read third time.

Remarks by Senator Brooks.

Assembly Bill No. 177 requires the Department of Motor Vehicles to establish a program to allow for the registration and renewal of registration of certain fleets of vehicles owned by short-term lessors. The bill also allows certificates of registration and license plate decals for these vehicles to be valid without replacement in certain circumstances.

Roll call on Assembly Bill No. 177:

YEAS—21.

NAYS—None.

Assembly Bill No. 177 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 181.

Bill read third time.

Remarks by Senator Brooks.

Assembly Bill No. 181 prohibits an employer from requiring an employee who is sick or has sustained a nonwork-related injury to report in person at the workplace that he or she cannot work. This bill specifically permits an employer to require a sick or injured employee to notify the employer that he or she cannot work. Finally, the bill authorizes the Labor Commissioner to impose an administrative penalty against an employer for a violation of the provisions of this bill.

Roll call on Assembly Bill No. 181:

YEAS—21.

NAYS—None.

Assembly Bill No. 181 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 231.

Bill read third time.

Remarks by Senator Denis.

Assembly Bill No. 231 allows for the transfer of a registration from a vehicle dealer or new vehicle dealer to a person who buys or exchanges an interest in a motor vehicle without evidence of compliance certifying the vehicle is equipped with devices for the control of pollution if such compliance evidence had been issued within 180 days before the transfer. This bill is effective upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks; and on October 1, 2019, for all other purposes.

Roll call on Assembly Bill No. 231:

YEAS—21.

NAYS—None.

Assembly Bill No. 231 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 337.

Bill read third time.

Remarks by Senators Denis and Settlemeyer.

SENATOR DENIS:

Assembly Bill No. 337 requires any Class I freight railroad, Class I railroad or Class II railroad for transporting freight that operates a train or locomotive in Nevada and any officer of such a railroad to ensure the train or locomotive contains a crew of not fewer than two persons. The bill offers limited exceptions to these provisions, and it provides that any railroad or officer of a railroad who violates these provisions is liable to the Public Utilities Commission of Nevada for

a civil penalty of not less than \$5,000 for a first violation, not more than \$10,000 for a second violation within three years of the first violation, and not more than \$25,000 for a third or subsequent violation within three years.

The bill also requires vehicles to stop at railroad grade crossings when on-track equipment is approaching. Finally, the bill repeals outdated provisions concerning employment protections for certain railroad employees.

SENATOR SETTELMEYER:

I cannot rise in support of this bill. In testimony, there was discussion that there have been no accidents in Nevada that would have been prevented had this bill been law. The fines in this bill seem arbitrary, going from \$5,000 to \$10,000 to \$25,000. We asked for discussion about how these fines were determined, and there was none. As the Governor's vetoed message from last Session stated, this impedes the negotiations of labor and management, which has always been a large part of improving safety in our State. It makes no sense to vote and say freight trains should have two drivers but be okay with Amtrak having only one. I am in opposition to this bill.

Roll call on Assembly Bill No. 337:

YEAS—13.

NAYS—Goicoechea, Hammond, Hansen, Hardy, Kieckhefer, Pickard, Seevers Gansert, Settelmeyer—8.

Assembly Bill No. 337 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 344.

Bill read third time.

Remarks by Senator Spearman.

Assembly Bill No. 344 requires a political subdivision of this State to allow a video service provider to construct, install, place, maintain, operate, repair or replace micro wireless facilities on the video service network of the provider. A video service provider is required to install a switch near certain locations where radio antennas are mounted on strand of the provider to allow the disconnection of power from the antenna. Finally, Assembly Bill No. 344 provides that these provisions do not otherwise limit the authority of a local government to license telecommunication providers and establish certain conditions on such licenses or affect the authority of a local government to manage its public right-of-way or exercise its police powers and land use powers.

Roll call on Assembly Bill No. 344:

YEAS—21.

NAYS—None.

Assembly Bill No. 344 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 377.

Bill read third time.

Remarks by Senators Cancela and Hansen.

SENATOR CANCELA:

Assembly Bill No. 377 authorizes, to the extent authorized by federal law, a vehicle that is powered by an engine fueled primarily by natural gas or by one or more electric motors to exceed the existing weight limit for vehicles operating or moving on a public highway by not more than 2,000 pounds. A towaway trailer transporter combination, which consists of a vehicle towing empty trailers, is exempt from the length limits imposed on vehicles using a public highway

provided the combination does not exceed 82 feet in length or 26,000 pounds in weight. Also, the measure provides that, to the extent authorized by federal law, a vehicle equipped with technology that reduces long-duration idling may exceed the maximum weight limitation of vehicles operating on a highway by up to 550 pounds to account for the weight of the technology.

SENATOR HANSEN:

I am going to vote no on this bill. I do not mind the ideas behind it, but the reality is in Nevada we have declining road tax revenue. We have an increasing number of vehicles that are electric or hybrid, and they pay no fuel tax or little at all. This means they give nothing for road maintenance. As big rigs go to more electric, we are going to start to see an even greater decline in fuel tax revenue unless we come up with a plan. The Nevada Legislature is going to have to grapple with the fact that we have to come up with a tax for electric vehicles. It is not fair for the people driving diesel and gasoline powered vehicles to continue to fund the maintenance that is needed.

