

NEVADA LEGISLATURE

81st Session, 2021

SENATE DAILY JOURNAL

THE FIFTIETH DAY

CARSON CITY (Monday), March 22, 2021

Senate called to order at 11:51 a.m.

President Marshall presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Don Baumann.

Almighty God, as we begin this week and this day for the Senate, we thank You for the dedication of each Senator, each staff member and all of the support personnel who make government work in our State. We know that a heart to serve Nevada and make it a little bit better than it was before unites everyone who serves in this Chamber.

Your timeless counsel, to "do to others what you would have them do to you" is so appropriate today. As our Nation has been wracked by strife and incivility, may this Chamber and this Session be marked by that respect and kindness with which we ourselves would want to be treated.

We ask this in the Name of the Author of this teaching, 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 and Secretary are authorized to make the necessary corrections and additions.

REPORTS OF COMMITTEE

Madam President:

Your Committee on Commerce and Labor, to which was referred Senate Bill No. 196, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAT SPEARMAN, *Chair*

Madam President:

Your Committee on Finance, to which were re-referred Senate Bills Nos. 9, 35, 58, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

CHRIS BROOKS, *Chair*

Madam President:

Your Committee on Judiciary, to which was referred Senate Bill No. 42, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MELANIE SCHEIBLE, *Chair*

Madam President:

Your Committee on Natural Resources, to which was referred Senate Bill No. 65, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

FABIAN DONATE, *Chair*

Madam President:

Your Committee on Revenue and Economic Development, to which was referred Senate Bill No. 117, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DINA NEAL, *Chair*

MESSAGES FROM ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 19, 2021

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bills Nos. 12, 41, 53, 95.

CAROL AIELLO-SALA

Assistant Chief Clerk of the Assembly

COMMUNICATIONS
SUPREME COURT OF NEVADA
JAMES W. HARDESTY, CHIEF JUSTICE
CARSON CITY, NEVADA, 89701

March 19, 2021

RE: State of the Judiciary Address, 2021 Legislative Session

MAJORITY LEADER NICOLE J. CANNIZZARO

SPEAKER JASON FRIERSON

401 South Carson Street, Carson City, Nevada 89701-4747

DEAR MAJORITY LEADER CANNIZZARO AND SPEAKER FRIERSON:

Pursuant to past protocol, I would like to request permission, as Chief Justice of the Nevada Supreme Court in 2021, to address a Joint Session of the Legislature on the State of the Judiciary on March 25, 2021, at 5:00 p.m.

Your joint consideration of this request is greatly appreciated.

Sincerely,

JAMES W. HARDESTY

Chief Justice

MOTIONS, RESOLUTIONS AND NOTICES

By Senator Spearman:

Senate Joint Resolution No. 11—Urging Congress to ratify the Convention on the Elimination of all Forms of Discrimination Against Women.

Senator Spearman moved that the resolution be referred to the Committee on Commerce and Labor.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Denis:

Senate Bill No. 282—AN ACT relating to real estate; revising provisions governing the deposit and use of certain administrative fines, fees, penalties and charges; imposing a technology fee for the issuance or renewal of certain licenses, certificates, permits and registrations issued by the Real Estate Division of the Department of Business and Industry; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senator Brooks:

Senate Bill No. 283—AN ACT relating to local improvements; authorizing a municipality to create a district for certain qualified improvement projects; setting forth the requirements for creating such a district; authorizing certain financing to pay for a qualified improvement project in such a district; making various other changes relating to local improvements; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ratti:

Senate Bill No. 284—AN ACT relating to taxation; revising the procedure for applying for and issuing transferable tax credits for affordable housing; requiring the recapture of transferable tax credits under certain circumstances; revising provisions limiting the amount of transferable tax credits for affordable housing that may be issued; eliminating the prospective expiration of the program of transferable tax credits for affordable housing; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By Senator Harris:

Senate Bill No. 285—AN ACT relating to transportation; revising the contents of the instruction required to be provided by a school for training drivers; revising provisions relating to a driver's duty of due care owed to bicycles, electric bicycles and electric scooters; revising provisions governing the overtaking and passing of bicycles, electric bicycles and electric scooters by motor vehicles; providing that certain collisions with a person riding a bicycle, an electric bicycle or an electric scooter are prima facie evidence of a violation of certain prohibitions; revising provisions governing the Complete Streets Programs; revising provisions governing certain considerations of the Department of Transportation in the plans, designs, construction and maintenance of highways; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Harris:

Senate Bill No. 286—AN ACT relating to public employees; revising the definition of “supervisory employee” for purposes of collective bargaining for local government and state employees to include certain peace officers and persons who provide civilian support services to a law enforcement agency; revising the definition of “employee” for purposes of collective bargaining for state employees to include category II peace officers who are in the unclassified service of the State; revising the provisions relating to bargaining units of state employees who are peace officers or supervisory employees; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Harris:

Senate Bill No. 287—AN ACT relating to education; designating certain institutions within the Nevada System of Higher Education as the state land grant institutions; designating the Board of Regents of the University of Nevada as the governing authority of the University of Nevada; establishing provisions relating to the assets of state land grant institutions; establishing northern and southern regions of the State for the purposes of cooperative extension programs; placing the operation of the programs in the regions under the control, respectively, of the President of the University of Nevada, Reno, and the President of University of Nevada, Las Vegas, or their designees; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Harris:

Senate Bill No. 288—AN ACT relating to transportation; authorizing a transportation network company to enter into an agreement with a monitored autonomous vehicle provider to allow the company to use a monitored autonomous vehicle that is owned and operated by the monitored autonomous vehicle provider to provide transportation services; imposing certain requirements on a transportation network company relating to the provision of transportation services by the company using a monitored autonomous vehicle; authorizing a transportation network company to charge a fare for such services; prohibiting a local governmental entity from imposing certain taxes or fees relating to such services; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Harris:

Senate Bill No. 289—AN ACT relating to workers' compensation; establishing provisions relating to the apportionment of percentages for present and previous disabilities; requiring an insurer to send a written determination regarding an industrial insurance claim by facsimile under certain circumstances; making compensation for an industrial injury or occupational disease subject to an attorney's lien; providing for the tolling of certain periods to request a hearing or appeal under certain circumstances; providing for an award of certain costs to a claimant who prevails in a contested claim; providing for the restoration of certain benefits and rights of a claimant who accepts a lump sum payment for a permanent partial disability; revising provisions governing the appointment of a vocational rehabilitation counselor for an injured employee; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senator Lange:

Senate Bill No. 290—AN ACT relating to insurance; requiring an insurer to allow a person who has been diagnosed with stage 3 or 4 cancer and is covered by the insurer to apply for an exemption from required step therapy for certain drugs; requiring an insurer to grant such an exemption in certain circumstances; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senator Lange:

Senate Bill No. 291—AN ACT relating to cosmetology; providing for the licensure and regulation of master estheticians and instructors of master estheticians by the State Board of Cosmetology; setting forth certain requirements for licensure as a master esthetician or instructor of master estheticians; setting forth certain requirements for the performance of certain procedures performed by a registered nurse or a master esthetician; prohibiting a master esthetician or registered nurse from performing certain procedures; requiring the Board to prescribe a curriculum for a course of study in master esthetics; establishing certain fees relating to licensure as a master esthetician and an instructor of master estheticians; revising provisions relating to schools of cosmetology and cosmetological establishments; authorizing the Board to, for a certain period of time, issue a license as a master esthetician to certain persons who would otherwise not qualify for licensure; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senator Lange:

Senate Bill No. 292—AN ACT relating to public office; requiring a ballot in the general election to have an option to vote a straight ticket for partisan races; revising the qualification requirements for a minor political party; revising the deadline to challenge the qualification of a minor political party; revising provisions for filling a vacancy in the office of United States Senator, Representative in Congress or State Legislator; repealing various provisions relating to major political parties; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Senator Cannizzaro:

Senate Bill No. 293—AN ACT relating to employment; prohibiting an employer or employment agency from seeking, or relying on the wage or salary history of an applicant for employment; prohibiting an employer or employment agency from refusing to interview, hire, promote or employ an applicant or from discriminating or retaliating against an applicant if the applicant does not provide wage or salary history; prohibiting the governing body of a county, incorporated city or unincorporated town or an appointing authority from performing such actions; providing that an applicant may voluntarily disclose his or her wage or salary history and that an employer, employment agency, governing body of a county, incorporated city or unincorporated town or an appointing authority may consider such voluntarily disclosed wage or salary history in determining the rate of pay for the applicant; providing that an employer, employment agency, governing body of a county, incorporated city or unincorporated town or an appointing authority may ask an applicant about his or her wage or salary expectations; providing that a violation of such provisions is an unlawful employment practice; providing that an employer or employment agency that violates such provisions may be subject to certain administrative penalties; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senator Cannizzaro:

