

NEVADA LEGISLATURE

Eightieth Session, 2019

SENATE DAILY JOURNAL

THE ONE HUNDRED AND SECOND DAY

CARSON CITY (Thursday), May 16, 2019

Senate called to order at 1:15 p.m.

President pro Tempore Denis presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Don Baumann.

Almighty God, we are grateful for Your presence to hear our cry for help and to protect us. We ask for each Senator whose service to our State entails being away from her or his family to please watch over their families and keep them safe during this time of absence.

We are thankful for the firefighters of our State and all other first responders. We ask that each first responder would have an awareness of Your presence with them as they head into danger on our behalf. Keep them safe in the performance of their heroic duties.

We ask this in the Name of the Savior, the Lord, Jesus.

AMEN.

Pledge of Allegiance to the Flag.

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

REPORTS OF COMMITTEE

Mr. President pro Tempore:

Your Committee on Commerce and Labor, to which were referred Assembly Bills Nos. 303, 453, 472, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAT SPEARMAN, *Chair*

Mr. President pro Tempore:

Your Committee on Government Affairs, to which were referred Senate Bill No. 538; Assembly Bills Nos. 18, 136, 190, 212, 220, 362, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID R. PARKS, *Chair*

Mr. President pro Tempore:

Your Committee on Health and Human Services, to which was referred Assembly Bill No. 76, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JULIA RATTI, *Chair*

Mr. President pro Tempore:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 10, 17, 195, 248, 260, 285, 335, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

NICOLE J. CANNIZZARO, *Chair*

Mr. President pro Tempore:

Your Committee on Legislative Operations and Elections, to which were referred Assembly Bills Nos. 186, 274, 448; Assembly Joint Resolution No. 2 of the 79th Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Legislative Operations and Elections, to which was referred Senate Concurrent Resolution No. 3, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

Also, your Committee on Legislative Operations and Elections, to which were referred Assembly Bill No. 450; Assembly Joint Resolution No. 6, has had the same under consideration, and begs leave to report the same back with the recommendation: Without recommendation.

JAMES OHRENSCHALL, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, May 15, 2019

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bills Nos. 24, 31, 34, 40, 54, 56, 62, 75, 81, 100, 199, 231, 299, 329, 392, 416.

CAROL AIELLO-SALA

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Ratti announced that in memory of Assemblyman Tyrone Thompson, all Senators may sponsor Assembly Bill No. 174. Senator's names will be added as sponsors of the bill automatically without having to specifically request to be added. However, if a Senator has an objection to sponsoring the bill, contact the Front Desk, and that Senator's name will not be added.

Senator Woodhouse moved that Senate Bill No. 219 be taken from the General File and re-referred to the Committee on Finance.

Motion carried.

Senator Cannizzaro moved that Assembly Bills Nos. 23, 25, 28, 34, 39, 52, 54, 58, 59, 78, 93, 95, 114, 122, 126, 129, 140, 152, 163, 164, 175, 201, 204, 206, 230, 239, 258, 261, 270, 272, 280, 299, 304, 316, 334, 347, 353, 361, 363, 365, 367, 387, 398, 403, 404, 406, 410, 427, 430, 432, 457, 462, 478, 490; Assembly Joint Resolutions 3, 4, 7, 8 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senators Brooks, Cannizzaro, Spearman, Cancela, Parks, Denis, Dondero Loop, Ohrenschall, Ratti, Washington, Woodhouse; Assemblymen Frierson and Monroe-Moreno:

Senate Bill No. 547—AN ACT relating to energy; excluding from regulation as a public utility certain plants or equipment used by a data center;

revising provisions governing the applicability of certain assessments imposed by the Public Utilities Commission of Nevada; revising the information required to be included in the integrated resource plan filed by an electric utility with the Commission; revising the criteria to be eligible to apply to the Commission to purchase energy, capacity or ancillary services from a provider of new electric resources; revising the requirements a provider of new electric resources must satisfy to be eligible to sell energy, capacity or ancillary services to eligible customers; revising the requirements an eligible customer must satisfy to be authorized to purchase energy, capacity or ancillary services from a provider of new electric resources; revising the terms and conditions for the purchase of energy, capacity or ancillary services by eligible customers who have been approved to make such purchases from a provider of new electric resources; repealing provisions governing certain agreements relating to generation assets of an electric utility; and providing other matters properly relating thereto.

Senator Brooks moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

WAIVERS AND EXEMPTIONS
WAIVER OF JOINT STANDING RULE(S)

A Waiver requested by Senator Brooks.

For: Senate Bill No. 547.

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: Friday, May 10, 2019.

NICOLE J. CANNIZZARO
Senate Majority Leader

JASON FRIERSON
Speaker of the Assembly

GENERAL FILE AND THIRD READING

Assembly Bill No. 117.

Bill read third time.

Remarks by Senator Cannizzaro.

Assembly Bill No. 117 repeals the current provisions of law relating to charitable games and incorporates charitable games into the provisions of law governing charitable lotteries for the purpose of treating all charitable gaming in the same manner. The measure sets forth the requirements for a qualified organization to operate a charitable lottery or game in this State. The chair of the Nevada Gaming Control Board is required to register a qualified organization, if the requirements are met. The Nevada Gaming Commission, upon recommendation by the Board, is required to adopt regulations establishing the fees that a qualified organization must submit for the purpose of registration.

Roll call on Assembly Bill No. 117:

YEAS—19.

NAYS—Parks, Ratti—2.

Assembly Bill No. 117 having received a two-thirds majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 333.

Bill read third time.

Remarks by Senator Hammond.

Assembly Bill No. 333 provides for the issuance of Vegas Strong special license plates. Fees generated from these plates will be distributed to the Vegas Strong Resiliency Center for use in providing resources and referrals to residents, visitors and responders affected by the shooting in Las Vegas.

I would like to refer back to the time period right after the October 1 tragedy that happened. I will never forget the sights I saw at the medical center the next day. I visited the University Medical Center, and there were a lot of families and people waiting for phone calls assuring them people were safe or that they knew where they were. I remember seeing my colleague from Senate District 3 helping organize donations to the hospital and to the blood bank. I remember that thousands of ordinary Nevadans on their way were going in late because they wanted to stop and donate what they could. I remember people saying this was the first time they felt like a community in Las Vegas. In that moment, we were not Republicans or Democrats; we were Nevadans, and our love of our State brought us together as one family. This is just a license plate, but it is also a reminder of our shared grief, our love of community and of each other which was born from that tragic day. For that reason, I stand up in support of this bill and urge my colleagues to vote for it.

Roll call on Assembly Bill No. 333:

YEAS—21.

NAYS—None.

Assembly Bill No. 333 having received a two-thirds majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 485.

Bill read third time.

Remarks by Senator Brooks.

Assembly Bill No. 485 applies certain protections, duties and responsibilities of persons riding bicycles and electric bicycles to persons operating electric scooters. The bill authorizes local authorities in this State to adopt ordinances regulating the time, place and manner of operation of electric foot scooters, and it authorizes those local authorities to adopt ordinances to allow and regulate the operation of a scooter-share program by a scooter-share operator. A scooter-share operator is prohibited from allowing a person who is under 16 years of age to operate a shared scooter. Further, the bill provides a civil penalty of \$250 for a scooter-share operator or any person who allows a person under 16 years of age to operate a shared scooter. Finally, a scooter-share operator must maintain certain insurance coverages.

YEAS—20.

NAYS—Cancela.

Assembly Bill No. 485 having received a two-thirds majority, Mr. President pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 499.

Bill read third time.

Remarks by Senator Washington.

Assembly Bill No. 499 provides for the limited issuance of special license plates commemorating the 100th anniversary of women's suffrage in the United States. Fees generated from these plates will be distributed to the Nevada Commission for Women.

Roll call on Assembly Bill No. 499:

YEAS—21.

NAYS—None.

Assembly Bill No. 499 having received a two-thirds majority, Mr. President pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS
CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 225.

The following Assembly amendment was read:

Amendment No. 658.

SUMMARY—Revises provisions relating to veterans. (BDR 37-552)

AN ACT relating to veterans; requiring the Director of the Department of Veterans Services to submit to the Interim Finance Committee an annual report detailing expenditures made from the Account to Assist Veterans Who Have Suffered Sexual Trauma; authorizing veterans who experienced an act of sexual assault to obtain compensation from the Fund for the Compensation of Victims of Crime; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, the Director of the Department of Veterans Services administers the Account to Assist Veterans Who Have Suffered Sexual Trauma. Money from the Account is used to assist veterans who have suffered sexual trauma while on active duty or during military training. (NRS 417.119) Section 1 of this bill requires the Director to submit an annual report to the Interim Finance Committee detailing the expenditures made from the Account.

Existing law authorizes certain victims of crime to apply to receive compensation from the Fund for the Compensation of Victims of Crime. (NRS 217.100, 217.260) Section 2 of this bill amends the existing definition of "victim" for the purposes of the Fund and authorizes veterans who experienced an act of sexual assault to obtain compensation from the Fund.

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

Section 1. NRS 417.119 is hereby amended to read as follows:

417.119 1. The Account to Assist Veterans Who Have Suffered Sexual Trauma is hereby created in the State General Fund. The Director shall administer the Account.

2. The Director may apply for any available grants and accept gifts, grants, donations and any other source of money for deposit in the Account.

3. Money deposited in the Account and any interest and income earned on such money must be used only to assist veterans who have suffered sexual trauma while on active duty or during military training. The interest and income earned on money in the Account, after deducting any applicable charges, must be credited to the Account. All money in the Account must be paid out on claims approved by the Director as other claims against the State are paid. Any money remaining in the Account at the end of a fiscal year does not revert to the State General Fund, but must be carried forward to the next fiscal year.

4. *The Director shall, on or before August 1 of each year, prepare and submit to the Interim Finance Committee a report detailing the expenditures made from the Account for the immediately preceding fiscal year.*

Sec. 2. NRS 217.070 is hereby amended to read as follows:

217.070 1. "Victim" means:

(a) A person who is physically injured or killed as the direct result of a criminal act;

(b) A minor who was involved in the production of pornography in violation of NRS 200.710, 200.720, 200.725 or 200.730;

(c) A minor who was sexually abused, as "sexual abuse" is defined in NRS 432B.100;

(d) A person who is physically injured or killed as the direct result of a violation of NRS 484C.110 or any act or neglect of duty punishable pursuant to NRS 484C.430 or 484C.440;

(e) A pedestrian who is physically injured or killed as the direct result of a driver of a motor vehicle who failed to stop at the scene of a crash involving the driver and the pedestrian in violation of NRS 484E.010;

(f) An older person who is abused, neglected, exploited, isolated or abandoned in violation of NRS 200.5099 or 200.50995;

(g) A person who is physically injured or killed as the direct result of an act of international terrorism as defined in 18 U.S.C. § 2331(1); ~~or~~

(h) A person who is trafficked in violation of subsection 2 of NRS 201.300 ~~or~~; *or*

(i) A veteran who experienced an act of sexual assault while serving on active duty, active duty for training or inactive duty training.

2. The term includes any person who was harmed by an act listed in subsection 1, regardless of whether:

(a) The person is a resident of this State, a citizen of the United States or is lawfully entitled to reside in the United States; or

(b) The act was committed by an adult or a minor.

Sec. 3. This act becomes effective upon passage and approval.

Senator Parks moved that the Senate concur in Assembly Amendment No. 658 to Senate Bill No. 225.

Remarks by Senator Parks.

Amendment No. 658 to Senate Bill No. 225 adds a joint sponsor to the bill.

Motion carried by a constitutional majority.
Bill ordered enrolled.

REPORTS OF COMMITTEE

Mr. President pro Tempore:

Your Committee on Education, to which was referred Assembly Bill No. 205, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MOISES DENIS, *Chair*

Mr. President pro Tempore:

Your Committee on Government Affairs, to which was referred Assembly Bills Nos. 174, 429 has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DAVID R. PARKS, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 3.

Resolution read.

The following amendment was proposed by the Committee on Legislative Operations and Elections:

Amendment No. 662.

SUMMARY—Directs the Legislative ~~[Commission to appoint a committee]~~ Committee on Energy to conduct an interim study ~~[relating to the use of electric vehicles in this State.]~~ to consider alternative solutions for transportation system funding in Nevada. (BDR R-779)

EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~[omitted material]~~ is material to be omitted.

SENATE CONCURRENT RESOLUTION—Directing the Legislative ~~[Commission to appoint a committee]~~ Committee on Energy to conduct an interim study ~~[relating to the use of electric vehicles in this State.]~~ to consider alternative solutions for transportation system funding in Nevada.

WHEREAS, The use of electric vehicles in the State of Nevada has increased in recent years; and

WHEREAS, Accelerating the use of electric vehicles will help preserve Nevada's climate and help protect Nevadans from unhealthy air pollution; and

WHEREAS, The maintenance of public roads and highways in the State of Nevada is funded, in part, from revenue generated by fuel taxes; and

WHEREAS, ~~[Owners of electric vehicles in this State contribute to the wear and tear of public roads and highways without contributing to the revenue generated by fuel taxes;]~~ As Nevada moves toward a cleaner transportation system, new approaches will be required to adequately fund the maintenance of our public roads and highways; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the Legislative ~~[Commission]~~ Committee on Energy is hereby directed to ~~[appoint a committee composed of three members of the Assembly and three members of the Senate, one of whom must be appointed by the Legislative Commission as Chair of the committee, to conduct an~~

~~interim study of the use of electric vehicles within~~ conduct a study during the 2019-2020 interim to consider alternative solutions for transportation system funding in the State of Nevada; and be it further

RESOLVED, That the interim study must include, without limitation, an examination of:

1. The benefits of the use of electric vehicles and ~~how to encourage such use;~~ the costs of transportation-related pollution, including without limitation, greenhouse gas emissions, in Nevada;

2. ~~The impact of the use of electric vehicles on~~ Nevada's funding needs for maintaining public roads and highways;

3. Methods to ensure that owners of ~~electric~~ all vehicles in the State of Nevada equitably contribute to the cost to maintain public roads and highways ~~;~~, while maximizing social benefits and minimizing social costs; and

4. Any other matters which are deemed relevant to the ~~issue of the use of electric vehicles~~ funding of the transportation system in this State; and be it further

~~RESOLVED, That any recommended legislation proposed by the committee must be approved by a majority of the members of the Senate and a majority of the members of the Assembly appointed to the committee; and be it further~~

RESOLVED, That the Legislative ~~Commission~~ Committee on Energy shall, on or before February 1, 2021, submit a report of the results of the study and any recommended legislation to the 81st Session of the Nevada Legislature; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Director of the Department of Transportation.

Senator Ohrenschall moved the adoption of the amendment.

Remarks by Senator Ohrenschall.

Amendment No. 662 to Senate Concurrent Resolution No. 3 does several things. It adds a "whereas" clause explaining how electric vehicles help preserve the climate and help protect Nevadans from unhealthy air pollution; it adds language addressing the move towards cleaner transportation systems; it shifts the study so it is conducted by the ongoing existing interim Legislative Committee on Energy; and it directs the Committee on Energy in addition to studying the use of electric vehicles, to examine transportation funding and the costs associated with transportation related to pollution and greenhouse gas emissions.

Amendment adopted.

Resolution ordered reprinted, engrossed and to the Resolution File.

SECOND READING AND AMENDMENT

Senate Bill No. 538.

Bill read second time and ordered to third reading.

Assembly Bill No. 10.

Bill read second time and ordered to third reading.

Assembly Bill No. 17.

Bill read second time and ordered to third reading.

Assembly Bill No. 18.

Bill read second time and ordered to third reading.

Assembly Bill No. 76.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 709.

SUMMARY—Revises provisions relating to regional behavioral health policy boards. (BDR 39-470)

AN ACT relating to mental health; authorizing the Commission on Behavioral Health to employ certain persons to assist the regional behavioral health policy boards; revising the counties that comprise certain behavioral health regions; creating the Clark Behavioral Health Region; revising the appointing authority to and members of a regional behavioral health policy board; revising the duties of a regional health policy board; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates four behavioral health regions and a regional behavioral health policy board for each region, consisting of 13 members who possess certain qualifications. (NRS 433.428, 433.429) Section 2 of this bill: (1) removes ~~Esmeralda County and Nye County from the Southern Behavioral Health Region and instead places them in~~ Mineral County from the Northern Behavioral Health Region; (2) removes Lincoln County from the Rural Behavioral Health Region ~~;~~; and (3) instead places those counties in the Southern Behavioral Health Region. Section 2 additionally removes Clark County and a portion of Nye County from the Southern Behavioral Health Region ; ~~thereby eliminating that Region~~ and instead newly creates the Clark Behavioral Health Region consisting ~~only~~ of Clark County ; ~~and that portion of Nye County.~~ Section 3 of this bill revises the appointing authority ~~for the~~ and members of the regional behavioral health policy boards created for each behavioral health region. ~~Section 3 further authorizes the appointment of members with alternative qualifications to such a policy board if members meeting certain qualifications prescribed by existing law are not available.~~

Existing law prescribes the duties of the policy boards, which include: (1) advising the Department of Health and Human Services, the Division of Public and Behavioral Health of the Department and the Commission on Behavioral Health concerning certain issues; and (2) submitting an annual report to the Commission. (NRS 433.4295) Section 4 of this bill additionally requires the policy boards to advise the Department, Division and Commission concerning redundant, conflicting or obsolete federal, state and local laws and regulations that relate to behavioral health. Section 4 also requires each behavioral health policy board to: (1) establish an electronic repository of data and information concerning behavioral health and behavioral health

services in the behavioral health region; (2) track and compile data concerning persons admitted involuntarily to mental health facilities, hospitals and programs of community-based or outpatient services; and (3) identify and coordinate with other entities that address issues relating to behavioral health. Additionally, section 4 revises the contents of the annual report that each policy board is required to submit to the Commission.

Section 1 of this bill authorizes the Commission on Behavioral Health to employ an administrative assistant and a data analyst to assist the policy boards in carrying out their duties. (NRS 433.314)

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

Section 1. NRS 433.314 is hereby amended to read as follows:

433.314 1. The Commission shall:

~~{1-}~~ (a) Establish policies to ensure adequate development and administration of services for persons with mental illness, persons with intellectual disabilities, persons with developmental disabilities, persons with substance use disorders or persons with co-occurring disorders, including services to prevent mental illness, intellectual disabilities, developmental disabilities, substance use disorders and co-occurring disorders, and services provided without admission to a facility or institution;

~~{2-}~~ (b) Set policies for the care and treatment of persons with mental illness, persons with intellectual disabilities, persons with developmental disabilities, persons with substance use disorders or persons with co-occurring disorders provided by all state agencies;

~~{3-}~~ (c) Review the programs and finances of the Division;

~~{4-}~~ (d) Report at the beginning of each year to the Governor and at the beginning of each odd-numbered year to the Legislature:

~~{(a)}~~ (I) Information concerning the quality of the care and treatment provided for persons with mental illness, persons with intellectual disabilities, persons with developmental disabilities, persons with substance use disorders or persons with co-occurring disorders in this State and on any progress made toward improving the quality of that care and treatment; and

~~{(b)}~~ (2) In coordination with the Department, any recommendations from the regional behavioral health policy boards created pursuant to NRS 433.429. The report must include, without limitation:

~~{(1)}~~ (I) The epidemiologic profiles of substance use and abuse, problem gambling and suicide;

~~{(2)}~~ (II) Relevant behavioral health prevalence data for each behavioral health region created by NRS 433.428; and

~~{(3)}~~ (III) The health priorities set for each behavioral health region;

~~{5-}~~ (e) Hear appeals, conduct investigations and issue orders pursuant to NRS 641.325, 641A.289, 641B.460 and 641C.800; and

~~6.] (f) Review and make recommendations concerning regulations submitted to the Commission for review pursuant to NRS 641.100, 641A.160, 641B.160 and 641C.200.~~

2. *The Commission may employ an administrative assistant and a data analyst to assist the regional behavioral health policy boards created by NRS 433.429 in carrying out their duties.*

Sec. 2. NRS 433.428 is hereby amended to read as follows:

433.428 ~~Four]~~ Five behavioral health regions are hereby created as follows:

1. The Northern Behavioral Health Region consisting of Carson City and the counties of Churchill, Douglas, Lyon ~~[,] Mineral]~~ and Storey;

2. The Washoe Behavioral Health Region consisting of the county of Washoe;

3. The Rural Behavioral Health Region consisting of the counties of Elko, ~~Esmeralda,]~~ Eureka, Humboldt, Lander, ~~Lincoln, Nye,]~~ Pershing and White Pine; ~~and]~~

4. The Southern Behavioral Health Region consisting of the counties of [Clark,] Esmeralda, [and Nye.] Lincoln and Mineral and the portion of the county of Nye that is north of the 38th parallel of north latitude; and

5. The Clark Behavioral Health Region consisting of the county of Clark ~~[,]~~ and the portion of the county of Nye that is south of the 38th parallel of north latitude.

Sec. 3. NRS 433.429 is hereby amended to read as follows:

433.429 1. A regional behavioral health policy board is hereby created for each behavioral health region.

2. Each policy board consists of not less than 7 members and not more than 13 members ~~[as follows:~~

~~(a) Six members appointed by the Governor or his or her designee as follows:~~

~~(1) One] appointed pursuant to this section.~~

3. The Speaker of the Assembly shall appoint to each policy board one member who represents the criminal justice system. ~~;~~

~~(2) ; appointed by the Speaker of the Assembly.~~

~~(b) One]~~

4. The Majority Leader of the Senate shall appoint to each policy board one member who represents law enforcement agencies and who has experience with and knowledge of matters relating to persons in need of behavioral health services. ~~;~~ appointed by the Majority Leader of the Senate;

~~(c) Two members]~~

5. The Governor shall appoint to each policy board one member who ~~have]~~ has extensive experience in the delivery of social services in the field of behavioral health, including, without limitation, directors or officers of social service agencies in the behavioral health region. ~~;~~ and

~~(3) ; appointed by the Governor.~~

~~(d) One]~~

~~6. The Legislative Commission shall appoint to each policy board one member who is a Legislator . f, appointed by the Legislative Commission.~~

~~(e) Eight members appointed by the Commission as follows:~~

~~(1) Three members who represent the interests of one or more of the following:~~

~~(I) Hospitals,]~~

~~7. The Administrator shall appoint to each policy board:~~

~~(a) One member who represents the interests of hospitals, residential long-term care facilities or facilities that provide acute inpatient behavioral health services;~~

~~[(II) Community based organizations which provide behavioral health services;~~

~~(III) Administrators or counselors who are employed at facilities for the treatment of abuse of alcohol or drugs; or~~

~~(IV) Owners or administrators of residential treatment facilities, transitional housing or other housing for persons who are mentally ill or suffer from addiction or substance abuse.~~

~~* At least one member of the policy board appointed by the Governor or his or her designee Commission for each region pursuant to this subparagraph must be a behavioral health professional who has experience in evaluating and treating children.~~

~~(b) Three members appointed by the Speaker of the Assembly as follows:~~

~~(1) (2) One member who is a health officer of a county, or who is in a position with duties similar to those of such a health officer ; or, if no such person is available, an employee of a city, county or Indian tribe who has experience in the field of public health.~~

~~(2) (3) One member who is a psychiatrist or doctor of psychology with clinical experience and who is licensed to practice in this State ; or, if no such person is available, a provider of health care, as defined in NRS 629.031, who has experience working with persons with mental illness or who abuse alcohol or drugs, and~~

~~(3) (4) One member who represents private or public insurers who offer coverage for behavioral health services, or, if no such person is available, another person who has experience in the field of insurance or working with insurers.~~

~~(c) Three members appointed by the Majority Leader of the Senate as follows:~~

~~(1) (5) One member who has received behavioral health services , including, without limitation, services for substance use disorders, in this State or a family member of such a person or, if such a person is not available, a person who represents the interests of behavioral health patients or the families of behavioral health patients ;~~

~~— (2) (6) One member who represents providers of emergency medical services or fire services and who has experience providing emergency services to behavioral health patients, which may include, without limitation, a paramedic or physician.; and~~

~~— (3) One member who represents law enforcement agencies and who has experience with and knowledge of matters relating to people in need of behavioral health services.~~

~~— (d) One member who is a Legislator, appointed by the Legislative Commission.~~

~~— 3.1 (b) One member who represents the interests of administrators or counselors who are employed at facilities for the treatment of abuse of alcohol or drugs; and~~

~~(c) One member who represents providers of emergency medical services or fire services and who has experience providing emergency services to behavioral health patients, which may include, without limitation, a paramedic or physician.~~

~~8. The members appointed to a policy board pursuant to subsections 2 to 7, inclusive, may appoint to the policy board:~~

~~(a) One member who represents the interests of community-based organizations which provide behavioral health services.~~

~~(b) One member who represents the interests of owners or administrators of residential treatment facilities, transitional housing or other housing for persons with a mental illness or persons who abuse alcohol or drugs.~~

~~(c) One member who is a health officer of a county or who holds a position with similar duties, or, if no such person is available, an employee of a city, county or Indian tribe who has experience in the field of public health.~~

~~(d) One member who is a psychiatrist or a psychologist who holds the degree of doctor of psychology, has clinical experience and is licensed to practice in this State or, if no such person is available, a provider of health care, as defined in NRS 629.031, who has experience working with persons with a mental illness or persons who abuse alcohol or drugs.~~

~~(e) One member who represents private or public insurers who offer coverage for behavioral health services or, if no such person is available, another person who has experience in the field of insurance or working with insurers.~~

~~(f) One member who has received behavioral health services in this State, including, without limitation, services for substance use disorders, or a family member of such a person or, if such a person is not available, a person who represents the interests of behavioral health patients or the families of behavioral health patients.~~

~~9. If the members of a policy board described in subsections 2 to 7, inclusive, appoint both a member described in paragraph (a) of subsection 8 and a member described in paragraph (b) of subsection 8, at least one of those~~

members must be a behavioral health professional who has experience in evaluating and treating children.

10. In making appointments, preference must be given to persons who reside in the behavioral health region served by the policy board.

~~4.1~~ 11. Each member of the policy board serves without compensation for a term of 2 years and may be reappointed. The appointing authority may remove a member from the policy board if the appointing authority determines the member has neglected his or her duties. ~~Any vacancy in the membership of a policy board must be filled in the same manner as the original appointment.~~

~~5.1~~ 12. If a vacancy occurs during the term of:

(a) A member who was appointed pursuant to subsection 2, 3, 4, 5 or 6, the vacancy must be filled in the same manner as the original appointment for the remainder of the unexpired term.

(b) A member who was appointed pursuant to subsection 7, the policy board shall, by majority vote, appoint a member to fill the vacancy for the remainder of the unexpired term.

(c) A member who was appointed pursuant to subsection 8, the policy board may, by majority vote, appoint a member to fill the vacancy for the remainder of the unexpired term.

13. Each policy board shall meet not later than 60 days after all appointments to such board have been made and elect one member of the policy board to act as the Chair for the biennium. The Director of the Department or his or her designee shall preside over the election of the Chair for each policy board at each board's first meeting. ~~Each~~ Except as otherwise provided in subsection ~~6.1~~ 14, each policy board shall thereafter meet at least quarterly at the call of the Chair.

~~6.1~~ 14. A policy board is not required to meet during any legislative session. If a policy board meets during a legislative session, the member of the policy board who is a Legislator is excused from attendance.

~~7.1~~ 15. As used in this section, "social services agency" means any public agency or organization that provides social services in this State, including, without limitation, welfare and health care services.

Sec. 4. NRS 433.4295 is hereby amended to read as follows:

433.4295 1. Each policy board shall:

~~1.1~~ (a) Advise the Department, Division and Commission regarding:

~~(a)~~ (1) The behavioral health needs of adults and children in the behavioral health region;

~~(b)~~ (2) Any progress, problems or proposed plans relating to the provision of behavioral health services and methods to improve the provision of behavioral health services in the behavioral health region;

~~(c)~~ (3) Identified gaps in the behavioral health services which are available in the behavioral health region and any recommendations or service enhancements to address those gaps; ~~and~~

~~(d)~~ (4) Any federal, state or local law or regulation that relates to behavioral health which it determines is redundant, conflicts with other laws or is obsolete and any recommendation to address any such redundant, conflicting or obsolete law or regulation; and

(5) Priorities for allocating money to support and develop behavioral health services in the behavioral health region.

~~2.~~ (b) Promote improvements in the delivery of behavioral health services in the behavioral health region.

~~3.~~ (c) Coordinate and exchange information with the other policy boards to provide unified and coordinated recommendations to the Department, Division and Commission regarding behavioral health services in the behavioral health region.

~~4.~~ (d) Review the collection and reporting standards of behavioral health data to determine standards for such data collection and reporting processes.

~~5.~~ (e) To the extent feasible, establish an organized, sustainable and accurate electronic repository of data and information concerning behavioral health and behavioral health services in the behavioral health region that is accessible to members of the public on an Internet website maintained by the policy board. A policy board may collaborate with an existing community-based organization to establish the repository.

(f) To the extent feasible, track and compile data concerning persons admitted to mental health facilities and hospitals pursuant to NRS 433A.145 to 433A.197, inclusive, and to mental health facilities and programs of community-based or outpatient services pursuant to NRS 433A.200 to 433A.330, inclusive, in the behavioral health region, including, without limitation:

(1) The outcomes of treatment provided to such persons; and

(2) Measures taken upon and after the release of such persons to address behavioral health issues and prevent future admissions.

(g) Identify and coordinate with other entities in the behavioral health region and this State that address issues relating to behavioral health to increase awareness of such issues and avoid duplication of efforts.

(h) In coordination with existing entities in this State that address issues relating to behavioral health services, submit an annual report to the Commission which includes, without limitation ~~the~~ :

(1) The specific behavioral health needs of the behavioral health region ~~the~~ ;

(2) A description of the methods used by the policy board to collect and analyze data concerning the behavioral health needs and problems of the behavioral health region and gaps in behavioral health services which are available in the behavioral health region, including, without limitation, a list of all sources of such data used by the policy board;

(3) A description of the manner in which the policy board has carried out the requirements of paragraphs (c) and (g) of subsection 1 and the results of those activities; and

(4) The data compiled pursuant to paragraph (f) of subsection 1 and any conclusions that the policy board has derived from such data.

2. A report described in paragraph (h) of subsection 1 may be submitted more often than annually if the policy board determines that a specific behavioral health issue requires an additional report to the Commission.

Sec. 5. (Deleted by amendment.)

Sec. 6. This act becomes effective on July 1, 2019.

Senator Ratti moved the adoption of the amendment.

Remarks by Senator Ratti.

Amendment No. 709 to Assembly Bill No. 76 revises the composition of certain regional behavioral health policy boards; revises board membership and appointments; and prescribes the method by which policy board memberships may be filled.

Amendment adopted.

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

Assembly Bill No. 136.

Bill read second time and ordered to third reading.

Assembly Bill No. 186.

Bill read second time and ordered to third reading.

Assembly Bill No. 190.

Bill read second time and ordered to third reading.

Assembly Bill No. 195.

Bill read second time and ordered to third reading.

Assembly Bill No. 212.

Bill read second time and ordered to third reading.

Assembly Bill No. 220.

Bill read second time and ordered to third reading.

Assembly Bill No. 248.

Bill read second time and ordered to third reading.

Assembly Bill No. 260.

Bill read second time and ordered to third reading.

Assembly Bill No. 274.

Bill read second time and ordered to third reading.

Assembly Bill No. 285.

Bill read second time and ordered to third reading.

Assembly Bill No. 303.

Bill read second time and ordered to third reading.

Assembly Bill No. 335.

Bill read second time and ordered to third reading.

Assembly Bill No. 362.

Bill read second time and ordered to third reading.

Assembly Bill No. 448.

Bill read second time and ordered to third reading.

Assembly Bill No. 450.

Bill read second time and ordered to third reading.

Assembly Bill No. 453.

Bill read second time and ordered to third reading.

Assembly Bill No. 472.

Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 6.

Resolution read second time and ordered to third reading.

Assembly Joint Resolution No. 2 of the 79th Session.

Resolution read second time and ordered to third reading.

Senator Cannizzaro moved that the Senate adjourn until Monday, May 20, 2019, at 11:00 a.m.

Motion carried.

Senate adjourned at 1:43 p.m.

Approved:

MOISES DENIS

President pro Tempore of the Senate

Attest: CLAIRE J. CLIFT

Secretary of the Senate