I am going to vote symbolically to help raise awareness of this issue. We charge more for bigger rigs because they are heavier; the greater the weight, the greater the wear and tear on the roads. If we are going to have electric vehicles doing big-rig work and paying less and less in road maintenance, the costs are going to fall disproportionately on the people using traditional types of engines. I realize this bill is going to pass, but we have to look at the issue of electric vehicles and how they need to start paying their fair share. This is an example of another case where we are giving an advantage to electric vehicles that we do not give to traditional vehicles, and it will decrease road revenue that much more. I will be voting no.

Roll call on Assembly Bill No. 377:

YEAS—20.

NAYS—Hansen.

Assembly Bill No. 377 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 455.

Bill read third time.

Remarks by Senator Dondero Loop.

Assembly Bill No. 455 provides that the Division of Industrial Relations of the Department of Business and Industry and the Administrator of the Division are not prohibited from notifying an injured employee or the surviving spouse or dependent of an injured employee of available benefits offered by nonprofit entities to which those persons may be entitled outside of the workers' compensation system.

Roll call on Assembly Bill No. 455:

YEAS—21.

NAYS—None.

Assembly Bill No. 455 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 467.

Bill read third time.

Remarks by Senator Settlemeyer.

Assembly Bill No. 467 provides that a charitable organization does not have to provide to the Commission on Special License Plates certain information, such as a balance sheet, a bank statement and a description of how the money was expended, if the organization received fewer

than \$10,000 in that year in additional fees or if the special license plates that benefit the charitable organization are no longer in production.

Senator Cancela disclosed that she is employed by an organization which receives revenue from license plates.

Roll call on Assembly Bill No. 467:

YEAS—21.

NAYS—None.

Assembly Bill No. 467 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 471.

Bill read third time.

Remarks by Senator Ratti.

Assembly Bill No. 471 authorizes the holder of a certificate to provide supported living arrangement services to provide such services to any person with a primary diagnosis of an intellectual disability or developmental disability, as well as to any person who has a secondary diagnosis other than an intellectual disability or developmental disability.

Assembly Bill No. 471 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Roll call on Assembly Bill No. 471.

YEAS—21.

NAYS—None.

Assembly Bill No. 484.

Bill read third time.

Remarks by Senator Washington.

Assembly Bill No. 484 relates to charitable organizations benefitting from special license plates. Assembly Bill No. authorizes the Commission on Special License Plates to recommend to the Department of Motor Vehicles terminating production and distribution of a special license plate if a charitable organization fails to comply with one or more required provisions. Additionally, the bill authorizes the Commission to recommend suspending the distribution of additional fees to the charitable organization for a specified period after notifying the organization of the necessary corrective actions. At the end of the specified period if the DMV, in consultation with the Commission, determines corrective actions have been completed, the suspension may be terminated and additional fees collected during the suspension may be forwarded to the charitable organization. If it is determined corrective actions have not been completed, the Commission may recommend 1) extending the suspension for a specified period, 2) terminating production and distribution of the special license plates and collection of the additional fees and distributing the additional fees collected during the suspension in a manner determined by the DMV, in consultation with the Commission; or, three, distributing all additional fees, including those held during the suspension, to a different charitable organization that meets certain requirements. This measure is effective on July 1, 2019. This measure was requested by the Commission on Special License Plates.

Senator Cancela disclosed that she is employed by an organization which receives revenue from license plates.

Roll call on Assembly Bill No. 484:

YEAS—21.

NAYS—None.

Assembly Bill No. 484 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Cancela, the privilege of the floor of the Senate Chamber for this day was extended to Hope Arrington, Tammy Bolen, Amyah Boyd, Mckenna Cardenas, Mynor Carias, Orlando Crespo, Devon Davis, Gloria Deyhle, Jerod Dore, Alyjah Dotson, Maria Gallegos, Yasmin Gallegos, Malina Hamabata-Davis, Mckenna Hertz, Justin Hultenschmidt, Nate Mackinnon, Christian Martinez Garcia, Lindsay Mattice, Josias Mendoza, Joe Page, Nanako Renfro, Karen Rogers, Brianna Sanchez-Montes De Oca, Denton Thom and Jaydan Vasquez.

On request of Senator Ratti, the privilege of the floor of the Senate Chamber for this day was extended to Taylee Branson, Vicki Cameron, Gloria Deyhle, Mary Ella Holloway, Hall Keaton, Ruth Kilmer, Maria Maldonado Perez, Bernard Paolini and Dr. Bill Taylor.

On request of Senator Seevers Gansert, the privilege of the floor of the Senate Chamber for this day was extended to Hank Gansert, Henry Gansert, Diane Seevers and Leo Seevers.

On request of Senator Settlemeyer, the privilege of the floor of the Senate Chamber for this day was extended to Leon Borden, Rita Evasovic, Gaye Johnston and Joe Page.

Senator Cannizzaro moved that the Senate adjourn in honor of Senator Woodhouse's birthday, until Wednesday, May 8, 2019, at 11:00 a.m.

Motion carried.

Senate adjourned at 1:12 p.m.

Approved:

KATE MARSHALL
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate