

# NEVADA LEGISLATURE

Eighty-First Session, 2021

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## ASSEMBLY DAILY JOURNAL

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### THE FORTY-FOURTH DAY

CARSON CITY (Tuesday), March 16, 2021

Assembly called to order at 11:43 a.m.

Mr. Speaker pro Tempore presiding.

Roll called.

All present except Assemblymen Frierson and Summers-Armstrong who were excused.

Prayer by the Chaplain, Pastor Nate Johnson.

Heavenly Father, provide us with the incredible task of humility in all we do and say today. That instead of pointing to our titles, popularity, or credentials, that we lower our own egos and pride in place of humility. That kindness, genuine care and love for one another will win out. Instead of using our power today for our own gain, that we use it in service to others. That we remember the beautiful conversations that we've had in our districts with those in need. We do our best to serve those in need in our communities today more than individually wanting to win. Even on this Developmental Disabilities Awareness Day, where self-advocate buttons will be worn, let us be mindful of those who are looked down on or pushed aside.

We pray these things in His name.

AMEN.

Pledge of allegiance to the Flag.

Assemblywoman Benitez-Thompson moved that further reading of the Journal be dispensed with and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Assembly Concurrent Resolution No. 2 be taken from the Chief Clerk's desk and referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Assemblymen Watts, C.H. Miller, Frierson, Brittney Miller, Monroe-Moreno, Summers-Armstrong and Thomas; Senators Harris and Neal:

Assembly Joint Resolution No. 10—Proposing to amend the Ordinance of the Nevada Constitution and the Nevada Constitution to remove

language authorizing the use of slavery and involuntary servitude as a criminal punishment.

Assemblywoman Brittney Miller moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

NOTICE OF EXEMPTION

March 16, 2021

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Assembly Bills Nos. 149, 196, 265 and 285.

SARAH COFFMAN  
*Fiscal Analysis Division*

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Hafen and Senator Hammond:

Assembly Bill No. 288—AN ACT relating to education; revising provisions governing pupil eligibility for grants provided by a scholarship organization; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Hafen:

Assembly Bill No. 289—AN ACT relating to deceptive trade practices; prohibiting certain interactive computer services from restricting or removing certain content; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Jauregui:

Assembly Bill No. 290—AN ACT relating to financial institutions; revising the definition of the term “fiduciary” for the purposes of certain provisions relating to the business of a trust company; authorizing funds held in a fiduciary capacity by a savings bank to be swept to the deposit accounts of the savings bank under certain circumstances; imposing certain requirements on savings banks relating to funds in a fiduciary account administered by a savings bank that are awaiting investment or distribution; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Peters:

Assembly Bill No. 291—AN ACT relating to noncompetition covenants; providing that a noncompetition covenant is void and unenforceable

against independent contractors in certain circumstances; providing that a noncompetition covenant may not restrict an independent contractor from providing service to a former customer or client in certain circumstances; limiting the enforceability of a noncompetition covenant against an independent contractor in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Carlton:

Assembly Bill No. 292—AN ACT relating to unemployment compensation; eliminating provisions that make a person ineligible for unemployment benefits under certain circumstances related to the person's separation from his or her next to last employer; eliminating a requirement that the next to last employer of a person be notified of a new or additional claim for unemployment benefits filed by the person under certain circumstances; eliminating a prohibition on the charging of benefits to the account of a person's next to last employer if the person left the employer to take other employment under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Wheeler, O'Neill, Dickman, Ellison, Black, Hafen, Hansen, Krasner, Leavitt, Matthews, Titus and Tolles; Senator Settlemeyer:

Assembly Bill No. 293—AN ACT relating to gaming; reviving an exception to authorize certain organizations to operate a charitable lottery without registering with the Chair of the Nevada Gaming Control Board; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Yeager:

Assembly Bill No. 294—AN ACT relating to insurance; prohibiting the prevention of recovery under an insurance policy or annuity contract based on any misrepresentations, omissions, concealment of facts or incorrect statements unless they are substantially related to the claim for which recovery is sought; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Hansen:

Assembly Bill No. 295—AN ACT relating to common-interest communities; revising provisions relating to the maintenance and availability of books, records and other papers of a unit-owners' association; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Nguyen:

Assembly Bill No. 296—AN ACT relating to crimes; defining certain terms for the purposes of the crime of doxxing; establishing the crime of doxxing; authorizing a victim of doxxing to recover damages, reasonable attorney's fees and costs in a civil action; authorizing a court to issue a temporary restraining order or a permanent or temporary injunction under certain circumstances; providing an additional penalty for doxxing motivated by certain actual or perceived characteristics of the victim; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Titus, Leavitt, Roberts and Tolles; Senators Settlemeyer, Hardy and Hammond:

Assembly Bill No. 297—AN ACT relating to elections; providing that a registrar of voters is an elected office; and providing other matters properly related thereto.

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

Motion carried.

By Assemblyman Flores:

Assembly Bill No. 298—AN ACT relating to vehicles; requiring the Commissioner of Financial Institutions to prescribe forms for use in the leasing of vehicles under certain circumstances; setting forth certain requirements for a noncommercial vehicle lease; revising the definition of the term "vehicle lease" for certain purposes; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywomen Bilbray-Axelrod and Titus:

Assembly Bill No. 299—AN ACT relating to wildlife; providing for the issuance of a salvage permit to certain persons for the salvage and possession of certain animals hit and killed by a motor vehicle; imposing certain requirements on a holder of a salvage permit; authorizing a peace officer to make certain inspections; prohibiting a person from selling, bartering or exchanging the carcass of such an animal; providing that a peace officer, agency employing a peace officer and the Department of Wildlife are not liable with respect to any use made of the carcass of such an animal; prohibiting the salvaging and taking possession of such animals from the reservation lands of any Indian tribe in this State; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Leavitt and Senator Hardy:

Assembly Bill No. 300—AN ACT relating to taxation; establishing a credit against the modified business tax for a taxpayer who donates money to a youth and adolescent enrichment program in this State; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen C.H. Miller, Anderson, Considine, Flores, González, Leavitt, Monroe-Moreno and Thomas:

Assembly Bill No. 301—AN ACT relating to motor vehicles; requiring a tow operator to immediately release to the owner at no charge a vehicle that has been connected to a tow car or that has been towed for certain reasons related to registration of the vehicle if the owner provides proof that the vehicle is registered; revising provisions governing certain fees for towing a motor vehicle; requiring the owner of real property, or authorized agent of the owner, who requests that a vehicle be towed from a residential complex to make reasonable efforts to notify the owner or operator of the vehicle of the date and time after which the vehicle will be towed; requiring a tow operator to independently verify the registration status of a vehicle before towing the vehicle in certain situations; and providing other matters properly relating thereto.

Assemblywoman Benitez-Thompson moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By Assemblymen Summers-Armstrong, González, Monroe-Moreno, C.H. Miller, Anderson, Bilbray-Axelrod, Considine, Leavitt, Brittney Miller, Peters, Thomas and Watts:

Assembly Bill No. 302—AN ACT relating to legislative measures; authorizing the Nevada Commission on Minority Affairs to request the drafting of not more than 2 legislative measures for each regular session of the Legislature; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Summers-Armstrong, González, Anderson, Considine, Brittney Miller, C.H. Miller, Peters, Thomas and Watts:

Assembly Bill No. 303—AN ACT relating to employment; removing certain exceptions relating to the requirements for an employer in private employment to provide paid leave to each employee of the employer under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Frierson:

Assembly Bill No. 304—AN ACT relating to law enforcement; revising provisions governing the standards for programs of continuing education for peace officers; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Titus:

Assembly Bill No. 305—AN ACT relating to education; revising provisions governing the budgeted ending fund balance of a county school district fund that is excluded from collective bargaining negotiations; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Ellison:

Assembly Bill No. 306—AN ACT relating to education; prohibiting the reporting of false information to the SafeVoice Program; providing, in certain circumstances, for technical assistance and support to appropriate persons when the Program is misused; requiring, in certain circumstances, a support center to include in a statistical compilation

certain information relating to misuse of the Program; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Martinez:

Assembly Bill No. 307—AN ACT relating to employment; requiring the preparation of informative notices by divisions or other units with the Department of Employment, Training and Rehabilitation; requiring the Director of the Department to require certain employers to post such notices in the workplace; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Frierson:

Assembly Bill No. 308—AN ACT relating to property; revising provisions relating to late fees; revising certain definitions used in the Residential Landlord and Tenant Act; revising provisions relating to notices of increases in rent; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Dickman:

Assembly Bill No. 309—AN ACT relating to unemployment compensation; requiring the Legislative Auditor to conduct an audit during the 2021-2022 interim of the Employment Security Division of the Department of Employment, Training and Rehabilitation relating to its controls and processes; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Considine:

Assembly Bill No. 310—AN ACT relating to real estate; requiring an applicant for a permit to engage in property management to provide certain information concerning property management agreements when the applicant applies for a permit or the renewal of a permit; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 101.

Bill read second time and ordered to third reading.

Assembly Bill No. 173.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 145.

Bill read third time.

Remarks by Assemblywoman Cohen.

ASSEMBLYWOMAN COHEN:

Assembly Bill 145 establishes procedures for the recognition and enforcement of Canadian money judgments in Nevada by adopting the Uniform Registration of Canadian Money Judgments Act. The bill provides that recognition of a Canadian judgment only applies to final and enforceable judgments to recover money. This bill authorizes enforcement of the judgment in the same manner and to the same extent as a judgment rendered in Nevada.

Roll call on Assembly Bill No. 145:

YEAS—39.

NAYS—Ellison.

EXCUSED—Frierson, Summers-Armstrong—2.

Assembly Bill No. 145 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 83.

Bill read third time.

Remarks by Assemblywoman Marzola.

ASSEMBLYWOMAN MARZOLA:

Senate Bill 83 authorizes Nevada's Department of Education to temporarily waive or pause the requirements relating to making ratings for public schools and administering certain federally required examinations that measure the achievement and proficiency of students if the United States Department of Education allows for such waivers or pauses. The bill also makes conforming changes to other related statutes.

Roll call on Senate Bill No. 83:

YEAS—38.

NAYS—Black, McArthur—2.

EXCUSED—Frierson, Summers-Armstrong—2.

Senate Bill No. 83 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.



UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Concurrent Resolution No. 2.

REMARKS FROM THE FLOOR

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Wednesday, March 17, 2021, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:09 p.m.

Approved:

JASON FRIERSON  
*Speaker of the Assembly*

Attest: SUSAN FURLONG  
*Chief Clerk of the Assembly*