Senate Bill No. 294—AN ACT relating to local governments; revising provisions relating to collective bargaining between local government employers and employee organizations; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Cannizzaro:

Senate Bill No. 295—AN ACT relating to industrial insurance; prohibiting the termination or limitation of compensation for a permanent total disability on the basis that the injured employee earns income; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senator Cannizzaro:

Senate Bill No. 296—AN ACT relating to utilities; authorizing a gas utility to apply to the Public Utilities Commission of Nevada for approval of a gas infrastructure modernization plan; requiring a gas utility to submit an application for approval of the rates charged to recover certain gas infrastructure project expenses; establishing requirements for contracts entered into by a gas utility for the performance of a gas infrastructure project; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Spearman:

Senate Bill No. 297—AN ACT relating to agriculture; requiring that a master plan which includes an urban agricultural element include a plan to inventory vacant and blighted lands for community gardens and urban farms; requiring the Council on Food Security to research and develop recommendations on community gardens and urban farms; authorizing a board of county commissioners to approve a property tax credit for owners of real property who agree to the use of real property for community gardens or urban farms; revising provisions authorizing the governing body of a county or city to allow the use of vacant county or city owned lands for community gardening; authorizing the State Land Registrar to lease certain State lands for community gardens and urban farms for less than fair market value under certain circumstances; authorizing the Director of the Department of Transportation to lease certain real property for community gardens and urban farms for less than fair market value under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 298—AN ACT relating to inland ports; revising provisions relating to the creation, maintenance and operation of inland ports and inland port authorities; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settelmeyer:

Senate Bill No. 299—AN ACT relating to the protection of children; providing for the appointment of a guardian ad litem in certain proceedings; making an appropriation to the Nevada CASA Association for the hiring of a state training director for guardians ad litem and development of a new training program and recruitment initiatives; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Denis:

Senate Bill No. 300—AN ACT relating to immigrants; revising the duties of the Director of the Office for New Americans; prohibiting, with certain exceptions, a public utility from disclosing certain customer information for any purpose relating to the enforcement of immigration laws; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Settelmeyer and Hardy:

Senate Bill No. 301—AN ACT relating to elections; establishing procedures for the use of mail ballots in every election; revising the deadline for counting mail ballots; requiring the Secretary of State to establish a uniform set of procedures that must be used by election officials to verify the signature of a registered voter; making the registrar of voters an elected office; repealing provisions relating to absent ballots, mailing ballots and elections affected by certain emergencies or disasters; making an appropriation; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

By Senator Spearman:

Senate Bill No. 302—AN ACT relating to governmental administration; revising provisions relating to the Office of Minority Health and Equity of the Department of Health and Human Services; requiring the Legislative Auditor

to include certain information relating to persons employed as a director or chief executive officer in the report of an audit to the extent of money available; declaring the policy of this State concerning employee diversity for state employers; requiring public employers to provide racial equity training to the extent of money available; requiring public officers and employees to complete any such training offered; requiring the Legislative Counsel to develop a racial equity worksheet to the extent of money available and include any such worksheet on the form on which a request for the drafting of a legislative measure must be made; imposing certain requirements concerning expenditures relating to certain health matters; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Brooks:

Senate Bill No. 303—AN ACT relating to contractors; prohibiting a person from performing, for a fee, any work concerning residential photovoltaic systems used to produce electricity without the proper license or other authorization under state law; establishing certain requirements for work concerning residential photovoltaic systems and contracts relating thereto; requiring the State Contractors' Board to adopt regulations establishing certain standards for advertisements for work concerning residential photovoltaic systems; prohibiting contractors from acting in certain capacities in certain companies, corporations and business entities; providing that a contract for work concerning a residential photovoltaic system is not enforceable against an owner under certain circumstances; authorizing the Board to require contractors who perform work concerning residential photovoltaic systems to obtain the services of a construction control, a performance bond or payment bond under certain circumstances; providing for disciplinary action by the Board against a contractor who performs work concerning residential photovoltaic systems for certain violations; providing penalties; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senators Settlemeyer, Hammond and Hardy:

Senate Bill No. 304—AN ACT relating to public health; ratifying and entering this State into the Solemn Covenant of the States to Award Prizes for Curing Diseases Compact; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hammond:

Senate Bill No. 305—AN ACT relating to health care; prohibiting certain providers of medical or related services from taking certain actions relating to organ transplants solely on the basis of a person's disability; limiting the extent to which such a provider is authorized to consider a person's disability when making recommendations or decisions concerning an organ transplant; requiring such a provider to take certain actions to provide a person with a disability access to any service provided by the provider related to an organ transplant; authorizing a person aggrieved by the failure of such a provider to comply with certain requirements to institute a civil action for injunctive or other appropriate relief; prohibiting an insurer from taking certain actions related to an organ transplant because the insured is a person with a disability; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hammond:

Senate Bill No. 306—AN ACT relating to education; reenacting and revising provisions relating to the education savings account program; declaring the intention of the Legislature regarding the program; creating the Office of Educational Choice within the Department of Education; providing for the appointment of a Director of the Office; creating an account in the State General Fund to carry out the education savings account program; setting the maximum number of first-time applicants who may apply for the program each school year; imposing certain duties on the Director of the Office relating to the administration of the program; providing that certain pupils participating in the program are not included in determining the average daily enrollment and computing basic support for a school district; making appropriations; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Dondero Loop:

Senate Bill No. 307—AN ACT relating to alcoholic beverages; requiring a supplier of liquor to approve certain transactions related to the ownership of a wholesaler within a certain period of time under certain circumstances; prohibiting certain acts by suppliers with respect to wholesalers of liquor; authorizing a person who operates a brew pub to manufacture additional malt beverages for sale outside of this State; revising the criteria for the approval of a license to engage in certain activities related to alcohol; revising provisions governing certificates of compliance for suppliers; revising provisions governing the possession, sale and transportation of liquor; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senator Dondero Loop:

Senate Bill No. 308—AN ACT relating to unemployment compensation; requiring the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation to establish a worksharing program to provide for the payment of certain benefits to eligible employees whose usual weekly hours of work have been reduced in accordance with a worksharing plan; setting forth various requirements for the operation of the worksharing program; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senator Neal:

Senate Bill No. 309—AN ACT relating to Medicaid; establishing a reinvestment advisory committee in certain larger counties; requiring a reinvestment advisory committee to perform certain duties relating to the reinvestment of funds by managed care organizations that provide health care services to recipients of Medicaid; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Neal:

Senate Bill No. 310—AN ACT making an appropriation to the Nevada System of Higher Education to enable the College of Southern Nevada to assist and carry out the NV Grow Program; and providing other matters properly relating thereto.

Senator Ratti moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By Senator Ratti:

Senate Bill No. 311—AN ACT relating to housing; authorizing the Nevada Rural Housing Authority to create a for-profit business entity for the purpose of developing, operating and managing housing projects to provide dwellings primarily for persons of low and moderate income; exempting such a business entity from compliance with the Open Meeting Law; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Kieckhefer and Seevers Gansert:

Senate Bill No. 312—AN ACT relating to state financial administration; providing for the use of certain federal funding for the costs associated with the enrollment of prekindergarten pupils in prekindergarten education programs in the 2021-2022 and 2022-2023 school years; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ohrenschall:

Senate Bill No. 313—AN ACT relating to juvenile justice; prohibiting the introduction of statements made by a child during certain evaluations in certain court proceedings; revising the circumstances under which a child alleged to be delinquent or in need of supervision may be detained before the disposition of the case; prohibiting a child found to be incompetent from being committed to the custody of a correctional facility; allowing a child found to be incompetent to petition to seal his or her record; limiting the length of probation for a child found to be delinquent for an offense that would be a sexual offense if committed by an adult; revising the circumstances under which a juvenile is subject to registration and community notification as a sex offender; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Neal:

Senate Bill No. 314—AN ACT relating to trade practices; providing that failing to provide or disclose certain information relating to online marketplaces is a deceptive trade practice; requiring a high-volume marketplace seller to provide certain identifying information to an online marketplace; requiring the online marketplace to verify such identifying information; requiring the online marketplace to disclose certain information regarding the high-volume marketplace dealer; authorizing an online marketplace to issue a partial disclosure of certain information; prohibiting local governments from implementing certain requirements on online marketplaces and high-volume marketplace sellers; authorizing the Commissioner of Consumer Affairs to adopt regulations relating to high-volume marketplace sellers; providing penalties; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senator Ohrenschall:

Senate Bill No. 315—AN ACT relating to equipment on motor vehicles; prohibiting modification of the exhaust system of a motor vehicle in a manner which will amplify or increase the noise emitted by the motor of the motor vehicle above that emitted by the muffler originally installed on the motor vehicle; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Kieckhefer and Seevers Gansert:

Senate Bill No. 316—AN ACT relating to state financial administration; providing for the use of certain federal funding for a pilot program for certain pupils enrolled in a public high school; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ohrenschall:

Senate Bill No. 317—AN ACT relating to juvenile justice; revising provisions governing employment with a department of juvenile justice services; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Donate, Ohrenschall, Denis, Lange; Assemblymen Flores, Torres and Benitez-Thompson:

Senate Bill No. 318—AN ACT relating to public health; requiring the Division of Public and Behavioral Health of the Department of Health and Human Services and each district health department to take certain actions to ensure the availability of services to restrain the spread of COVID-19 to persons of limited English proficiency; requiring each agency of the Executive Department of the State Government to develop a language access plan; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Goicoechea:

Senate Bill No. 319—AN ACT relating to public works; authorizing a local government to negotiate with the lowest responsible and responsive bidder or best bidder on a contract to obtain a revised bid under certain circumstances; authorizing a local government to require the attendance of a prime contractor at a pre-bid conference or site inspection as a prerequisite for bidding on certain contracts for public works; revising provisions relating to certain bids for a public work for which a list disclosing first tier subcontractors is required;

revising provisions relating to the substitution of subcontractors; authorizing a general building contractor to perform specialty contracting under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Neal:

Senate Bill No. 320—AN ACT relating to trade practices; prohibiting a food delivery service platform provider from engaging in certain activities; requiring a food delivery service platform provider to remove a food dispensing establishment from the food delivery service platform of the provider upon request; requiring a food delivery service platform provider to make certain disclosures concerning online food orders; prohibiting a food delivery service platform provider from charging a food dispensing establishment any fees over a certain amount during the period in which the Declaration of Emergency for COVID-19 issued by the Governor remains in effect; establishing certain practices as deceptive trade practices; providing penalties; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 12.

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

Motion carried.

Assembly Bill No. 41.

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

Motion carried.

Assembly Bill No. 53.

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

Motion carried.

Assembly Bill No. 95.

Senator Ratti moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

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

Motion carried.

Senate in recess at 12:00 p.m.

SENATE IN SESSION

At 12:08 p.m.
 President Marshall presiding.
 Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 25.

Bill read third time.

Remarks by Senator Denis.

Senate Bill No. 25 repeals provisions in NRS Chapter 372, State 2-percent rate, and NRS Chapter 374, 2.6-percent Local School Support Tax rate, to maintain the State's compliance with the Streamlined Sales and Use Tax Agreement, of which Nevada is a full member state.

The bill eliminates a requirement of existing law which predates Nevada's adoption of the Streamlined Sales and Use Tax Agreement and which requires the Department of Taxation (DOT), in determining whether food intended for human consumption is subject to the sales and use tax, to base its determination on whether the food is intended for immediate consumption and not on the type of establishment where the food is sold.

Based on regulations adopted pursuant to Legislative Counsel Bureau File No. R056-18, filed on June 8, 2020, the DOT makes its determination on whether food for human consumption is subject to the sales and use tax based on the percentage of food sold by the seller that qualifies as prepared food.

Roll call on Senate Bill No. 25:

YEAS—21.

NAYS—None.

Senate Bill No. 25 having received a constitutional majority,
 Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 103.

Bill read third time.

Remarks by Senator Scheible.

Senate Bill No. 103 prohibits insurers from canceling, refusing to issue or renew, or increasing the premium for certain insurance policies on the sole basis of the breed of a dog that is kept on an applicable property. The bill provides an exception to this prohibition if the particular dog is known or declared to be dangerous or vicious.

Roll call on Senate Bill No. 103:

YEAS—18.

NAYS—Buck, Hansen, Pickard—3.

Senate Bill No. 103 having received a constitutional majority,
 Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 83.

The following Assembly amendment was read:

Amendment No. 21.

SUMMARY—Revises provisions relating to certain ratings and assessments. (BDR 34-527)

AN ACT relating to education; authorizing the Department of Education to temporarily waive or pause certain requirements related to the statewide system of accountability for public schools and certain examinations or assessments if the United States Department of Education has waived or paused similar requirements of federal law; providing certain exceptions to provisions that require the use of the statewide system of accountability or results of an examination or assessment; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing federal law requires a state to describe a statewide accountability system for education. (20 U.S.C. § 6311(c)) Existing federal law requires a state to demonstrate that the state has implemented student academic assessments in certain subjects. (20 U.S.C. § 6311(b)(2)) Under existing federal law, the Secretary of Education of the United States Department of Education may grant a request made by a state for a waiver from various statutory or regulatory requirements, including, without limitation, the ~~requirement~~ requirements to describe a statewide accountability system and implement academic assessments. (20 U.S.C. § 7861) Existing law requires the board of trustees of each school district and the Department of Education to make ratings for each public school in accordance with the statewide system of accountability. (NRS 385A.720) Under existing law, the State Board of Education is required to prescribe examinations that comply with federal law to measure the achievement and proficiency of pupils. Existing law also requires the board of trustees of a school district and the governing body of a charter school to administer such examinations to pupils as prescribed by the State Board. (NRS 390.105) ~~Section~~ Sections 6.7 and 8 of this bill ~~authorizes~~ authorize the Department of Education to waive or pause the requirements ~~of~~ relating to making ratings for public schools or administering examinations that comply with federal law, respectively, if the United States Department of Education grants a waiver from such requirements to the Department of Education or otherwise pauses the requirements of the federal law.

Existing law requires the results of the examinations to measure the achievement and proficiency of pupils and certain other information be included in the annual report of accountability prepared by the board of trustees of a school district and the annual report of accountability prepared by the State Board of Education. (NRS 385A.200, 385A.270, 385A.280, 385A.410, 385A.480, 385A.490) Section 1 of this bill eliminates the requirement to include certain information in the annual report of accountability which is based upon the results of examinations to measure the achievement and proficiency of pupils during the period of time that a waiver or pause of such testing as provided in section 8 is effective. Existing law

requires the Department of Education to use the examinations to measure the achievement and proficiency of pupils to determine the proficiency of a pupil in certain grade levels. (NRS 387.137) Under existing law, the Department is required to adopt a model to measure the achievement of pupils in certain grade levels based on the results of such examinations. (NRS 390.125) Existing law also requires the Department to take certain actions if the Department determines that an irregularity in testing administration occurred during certain school years. (NRS 390.290) Sections ~~{2-7,}~~ 2-6, 7, 9 and 10 of this bill make conforming changes to comply with a waiver or pause of testing as provided in section 8.

Sections 1, 4, 6.3, 6.9 and 7.2-7.8 of this bill make conforming changes to comply with a waiver or pause of the requirement to make ratings for public schools as provided in section 6.7.

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

Section 1. NRS 385A.200 is hereby amended to read as follows:

385A.200 ~~{The}~~

1. *Except as otherwise provided in subsection 2, the annual report of accountability prepared pursuant to NRS 385A.070 must include information on pupil achievement and school performance, including, without limitation, pupil achievement for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district. The board of trustees of the district shall base its report on the results of the examinations administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610 and shall compare the results of those examinations for the school year for which the annual report is being prepared with those of previous school years. The report must include, for each school in the district, including, without limitation, each charter school sponsored by the district, and each grade in which the examinations and assessments were administered:*

~~{1-}~~ (a) The number of pupils who took the examinations and a record of attendance for the period in which the examinations were administered, including an explanation of any difference in the number of pupils who took the examinations and the number of pupils who are enrolled in the school.

~~{2-}~~ (b) Except as otherwise provided in subsection 2 of NRS 385A.070, pupil achievement, reported separately by gender and reported separately for the groups of pupils identified in the statewide system of accountability for public schools.

~~{3-}~~ (c) A comparison of the achievement of pupils in each group identified in the statewide system of accountability for public schools with the performance targets established for that group.

~~{4-}~~ (d) The percentage of pupils who were not tested.

~~{5.}~~ (e) Except as otherwise provided in subsection 2 of NRS 385A.070, the percentage of pupils who were not tested, reported separately by gender and reported separately for the groups identified in the statewide system of accountability for public schools.

~~{6.}~~ (f) The most recent 3-year trend in pupil achievement in each subject area tested and each grade level tested pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610, which may include information regarding the trend in the achievement of pupils for more than 3 years, if such information is available.

~~{7.}~~ (g) ~~{The}~~ *Except as otherwise provided in subsection 3 of NRS 385A.720, the* rating of each public school in the district, including, without limitation, each charter school sponsored by the district, pursuant to the statewide system of accountability for public schools.

~~{8.}~~ (h) Information on whether each school in the district, including, without limitation, each charter school sponsored by the district, has made progress based upon the model adopted by the Department pursuant to NRS 390.125.

~~{9.}~~ (i) Information that compares the results of pupils in the school district, including, without limitation, pupils enrolled in charter schools sponsored by the district, with the results of pupils throughout this State. The information required by this ~~{subsection}~~ *paragraph* must be provided in consultation with the Department to ensure the accuracy of the comparison.

~~{10.}~~ (j) For each school in the district, including, without limitation, each charter school sponsored by the district, information that compares the results of pupils in the school with the results of pupils throughout the school district and throughout this State. The information required by this ~~{subsection}~~ *paragraph* must be provided in consultation with the Department to ensure the accuracy of the comparison.

2. If the Department temporarily waives or otherwise pauses the requirement to administer examinations that comply with 20 U.S.C. § 6311(b)(2) pursuant to subsection 6 of NRS 390.105, the requirement of subsection 1 to include certain information in the annual report of accountability prepared pursuant to NRS 385A.070 does not apply for the period of time that such a waiver or pause is effective.

Sec. 2. NRS 385A.270 is hereby amended to read as follows:

385A.270 1. The annual report of accountability prepared pursuant to NRS 385A.070 must include, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district, information concerning pupils who are eligible for free or reduced-price breakfasts pursuant to 42 U.S.C. §§ 1771 et seq. and pupils who are eligible for free or reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq., including, without limitation:

(a) The number and percentage of pupils who are eligible for free or reduced-price breakfasts;

(b) The percentage of pupils who receive free and reduced-price breakfasts;

(c) The number and percentage of pupils who are eligible for free or reduced-price lunches;

(d) The percentage of pupils who receive free and reduced-price lunches;

(e) A comparison of the achievement and proficiency of pupils, reported separately by race and ethnicity, who are eligible for free or reduced-price breakfasts, pupils who receive free and reduced-price breakfasts, pupils who are eligible for free or reduced-price lunches, pupils who receive free and reduced-price lunches and pupils who are not eligible for free or reduced-price breakfasts or lunches;

(f) A comparison of pupils, reported separately by race and ethnicity, who are eligible for free or reduced-price breakfasts, pupils who receive free and reduced-price breakfasts, pupils who are eligible for free or reduced-price lunches and pupils who receive free and reduced-price lunches for which data is required to be collected in the following areas:

(1) Retention rates;

(2) Graduation rates;

(3) Dropout rates;

(4) Grade point averages; and

(5) ~~Scores~~ *Except as otherwise provided in subsection 6 of NRS390.105, scores on the examinations administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610.*

2. The State Board may adopt any regulations necessary to carry out the provisions of this section.

Sec. 3. NRS 385A.280 is hereby amended to read as follows:

385A.280 1. The annual report of accountability prepared pursuant to NRS 385A.070 must include, for each school in the district and the district as a whole, including, without limitation, each charter school sponsored by the district, information regarding the progression of pupils who are English learners in attaining proficiency in the English language, including, without limitation:

(a) The number and percentage of pupils who were identified as English learners at the beginning of the school year, were continually enrolled throughout the school year and were identified as proficient in English by the completion of the school year;

(b) The achievement and proficiency of pupils who are English learners in comparison to the pupils who are proficient in English;

(c) A comparison of pupils who are English learners and pupils who are proficient in the English language in the following areas:

(1) Retention rates;

(2) Graduation rates;

(3) Dropout rates;

(4) Grade point averages; and

(5) ~~Scores~~ *Except as otherwise provided in subsection 6 of NRS390.105, scores on the examinations administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610; and*

(d) Results of the assessments and reassessments of pupils who are English learners, reported separately by the primary language of the pupils, pursuant to the policy developed by the board of trustees of the school district pursuant to NRS 388.407.

2. The data reported pursuant to subparagraph (5) of paragraph (c) of subsection 1 must be reported separately:

(a) According to subject matter areas measured using the examinations administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610;

(b) For pupils who are newcomers to the English language, pupils who are short-term English learners and pupils who are long-term English learners, as designated by regulation of the State Board; and

(c) For middle schools, junior high schools and high schools, according to any identified trends in the proficiency in the English language of pupils who are English learners over the immediately preceding 3 years.

3. In addition to including the information prescribed by this section in the annual report of accountability prepared pursuant to NRS 385A.070, the board of trustees of each school district and the governing body of each charter school shall, on or before October 1 of each year:

(a) Submit a report of the information prescribed by this section to the Department of Education and the Director of the Legislative Counsel Bureau for transmittal to:

(1) In odd-numbered years, the Legislative Committee on Education; and

(2) In even-numbered years, the next regular session of the Legislature;

and

(b) Post the report on an Internet website maintained by the school district or charter school, as applicable.

Sec. 4. NRS 385A.410 is hereby amended to read as follows:

385A.410 ~~The~~ *Except as otherwise provided in subsection 6 of NRS 390.105, the annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include information on pupil achievement and school performance, including, without limitation:*

1. Information on the achievement of all pupils based upon the results of the examinations administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

2. Except as otherwise provided in subsection 2 of NRS 385A.400, pupil achievement, reported separately by gender and reported separately for the groups of pupils identified in the statewide system of accountability for public schools.

3. A comparison of the achievement of pupils in each group identified in the statewide system of accountability for public schools with the performance targets established for that group.

4. The percentage of all pupils who were not tested, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole.

5. Except as otherwise provided in subsection 2 of NRS 385A.400, the percentage of pupils who were not tested, reported separately by gender and reported separately for the groups identified in the statewide system of accountability for public schools.

6. The most recent 3-year trend in the achievement of pupils in each subject area tested and each grade level tested pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610, reported for each school district, including, without limitation, each charter school in the district, and for this State as a whole, which may include information regarding the trend in the achievement of pupils for more than 3 years, if such information is available.

7. ~~The~~ Except as otherwise provided in subsection 3 of NRS 385A.720, ~~the~~ rating of each public school, including, without limitation, each charter school, pursuant to the statewide system of accountability for public schools.

8. Information on whether each public school, including, without limitation, each charter school, has made progress based upon the model adopted by the Department pursuant to NRS 390.125, if applicable for the grade level of pupils enrolled at the school.

9. Information on the results of pupils who participated in the examinations of the National Assessment of Educational Progress required pursuant to NRS 390.830.

Sec. 5. NRS 385A.480 is hereby amended to read as follows:

385A.480 The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include for each school district, including, without limitation, each charter school in the district, and for this State as a whole, information concerning pupils who are eligible for free or reduced-price breakfasts pursuant to 42 U.S.C. §§ 1771 et seq. and pupils who are eligible for free or reduced-price lunches pursuant to 42 U.S.C. §§ 1751 et seq., including, without limitation:

1. The number and percentage of pupils who are eligible for free or reduced-price breakfasts;

2. The number and percentage of pupils who receive free and reduced-price breakfasts;

3. The number and percentage of pupils who are eligible for free or reduced-price lunches;

4. The number and percentage of pupils who receive free and reduced-price lunches;

5. A comparison of the achievement and proficiency of pupils, reported separately by race and ethnicity, who are eligible for free or reduced-price breakfasts, pupils who receive free and reduced-price breakfasts, pupils who are eligible for free or reduced-price lunches, pupils who receive free and reduced-price lunches and pupils who are not eligible for free or reduced-price breakfasts or lunches;

6. A comparison of pupils, reported separately by race and ethnicity, who are eligible for free or reduced-price breakfasts, pupils who receive free and reduced-price breakfasts, pupils who are eligible for free or reduced-price lunches and pupils who receive free and reduced-price lunches for which data is required to be collected in the following areas:

- (a) Retention rates;
- (b) Graduation rates;
- (c) Dropout rates;
- (d) Grade point averages; and

(e) ~~{Scores}~~ *Except as otherwise provided in subsection 6 of NRS 390.105, scores on the examinations administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610.*

Sec. 6. NRS 385A.490 is hereby amended to read as follows:

385A.490 1. The annual report of accountability prepared by the State Board pursuant to NRS 385A.400 must include for each school district, including, without limitation, each charter school in the district, and for this State as a whole, information regarding the progression of pupils who are English learners in attaining proficiency in the English language, including, without limitation:

(a) The number and percentage of pupils who were identified as English learners at the beginning of the school year, were continually enrolled throughout the school year and were identified as proficient in English by the completion of the school year;

(b) The achievement and proficiency of pupils who are English learners in comparison to the pupils who are proficient in English;

(c) A comparison of pupils who are English learners and pupils who are proficient in the English language in the following areas:

- (1) Retention rates;
- (2) Graduation rates;
- (3) Dropout rates;
- (4) Grade point averages; and

(5) ~~{Scores}~~ *Except as otherwise provided in subsection 6 of NRS 390.105, scores on the examinations administered pursuant to*

NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610; and

(d) Results of the assessments and reassessments of pupils who are English learners, reported separately by the primary language of the pupils, pursuant to the policies developed by the boards of trustees of school districts pursuant to NRS 388.407.

2. The data reported pursuant to subparagraph (5) of paragraph (c) of subsection 1 must be reported separately:

(a) According to subject matter areas measured using the examinations administered pursuant to NRS 390.105 and the college and career readiness assessment administered pursuant to NRS 390.610;

(b) For pupils who are newcomers to the English language, pupils who are short-term English learners and pupils who are long-term English learners, as designated by regulation of the State Board; and

(c) For middle schools, junior high schools and high schools, according to any identified trends in the proficiency in the English language of pupils who are English learners over the immediately preceding 3 years.

Sec. 6.3. NRS 385A.600 is hereby amended to read as follows:

385A.600 1. The Department shall make every effort to obtain the approval necessary from the United States Department of Education to ensure that the statewide system of accountability for public schools complies with all requirements for the receipt of federal money under the Elementary and Secondary Education Act of 1965, 20 U.S.C. §§ 6301 et seq., as amended.

2. The statewide system of accountability applies to all public schools, regardless of Title I status, and must ~~be~~, *except as otherwise provided in subsection 3 of NRS 385A.720:*

(a) Include a method to, on an annual basis, rate each public school based upon the performance of the school and based upon whether each public school meets the school achievement targets and performance targets established pursuant to the statewide system of accountability;

(b) Include a method to implement consequences, rewards and supports for public schools based upon the ratings;

(c) Include a method to provide grants and other financial support, to the extent that money is available from legislative appropriation, to public schools receiving one of the two lowest ratings of performance pursuant to the statewide system of accountability for public schools; and

(d) Establish school achievement targets and performance targets for public schools and performance targets for specific groups of pupils, including, without limitation, pupils who are economically disadvantaged, pupils from major racial and ethnic groups, pupils with disabilities and pupils who are English learners. The school achievement targets and performance targets must:

(1) Be based primarily upon the measurement of the progress and proficiency of pupils on the examinations administered pursuant to NRS 390.105; and

(2) For high schools, include the rate of graduation and the rate of attendance.

3. ~~The~~ Except as otherwise provided in subsection 3 of NRS 385A.720, the statewide system of accountability for public schools may include a method to:

(a) On an annual basis, rate school districts based upon the performance of the public schools within the school district and whether those public schools meet the school achievement targets and performance targets established pursuant to the statewide system of accountability; and

(b) Implement consequences, rewards and supports for school districts based upon the ratings.

Sec. 6.7. NRS 385A.720 is hereby amended to read as follows:

385A.720 1. Except as otherwise provided in subsection 3:

(a) Based upon the information received from the Department pursuant to NRS 385A.670, the board of trustees of each school district shall, on or before August 15 of each year, issue a preliminary rating for each public school in the school district in accordance with the statewide system of accountability for public schools, excluding charter schools sponsored by the State Public Charter School Authority or a college or university within the Nevada System of Higher Education.

(b) The board of trustees shall make preliminary ratings for all charter schools that are sponsored by the board of trustees.

(c) The Department shall make preliminary ratings for all charter schools sponsored by the State Public Charter School Authority and all charter schools sponsored by a college or university within the Nevada System of Higher Education.

2. Except as otherwise provided in subsection 3:

(a) Before making a final rating for a school, the board of trustees of the school district or the Department, as applicable, shall provide the school an opportunity to review the data upon which the preliminary rating is based and to present evidence.

(b) If the school is a public school of the school district or a charter school sponsored by the board of trustees, the board of trustees of the school district shall, in consultation with the Department, make a final determination concerning the rating for the school on September 15.

(c) If the school is a charter school sponsored by the State Public Charter School Authority or a college or university within the Nevada System of Higher Education, the Department shall make a final determination concerning the rating for the school on September 15.

3. The Department may temporarily waive or otherwise pause the requirement to make ratings for public schools that comply with 20 U.S.C.

§ 6311(c) pursuant to this section if the United States Department of Education grants a waiver from or otherwise pauses the requirements of 20 U.S.C. § 6311(c).

4. On or before September 15 of each year, the Department shall post on the Internet website maintained by the Department the determinations and final ratings made for all schools in this State.

Sec. 6.9. NRS 387.131 is hereby amended to read as follows:

387.131 1. On or before July 1 of each year, the Department shall, using the final count of pupils from the previous school year, determine the number of pupils in each public school who:

(a) Are English learners or are eligible for a free or reduced-price lunch pursuant to 42 U.S.C. §§ 1751 et seq.;

(b) Scored at or below the 25th percentile on an assessment of proficiency described in paragraphs (a) to (e), inclusive, of subsection 1 of NRS 387.137 or, for a grade level for which such an assessment does not exist or does not provide sufficient information to identify all such pupils, are projected to be at or below the 25th percentile for proficiency by the Department pursuant to subsection 2 of NRS 387.137;

(c) Are not enrolled at a Zoom school or Victory school; and

(d) Do not have an individualized education program.

2. On or before July 1 of each year, the Department shall determine, beginning with the category of all public schools that received the lowest rating possible indicating underperformance of a public school, as determined by the Department pursuant to the statewide system of accountability for public schools, for the most recent school year for which the public school received an annual rating, and proceeding through each category of all public schools that received the immediately higher rating until not all public schools within a category could be funded, each category of public schools for which the Department could provide a per pupil allocation of \$1,200 from the Account for the New Nevada Education Funding Plan created by NRS 387.129 for the upcoming school year for each pupil identified in subsection 1 who is enrolled at each public school in the category.

3. If the Department determines that one or more categories of public schools could not be fully funded pursuant to subsection 2, the Department shall rank each public school within the lowest category of public schools that could not be fully funded pursuant to subsection 2 by the highest number of pupils identified in subsection 1 who are enrolled at each such public school.

4. On or before July 15 of each year, the Department shall transfer money from the Account for the New Nevada Education Funding Plan to the board of trustees of each school district and each sponsor of a charter school on a per pupil basis as follows:

(a) First, for each public school within a category identified in subsection 2 as capable of being fully funded which is located in the school

district or sponsored by the sponsor, as applicable, an amount of \$1,200 per pupil identified in subsection 1 who is enrolled at the public school; and

(b) Second, beginning with the highest ranked public school pursuant to subsection 3 and until the money in the Account for the New Nevada Education Funding Plan is exhausted, an amount of \$1,200 per pupil identified in subsection 1 who is enrolled at the public school.

↪ The board of trustees of a school district or the sponsor of a charter school that receives money pursuant to this subsection shall distribute the money to each identified public school on a per pupil basis for each pupil identified in subsection 1 who is enrolled at the public school.

Sec. 7. NRS 387.137 is hereby amended to read as follows:

387.137 1. To determine the proficiency of a pupil pursuant to paragraph (b) of subsection 1 of NRS 387.131, the Department shall use, for a pupil who is:

(a) An English learner in any grade, the assessment of proficiency in the English language prescribed by the State Board pursuant to NRS 390.810.

(b) In kindergarten or grade 1 or 2, the assessment implemented by the Department for those grades.

(c) In grade 3, 4, 5, 6, 7 or 8, *except as otherwise provided in subsection 6 of NRS 390.105*, the examinations administered pursuant to NRS 390.105.

(d) In grade 9 or 10, the assessment implemented by the Department for those grades.

(e) In grade 11 or 12, the college and career readiness assessment administered pursuant to NRS 390.610.

2. The Department shall, by regulation, establish a method for projecting the number of pupils who are at or below the 25th percentile for proficiency in any grade level for which an assessment identified in subsection 1 does not exist or does not provide sufficient information to identify all such pupils. Such a method may allow for the number of pupils to be projected by examining:

(a) The proficiency of pupils in nearby grade levels if an assessment for a grade level has not been fully implemented; or

(b) Information on credit deficiency for any grade in high school for which insufficient information exists to identify all such pupils.

Sec. 7.2. NRS 388A.300 is hereby amended to read as follows:

388A.300 1. ~~The~~ *Except as otherwise provided in subsection 3 of NRS 385A.720, the* sponsor of a charter school shall terminate the charter contract of the charter school or restart the charter school under a new charter contract if the charter school receives, in any period of 5 consecutive school years, three annual ratings established as the lowest rating possible indicating underperformance of a public school, as determined by the Department pursuant to the statewide system of accountability for public schools.

2. A charter school's annual rating pursuant to the statewide system of accountability based upon the performance of the charter school must not be

included in the count of annual ratings for the purposes of subsection 1 for any school year before the 2015-2016 school year.

3. If a charter contract is terminated or a charter school is restarted pursuant to subsection 1, the sponsor of the charter school shall submit a written report to the Department and the governing body of the charter school setting forth the reasons for the termination or restart of the charter school not later than 10 days after terminating the charter contract or restarting the charter school.

4. The provisions of NRS 388A.330 do not apply to the termination of a charter contract or restart of the charter school pursuant to this section.

5. The Department shall adopt regulations governing procedures to restart a charter school under a new charter contract pursuant to subsection 1. Such regulations must include, without limitation, requiring a charter school that is restarted to enroll a pupil who was enrolled in the charter school before the school was restarted before any other eligible pupil is enrolled.

Sec. 7.4. NRS 388A.456 is hereby amended to read as follows:

388A.456 1. Before a charter school enrolls pupils who are eligible for enrollment pursuant to NRS 388A.453, a charter school may enroll a child who:

- (a) Is a sibling of a pupil who is currently enrolled in the charter school.
- (b) Was enrolled, free of charge and on the basis of a lottery system, in a prekindergarten program at the charter school or any other early childhood educational program affiliated with the charter school.
- (c) Is a child of a person:
 - (1) Who is employed by the charter school;
 - (2) Who is a member of the committee to form the charter school;
 - (3) Who is a member of the governing body of the charter school; or
 - (4) Who resides on or is employed on the federal military installation, if the charter school is located on a federal military installation;
- (d) Is enrolled at a charter school with which the charter school has an articulation agreement, approved by the sponsor, providing for priority enrollment.
- (e) Is in a particular category of at-risk pupils and the child meets the eligibility for enrollment prescribed by the charter school for that particular category.
- (f) At the time his or her application is submitted, is enrolled in a public school of a school district with an enrollment that is more than 25 percent over the public school's intended capacity, as reported on the list maintained by the school district pursuant to subsection 4. If a charter school enrolls pupils who are enrolled in such a public school before enrolling other pupils who are eligible for enrollment, the charter school must enroll such pupils who reside within 2 miles of the charter school before enrolling other such pupils.
- (g) At the time his or her application is submitted, is enrolled in a public school that received an annual rating established as one of the two lowest

ratings possible indicating underperformance of a public school, as determined by the Department pursuant to the statewide system of accountability for public schools for the ~~immediately preceding~~ *most recent* school year ~~(-)~~ *for which the public school received an annual rating.* If a charter school enrolls pupils who are enrolled in such a public school before enrolling other pupils who are eligible for enrollment, the charter school must enroll such pupils who reside within 2 miles of the charter school before enrolling other such pupils.

(h) Resides within the school district and within 2 miles of the charter school if the charter school is located in an area that the sponsor of the charter school determines includes a high percentage of children who are at risk. If space is available after the charter school enrolls pupils pursuant to this paragraph, the charter school may enroll children who reside outside the school district but within 2 miles of the charter school if the charter school is located within an area that the sponsor determines includes a high percentage of children who are at risk.

2. If more pupils described in this section who are eligible apply for enrollment than the number of spaces available, the charter school shall determine which applicants to enroll pursuant to this section on the basis of a lottery system.

3. A lottery held pursuant to subsection 2 must be held not sooner than 45 days after the date on which a charter school begins accepting applications for enrollment unless the sponsor of the charter school determines there is good cause to hold it sooner.

4. Each school district shall create and maintain a list which specifies for each public school of the school district, the maximum enrollment capacity for each school, the actual number of pupils enrolled at each school and the percentage by which enrollment at each school exceeds the intended enrollment capacity, if applicable. Each school district shall post the list on the Internet website maintained by the school district as soon as practicable after the count of pupils is completed pursuant to NRS 387.1223 but not later than November 1 of each year.

Sec. 7.6. NRS 388A.518 is hereby amended to read as follows:

388A.518 1. Except as otherwise provided in this subsection, at least 70 percent of the teachers who provide instruction at a charter school must demonstrate experience and qualifications through licensure or subject matter expertise. If a charter school operates a vocational school, the charter school shall, to the extent practicable, ensure that at least 70 percent of the teachers who provide instruction at the school demonstrate experience and qualifications through licensure or subject matter expertise, but in no event may less than 50 percent of the teachers who provide instruction at the school demonstrate experience and qualifications through licensure or subject matter expertise.

2. If a charter school specializes in:

(a) Arts and humanities, physical education or health education, a teacher must demonstrate experience and qualifications through licensure or subject matter expertise to teach those courses of study.

(b) The construction industry or other building industry, teachers who are employed full-time to teach courses of study relating to business and industry must:

(1) Demonstrate experience and qualifications through subject matter expertise; or

(2) Hold a license issued by the Superintendent of Public Instruction which contains an endorsement to teach such courses.

3. A teacher who is employed by a charter school, regardless of the date of hire, must demonstrate experience and qualifications through licensure or subject matter expertise if the teacher teaches one or more of the following subjects:

- (a) English language arts;
- (b) Mathematics;
- (c) Science;
- (d) A foreign or world language;
- (e) Civics or government;
- (f) Economics;
- (g) Geography;
- (h) History; or
- (i) The arts.

4. Except as otherwise provided in NRS 388A.515, a charter school may employ a person who does not demonstrate experience and qualifications through licensure or subject matter expertise to teach a course of study for which a teacher is not required to demonstrate such experience and qualifications if the person has:

- (a) A degree, a license or a certificate in the field for which the person is employed to teach at the charter school; and
- (b) At least 2 years of experience in that field.

5. A teacher who is employed by a charter school to teach special education or English as a second language must be licensed to teach special education or English as a second language, as applicable.

6. For purposes of this section, a teacher demonstrates experience and qualifications through licensure or subject matter expertise:

(a) If the teacher is employed by a charter school that has not received, within the ~~immediately preceding~~ most recent 2 consecutive school years ~~for which the charter school received an annual rating~~, one of the three highest ratings of performance pursuant to the statewide system of accountability for public schools, or equivalent ratings in another state, as determined by the Department, and the:

(1) Overall performance of the teacher has been reported as effective or highly effective, in accordance with the regulations adopted by the State Public Charter School Authority; and

(2) Teacher is licensed to teach pursuant to chapter 391 of NRS.

(b) If the teacher is employed by a charter school that has received, within the ~~immediately preceding~~ most recent 2 consecutive school years ~~for~~ for which the charter school received an annual rating, one of the three highest ratings of performance pursuant to the statewide system of accountability for public schools, or equivalent ratings in another state, as determined by the Department, and the:

(1) Overall performance of the teacher has been reported as effective or highly effective, in accordance with the regulations adopted by the State Public Charter School Authority, regardless of whether the teacher is licensed to teach pursuant to chapter 391 of NRS; or

(2) The teacher holds a bachelor's degree or a graduate degree from an accredited college or university and has demonstrated expertise in the subject area for which the teacher provides instruction on an assessment approved by the Department, in consultation with sponsors of charter schools described in this paragraph, regardless of whether the teacher is licensed to teach pursuant to chapter 391 of NRS.

7. If a charter school that has received within the ~~immediately preceding~~ most recent 2 consecutive school years ~~for~~ for which the charter school received an annual rating, one of the three highest ratings of performance pursuant to the statewide system of accountability for public schools, or equivalent ratings in another state, as determined by the Department, intends to employ persons to teach who are not licensed, the charter school shall within 3 years:

(a) Obtain approval for and offer an alternative route to licensure pursuant to NRS 391.019; or

(b) Enter into an agreement with a qualified provider of an alternative route to licensure to provide the required education and training to unlicensed teachers who are employed by the school to teach such a course of study.

Sec. 7.8. NRS 388A.650 is hereby amended to read as follows:

388A.650 Except as otherwise provided in NRS 388A.685, the Director of the Department of Business and Industry shall not finance a project unless, before financing the project, the Director of the Department of Business and Industry finds and the State Board of Finance approves the findings of the Director of the Department of Business and Industry that:

1. The project consists of any land, building or other improvement, and all real and personal properties necessary in connection therewith, which is suitable for new construction, improvement, restoration or rehabilitation of charter school facilities;

2. The charter school for whose benefit the project is being financed is not in default under the charter contract granted by its sponsor, as determined by the sponsor;

3. The charter school for whose benefit the project is being financed has received, within the ~~immediately preceding~~ *most recent* 2 consecutive school years ~~[]~~ *for which the charter school received an annual rating*, one of the three highest ratings of performance pursuant to the statewide system of accountability for public schools, or has received equivalent ratings in another state, as determined by the Department of Education;

4. There are sufficient safeguards to ensure that all money provided by the Director of the Department of Business and Industry will be expended solely for the purposes of the project;

5. There are sufficient safeguards to ensure that the Director of the Department of Business and Industry will have the ability to monitor compliance with the provisions of NRS 388A.550 to 388A.695, inclusive, on an ongoing basis with respect to the project;

6. Through the advice of counsel or other reliable source, the project has received all approvals by the local, state and federal governments which may be necessary to proceed with construction, improvement, rehabilitation or redevelopment of the project; and

7. There has been a request by a charter school, lessee, purchaser or other obligor to have the Director of the Department of Business and Industry issue bonds to finance the project.

Sec. 8. NRS 390.105 is hereby amended to read as follows:

390.105 1. ~~The~~ *Except as otherwise provided in subsection 6, the State Board shall, in consultation with the Council to Establish Academic Standards for Public Schools, prescribe examinations that comply with 20 U.S.C. § 6311(b)(2) and that measure the achievement and proficiency of pupils:*

(a) For grades 3, 4, 5, 6, 7 and 8, in the standards of content established by the Council for the subjects of English language arts and mathematics.

(b) For grades 5 and 8, in the standards of content established by the Council for the subject of science.

(c) For grades 9, 10, 11 and 12, in the standards of content established by the Council for the subjects required to comply with 20 U.S.C. § 6311(b)(2).

↪ The examinations prescribed pursuant to this subsection must be written, developed, printed and scored by a nationally recognized testing company.

2. In addition to the examinations prescribed pursuant to subsection 1, the State Board shall, in consultation with the Council to Establish Academic Standards for Public Schools, prescribe a writing examination for grades 5 and 8.

3. The Department shall ensure the availability of:

(a) The examinations prescribed pursuant to subsections 1 and 2 to pupils in any language in which those examinations are published; and

(b) Authorized supports to pupils who are English learners for the examinations prescribed pursuant to subsections 1 and 2.

4. The State Board shall prescribe:

(a) The minimum number of school days that must take place before the examinations prescribed by the State Board pursuant to subsection 1 may be administered to pupils; and

(b) The period during which the examinations prescribed by the State Board pursuant to subsection 1 must be administered.

5. The board of trustees of each school district and the governing body of each charter school shall administer the examinations prescribed by the State Board at such times as prescribed by the State Board pursuant to subsection 4. The examinations must be:

(a) Administered in each school in accordance with uniform procedures adopted by the State Board. The Department shall monitor the school districts and individual schools to ensure compliance with the uniform procedures.

(b) Administered in each school in accordance with the plan adopted pursuant to NRS 390.270 by the Department and with the plan adopted pursuant to NRS 390.275 by the board of trustees of the school district in which the examinations are administered. The Department shall monitor the compliance of school districts and individual schools with:

(1) The plan adopted by the Department; and

(2) The plan adopted by the board of trustees of the applicable school district, to the extent that the plan adopted by the board of trustees of the school district is consistent with the plan adopted by the Department.

6. *The Department may temporarily waive or otherwise pause the requirement to administer examinations that comply with 20 U.S.C. § 6311(b)(2) pursuant to this section if the United States Department of Education grants a waiver from or otherwise pauses the requirements of 20 U.S.C. § 6311(b)(2).*

Sec. 9. NRS 390.125 is hereby amended to read as follows:

390.125 1. The Department shall adopt a model to measure the achievement of pupils enrolled in grades 3 to 8, inclusive, *except as otherwise provided in subsection 6 of NRS 390.105*, based upon the results of the examinations administered pursuant to NRS 390.105. The model must be designed so that the progress of pupils enrolled in a public school may be tracked from year to year to determine whether the school has made progress in the achievement of pupils.

2. The board of trustees of each school district and the governing body of each charter school shall apply the model in the format required by the Department. The information collected must be used to determine whether individual schools have made progress in the achievement of pupils.

Sec. 10. NRS 390.290 is hereby amended to read as follows:

390.290 1. If the Department determines that:

(a) At least one irregularity in testing administration occurred at a school, including, without limitation, a charter school, during 1 school year on the examinations administered pursuant to NRS 390.105;

(b) In the immediately succeeding school year ~~in which an examination was administered pursuant to NRS 390.105~~, at least one additional irregularity in testing administration occurred at that school on the examinations administered pursuant to NRS 390.105; and

(c) Based upon the criteria set forth in subsection 2, the irregularities described in paragraphs (a) and (b) warrant an additional administration of the examinations,

↳ the Department shall notify the school and the school district in which the school is located that the school is required to provide for an additional administration of the examinations to pupils who are enrolled in a grade that is required to take the examinations pursuant to NRS 390.105 or to the pupils the Department determines must take the additional administration pursuant to subsection 3. The additional administration must occur in the same school year in which the irregularity described in paragraph (b) occurred. Except as otherwise provided in this subsection, the school district shall pay for all costs related to the administration of examinations pursuant to this subsection. If a charter school is required to administer examinations pursuant to this subsection, the charter school shall pay for all costs related to the administration of the examinations to pupils enrolled in the charter school.

2. In determining whether to require a school to provide for an additional administration of examinations pursuant to this section, the Department shall consider:

(a) The effect of each irregularity in testing administration, including, without limitation, whether the irregularity required the scores of pupils to be invalidated; and

(b) Whether sufficient time remains in the school year to provide for an additional administration of examinations.

3. If the Department determines pursuant to subsection 2 that a school must provide for an additional administration of examinations, the Department may consider whether the most recent irregularity in testing administration affected the test scores of a limited number of pupils and require the school to provide an additional administration of examinations pursuant to this section only to those pupils whose test scores were affected by the most recent irregularity.

4. The Department shall provide as many notices pursuant to this section during 1 school year as are applicable to the irregularities occurring at a school. A school shall provide for additional administrations of examinations pursuant to this section within 1 school year as applicable to the irregularities occurring at the school.

Sec. 11. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 12. This act becomes effective upon passage and approval.

Senator Denis moved that the Senate concur in Assembly Amendment No. 21 to Senate Bill No. 83.

Remarks by Senator Denis.

Amendment No. 21 to Senate Bill No. 83 authorizes Nevada's Department of Education to temporarily waive or pause the requirement to make ratings for public schools if the United States Department of Education grants a waiver or otherwise pauses these requirements. We previously made an amendment that allowed for this on the Federal side. This clarifies things for the State side.

Motion carried by a constitutional majority.

Bill ordered enrolled.

Senator Cannizzaro moved that the Senate recess until 3:30 p.m.

Motion carried.

Senate in recess at 12:15 p.m.

SENATE IN SESSION

At 4:49 p.m.

President Marshall presiding.

Quorum present.

REPORTS OF COMMITTEE

Madam President:

Your Committee on Finance, to which was re-referred Senate Bill No. 47, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

CHRIS BROOKS, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

Senator Harris has approved the addition of Senators Ohrenschall and Spearman as a sponsors of Senate Bill No. 212.

INTRODUCTION, FIRST READING AND REFERENCE

By Senators Settlemeyer, Hammond and Hansen:

Senate Bill No. 321—AN ACT relating to education; creating the Nevada System of Community Colleges; creating the State Board for Community Colleges to administer the community colleges within the System and supervise and control the System separate from the Nevada System of Higher Education; providing for the appointment by the Governor of the membership of the Board; establishing the powers, duties and responsibilities of the Board; authorizing the Board to employ an Executive Director and delegate to the Executive Director any of the powers and duties of the Board; providing for the creation of and the appointment by the Governor of the membership of a board of trustees for each community college within the Nevada System of Community Colleges; establishing the powers, duties and responsibilities of the boards of trustees of the community colleges; providing for the selection

of a president for each community college; establishing the Articulation and Transfer Board; transferring to the Board and to the boards of trustees of the community colleges, as applicable, the powers and duties of the Board of Regents of the University of Nevada relating to the supervision and control of community colleges; providing penalties; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Education.
Motion carried.

By Senators Buck and Hansen:

Senate Bill No. 322—AN ACT relating to residential property; prohibiting a board of county commissioners and the governing body of an incorporated city from enacting or enforcing certain ordinances relating to short-term rentals; imposing certain requirements relating to violations of ordinances relating to short-term rentals; exempting short-term rentals and certain other rentals of residential units from certain taxes imposed on transient lodging; imposing a tax on the gross receipts of short-term rentals in a county; providing for the administration and enforcement of such tax by the Department of Taxation; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Settlemeyer, Hardy, Goicoechea and Hammond:

Senate Bill No. 323—AN ACT relating to public health; authorizing a business to designate a portion of the premises on which the business operates where certain restrictions to restrain the spread of COVID-19 do not apply; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ohrenschall:

Senate Bill No. 324—AN ACT relating to mobile home parks; revising provisions relating to the provision of electrical service at mobile home parks; and providing other matters properly relating thereto.

Senator Ratti moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By Senator Settlemeyer:

Senate Bill No. 325—AN ACT relating to health care; requiring the State Board of Pharmacy to prescribe a protocol authorizing a pharmacist to prescribe and dispense drugs to prevent the acquisition of human immunodeficiency virus and perform certain laboratory tests; requiring certain

health plans to include coverage for such drugs and testing; and providing other matters properly relating thereto.

Senator Ratti moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Senator Hardy:

Senate Bill No. 326—AN ACT relating to professions; authorizing a provider of health care who is licensed or certified in another state to register to use telehealth to provide services to patients located in this State; requiring the Board of Medical Examiners and the State Board of Osteopathic Medicine to prescribe electronic application forms and report certain information to the Legislature; requiring the Commissioner of Insurance to prescribe a form on which a physician may apply to be included in the network of providers of any health carrier who provides coverage to residents of this State; and providing other matters properly relating thereto.

Senator Ratti moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Senator Neal:

Senate Bill No. 327—AN ACT relating to discrimination; prohibiting certain types of discrimination relating to race in employment and education; revising provisions governing the authority of the Nevada Equal Rights Commission to investigate certain acts of prejudice against a person with regard to employment; revising provisions governing the procedures used by and notices given by the Nevada Equal Rights Commission; establishing certain requirements for testing which is used by a county or city for a decision regarding promotion of an employee; revising provisions governing the subjects that are subject to negotiation for certain collective bargaining agreements; revising provisions governing the policy for all school districts and schools in this State to provide a safe and respectful learning environment; establishing certain requirements for testing which is used by a school district for a decision regarding promotion of an employee; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Lange:

Senate Bill No. 328—AN ACT relating to energy; requiring certain electric utilities to include in the resource plan submitted to the Public Utilities Commission of Nevada a plan for the procurement of energy storage systems as necessary to meet targets for the procurement of such systems; revising provisions requiring the Commission to establish targets for the procurement of energy storage systems; authorizing the Commission to waive energy

storage system procurement targets or to not establish such targets under certain circumstances; establishing qualifications for persons who install energy storage systems; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Lange:

Senate Bill No. 329—AN ACT relating to health care; requiring a hospital or physician group practice to notify the Department of Health and Human Services of certain transactions; prohibiting an insurer, a physician or a health care facility from entering into a contract that contains certain provisions; authorizing the imposition of certain administrative sanctions; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Pickard:

Senate Bill No. 330—AN ACT relating to education; requiring the board of trustees of each school district to report to the Department of Education an explanation of expenditures; requiring such a report to be posted on certain Internet websites; requiring the board of trustees of a school district to base the budget on the total amount of money available per pupil in the preceding fiscal year; requiring the budget to include certain information relating to expenditures; requiring the system of accounting for public schools to be based on generally accepted accounting principles; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Pickard:

Senate Bill No. 331—AN ACT making an appropriation from the State Highway Fund to the Interim Finance Committee for allocation to the Nevada Highway Patrol Division of the Department of Public Safety for the costs of restoring certain suspended merit salary increases; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Scheible:

Senate Bill No. 332—AN ACT relating to structured settlements; requiring structured settlement purchase companies to register with the Secretary of State; prohibiting certain activities by structured settlement purchase companies and their employees and representatives; setting forth procedures

and requirements concerning the transfer of structured settlement payment rights; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By Senator Buck:

Senate Bill No. 333—AN ACT relating to taxation; establishing a credit against the modified business tax and the general tax on insurance premiums for a taxpayer who donates money to a charter school tax credit organization; providing for the appointment of a charter school tax credit organization to distribute donations to eligible charter schools; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By Senator Ohrenschall:

Senate Bill No. 334—AN ACT relating to domestic relations; authorizing hearings and trials relating to domestic relations to be conducted in private; establishing various provisions concerning records of actions relating to domestic relations; revising provisions relating to the disposition of community property; repealing certain provisions, including those relating to the disposition of a pension or retirement benefit provided by the Public Employees' Retirement System or the Judicial Retirement Plan; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Judiciary.
Motion carried.

By Senator Hardy:

Senate Bill No. 335—AN ACT relating to professional licensing; creating the Division of Occupational Licensing within the Department of Business and Industry; creating the position of Administrator of the Division; setting forth the powers and duties of the Division and the Administrator; creating the Occupational Licensing Account; requiring each board that regulates a provider of health care to comply with certain requirements relating to the creation, retention and public disclosure of records; requiring 5 percent of the fees received by each such board to be deposited in the Occupational Licensing Account; abolishing certain boards that regulate certain professions and occupations; transferring the powers and duties of such boards to the Division; revising the membership of the Board of Medical Examiners and the State Board of Osteopathic Medicine; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 336—AN ACT relating to veterinary medicine; authorizing the Nevada State Board of Veterinary Medical Examiners to refuse to issue a registration to practice certain professions and occupations under certain circumstances; revising the persons and acts to which the provisions governing veterinary medicine apply; revising provisions governing service of process and notices; making certain provisions applicable to persons who are registered by the Board pursuant to regulations adopted by the Board; requiring a veterinary technician who is appointed to the Board to make an oath that he or she is legally qualified to practice as a veterinary technician in this State; making certain acts unlawful; revising requirements to practice veterinary medicine, surgery, obstetrics or dentistry in this State; requiring a euthanasia technician who ceases to be employed by certain entities to take certain actions; revising provisions governing the renewal of licenses and registrations; revising the requirements for the reporting of claims for malpractice or negligence; revising the persons who may administer certain vaccinations for zoonotic diseases; revising the acts which constitute grounds for disciplinary action; revising the requirements governing the investigation and disposition of a complaint by the Board; revising provisions governing the disciplinary actions which the Board may take; providing penalties; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Senator Harris:

Senate Bill No. 337—AN ACT relating to the administration of justice; requiring each prosecutorial office to establish, by July 1, 2030, a system of blind charging when determining whether criminal charges should be filed against a person; requiring each district attorney to establish, by July 1, 2030, a system of blind charging when determining whether a petition alleging delinquency of a child should be filed; requiring the preparation and submittal of certain reports concerning the implementation of systems of blind charging; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Goicoechea and Settlemeyer:

Senate Bill No. 338—AN ACT relating to taxation; authorizing an affected local government to deny an application for a partial abatement of certain taxes levied on a facility that generates electricity from geothermal resources by or for the benefit of the local government; and providing other matters properly relating thereto.

Senator Ratti moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

Senator Cannizzaro moved that the Senate adjourn until Tuesday, March 23, 2021, at 11:00 a.m.

Motion carried.

Senate adjourned at 4:53 p.m.

Approved:

KATE MARSHALL
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate