

NEVADA LEGISLATURE

81st Session, 2021

SENATE DAILY JOURNAL

THE FIFTY-FOURTH DAY

CARSON CITY (Friday), March 26, 2021

Senate called to order at 11:33 a.m.

President Marshall presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Don Baumann.

Gracious God, we thank You for the richness of the heritage that we received from the family in which we grew up. We also thank You for the vibrance that diverse cultures add to our own lives and to our State.

Today, we think of our friends, family, neighbors and colleagues of Asian descent and thank You for each one of them. We are grateful as we reflect on the significant contributions of Asian Americans in the history of Nevada, their vital ongoing role and their engaging cultures.

Most of all, we treasure the individuals we do not regard as Asian Americans, our family and dear friends. Our hearts are deeply troubled by the rising tide of violence against Asian Americans throughout our Nation. We ask that You protect the Asian communities in our State. May we stand together strongly against all hatred directed toward them, along with other ethnic communities. Help us to reassure our Asian-American family, friends, neighbors and colleagues that they are loved, respected and valued.

We ask this in the Name of our Creator, 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.

MESSAGES FROM ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 25, 2021

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 7.

CAROL AIELLO-SALA
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Growth and Infrastructure:

Senate Joint Resolution No. 12—Expressing the priority of the timely completion of the Tahoe East Shore Trail extension project and urging Congress to provide federal funding for completion of the project.

Senator Harris moved that the resolution be referred to the Committee on Growth and Infrastructure.

Motion carried.

By the Committee on Education:

Senate Concurrent Resolution No. 9—Expressing support for the Nevada System of Higher Education to work collaboratively in its science and research efforts addressing the needs of the Lake Tahoe Basin.

Senator Denis moved that the resolution be referred to the Committee on Education.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Health and Human Services:

Senate Bill No. 372—AN ACT relating to fire; revising reporting requirements relating to the treatment of persons who sustain burn injuries; revising provisions relating to the investigation of those reports; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 373—AN ACT relating to state employees; authorizing collective bargaining for certain state employees; providing for the recognition of professional organizations; providing for the establishment of bargaining units and the designation of exclusive representatives; establishing certain rights for professional organizations and professional employees; establishing procedures for collective bargaining and for making collective bargaining agreements; authorizing the Government Employee-Management Relations Board to collect certain fees; prohibiting certain practices relating to collective bargaining; 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 Pickard:

Senate Bill No. 374—AN ACT relating to taxation; providing for the imposition, administration, collection and enforcement of a tax on certain digital products electronically transferred to a purchaser; extending the excise tax on admission to certain facilities where live entertainment is provided to include the increase in price of a ticket for admission upon resale; requiring the Department of Taxation to treat a construction contractor as the consumer

of tangible personal property used in performing a construction contract; revising provisions relating to the imposition of transient lodging taxes on the gross receipts of room remarketers from the reserving of, arranging for, conveying of or furnishing of the right to use or occupy transient lodging; establishing provisions regulating the lease of a passenger car through a personal vehicle sharing program; imposing a governmental services fee and authorizing certain counties to impose a fee on the lease of a passenger car through a personal vehicle sharing program; providing penalties; 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 Pickard:

Senate Bill No. 375—AN ACT relating to education; creating the Enhanced Classroom Funding Account; authorizing certain uses of money in the Account; making an appropriation to the Account; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 376—AN ACT relating to child welfare; requiring an agency which provides child welfare services to assign a certain disposition for each report concerning the possible abuse or neglect of a child received or referred to the agency; defining the types of dispositions for purposes of this requirement; 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 the Committee on Health and Human Services:

Senate Bill No. 377—AN ACT relating to protection of children; revising provisions relating to the funding of the adoption assistance program; 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 the Committee on Health and Human Services:

Senate Bill No. 378—AN ACT relating to insurance; requiring certain insurers that provide coverage for prescription drugs to include in half of the plans that provide such coverage certain limitations on costs to an insured for prescription drugs; 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 the Committee on Health and Human Services:

Senate Bill No. 379—AN ACT relating to health care; requiring the Director of the Department of Health and Human Services to establish and maintain a database comprised of information concerning providers of health care who are licensed, certified or registered in this State; requiring or authorizing certain professional licensing boards and agencies that license, certify or register providers of health care to collect information from applicants for the renewal of a license, certificate or registration; establishing the Health Care Workforce Working Group within the Department to analyze the information in the database and perform certain related duties; 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 the Committee on Health and Human Services:

Senate Bill No. 380—AN ACT relating to prescription drugs; requiring certain entities that report information under the program for tracking and reporting of information concerning the pricing of prescription drugs to register with the Department of Health and Human Services and pay a registration fee; expanding the information that is reported; requiring additional entities to make a report; requiring certain reporting entities to affirm the accuracy of the information in the reports; authorizing the Department to take certain measures to enforce requirements to report information; revising requirements concerning the report of the Department on the pricing of prescription drugs; increasing the amount of certain administrative penalties; authorizing the Department to impose an administrative penalty against an entity that fails to register as required; excluding certain information from protection as a trade secret; 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 the Committee on Commerce and Labor:

Senate Bill No. 381—AN ACT relating to businesses; exempting certain creditors from provisions governing deferred deposit loans, high-interest loans and title loans; revising provisions relating to service contracts and providers of services contracts; setting forth various requirements and restrictions for providers of home service contracts; authorizing the Commissioner of Insurance to make certain inquiries into the conduct of providers of home service contracts; requiring providers of service contracts to pay certain fees

biennially rather than annually; setting forth certain requirements relating to the payment of a refund to the holder of a service contract who cancels or returns the service contract; setting forth certain requirements for the content of a service contract; 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 the Committee on Growth and Infrastructure:

Senate Bill No. 382—AN ACT relating to energy; revising requirements for the establishment of energy efficiency goals for electric utilities by the Public Utilities Commission of Nevada; revising provisions governing requirements for an energy efficiency plan submitted by an electric utility; revising provisions governing the recovery by an electric utility of certain amounts related to the implementation of a plan of energy efficiency or conservation; 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 the Committee on Growth and Infrastructure:

Senate Bill No. 383—AN ACT relating to bicycles; revising provisions relating to the classifying, operating, labeling and equipping of electric bicycles; including riding an electric bicycle as a recreational activity for the purposes of the provision governing liability to persons using premises for recreational activities; providing that certain crimes against property apply to electric bicycles; providing a penalty; 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 Settlemeyer:

Senate Bill No. 384—AN ACT relating to taxation; providing for the imposition, collection, administration and enforcement of a tax on electric fuel distributed by an electric utility to an electric vehicle charging station at a public or private parking space for the purpose of charging an electric vehicle to be used on the public highways of this State; 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 the Committee on Judiciary:

Senate Bill No. 385—AN ACT relating to protection of children; revising provisions relating to funding for the implementation of evidence-based

programs and practices in the juvenile justice system; and providing other matters properly relating thereto.

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

By the Committee on Commerce and Labor:

Senate Bill No. 386—AN ACT relating to employment practices; requiring certain employers to provide certain employees with written notices containing certain information in the event of a layoff; requiring an employer to retain certain information relating to a laid-off employee; requiring an employer to offer certain job positions to a laid-off employee under certain circumstances; prohibiting an employer from taking certain adverse actions against certain persons; authorizing civil actions to enforce certain provisions; providing for the severability of certain provisions by a court under 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 Harris:

Senate Bill No. 387—AN ACT relating to telecommunication service; providing for the regulation of certain suppliers that provide an inmate calling service by the Public Utilities Commission of Nevada; 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 the Committee on Commerce and Labor:

Senate Bill No. 388—AN ACT relating to homeopathic medicine; abolishing the Nevada Board of Homeopathic Medical Examiners; transferring the responsibility for regulating the practice of homeopathic medicine to the Division of Public and Behavioral Health of the Department of Health and Human Services and the State Board of Health; authorizing the State Board of Health to establish a Homeopathic Advisory Group; authorizing the Division to contract with certain personnel to fulfill its duties regulating homeopathic 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 Neal:

Senate Bill No. 389—AN ACT relating to motor vehicles; establishing provisions governing the licensing and operation of a peer-to-peer car sharing program; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 9.

Bill read second time and ordered to third reading.

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

Motion carried.

Senate in recess at 11:42 a.m.

SENATE IN SESSION

At 5:15 p.m.

President pro Tempore Denis presiding.

Quorum present.

REPORTS OF COMMITTEE

President pro Tempore:

Your Committee on Commerce and Labor, to which was referred Senate Bill No. 179, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAT SPEARMAN, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

Senator Ratti moved that the action whereby Senate Bill No. 377 was referred to the Committee on Health and Human Services be rescinded and that the bill be referred to the Committee on Finance.

Motion carried.

Senator Ratti moved that the action whereby Senate Bill No. 389 was referred to the Committee on Growth and Infrastructure be rescinded.

Motion carried.

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.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Health and Human Services:

Senate Bill No. 390—AN ACT relating to mental health; providing for the establishment of a suicide prevention and mental health crisis hotline; requiring the imposition of a surcharge on certain communications services to support the hotline; creating the Capital Fund for Behavioral Health; requiring the State Treasurer to deposit the proceeds of certain litigation into the Fund; requiring the Department of Health and Human Services to award grants from

the Fund to support certain capital projects; 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 the Committee on Health and Human Services:

Senate Bill No. 391—AN ACT relating to dentistry; requiring hospitals and issuers of Medicaid managed care plans to take certain measures to ensure access by recipients of Medicaid to teledentistry; authorizing the issuance of a permit as a dental responder to a dentist, dental hygienist or dental therapist who meets certain requirements; authorizing a dental responder to perform certain duties during a declared emergency, disaster, public health emergency or other health event; creating and prescribing the duties of the Committee on Dental Emergency Management; revising the membership of the Committee on Emergency Medical Services; requiring a public or private school or child care facility to accept a dental examination, screening or assessment provided through teledentistry for certain purposes; requiring dental hygienists and dental therapists to comply with certain requirements governing the provision of health care; imposing certain requirements relating to the provision of services through teledentistry; requiring certain providers of dental care to receive training concerning teledentistry; prescribing certain requirements relating to the electronic storage of records; deeming certain conduct by a provider of dental care to be unprofessional conduct; imposing certain requirements concerning the use of prepaid charges and premiums by an organization for dental care; requiring an organization for dental care to report certain financial information; 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 the Committee on Health and Human Services:

Senate Bill No. 392—AN ACT relating to pharmacy benefit managers; requiring pharmacy benefit managers to obtain a license from the Department of Health and Human Services; authorizing the Department to take certain actions to regulate pharmacy benefit managers; enacting certain requirements concerning the operation of a pharmacy benefit manager; requiring pharmacy benefit managers to report information relating to certain coverage regulated under federal law; removing the requirement that a pharmacy benefit manager obtain from the Commissioner of Insurance a certificate of registration as an administrator; providing a penalty; 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 Cannizzaro:

Senate Bill No. 393—AN ACT relating to vehicles; establishing civil penalties for certain traffic and related violations; defining certain traffic and vehicle violations as misdemeanors; creating procedures for civil infractions for traffic and related violations to be adjudicated; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settlemeyer:

Senate Bill No. 394—AN ACT relating to alcoholic beverages; authorizing brew pubs, craft distilleries, estate distilleries and wineries to make limited retail sales of alcoholic beverages for shipment to another location; establishing requirements for shipments of alcohol to retail customers in this State; increasing the quantity of alcohol that may be imported without a license for household or personal use from certain states; providing a penalty; 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 Goicoechea:

Senate Bill No. 395—AN ACT relating to the capital projects of school districts; requiring the board of county commissioners of certain counties, upon the approval of the registered voters of the county, to impose an ad valorem tax for the capital projects of the school districts in those counties; exempting the ad valorem tax from certain partial abatements from taxation and the statutory limitation on the total ad valorem tax levy; authorizing such a school district to use the proceeds of this tax to finance capital projects; 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 the Committee on Health and Human Services:

Senate Bill No. 396—AN ACT relating to prescription drugs; authorizing for-profit health benefit plans to participate in certain arrangements for the purchasing of prescription drugs; authorizing the Department of Health and Human Services to enter into agreements with certain entities in other jurisdictions for the collaborative purchasing of prescription drugs; exempting a contract between the Department and a pharmacy benefit manager or health

maintenance organization entered into pursuant to such an agreement from certain requirements; 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 the Committee on Health and Human Services:

Senate Bill No. 397—AN ACT relating to protection of children; revising provisions relating to certain persons who remain in foster care beyond the age of 18 years; 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 the Committee on Judiciary:

Senate Bill No. 398—AN ACT relating to juvenile justice; requiring the Juvenile Justice Oversight Commission to submit a report containing certain information to the Legislative Committee on Child Welfare and Juvenile Justice; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Spearman:

Senate Bill No. 399—AN ACT relating to employment; expressing the intent of the Legislature regarding the importance of the inclusion of more qualified women on corporate boards of directors; requiring certain corporations to submit an annual report to the Secretary of State that contains information relating to members of their boards of directors; requiring the Secretary of State to make such information available on the Internet website of the Office of the Secretary of State and submit an annual report to the Governor and the Director of the Legislative Counsel Bureau; authorizing the Secretary of State to adopt regulations relating to the submission and disclosure of such information; requiring the Employment Security Division of the Department of Employment, Training and Rehabilitation to submit annually to the Nevada Equal Rights Commission certain information concerning employers whose employees have received unemployment benefits; establishing provisions concerning the review of such information and the investigation into and determination as to whether an employer is engaging in certain unlawful employment practices; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 400—AN ACT relating to consumer protection; revising the penalties for certain unlawful acts relating to weights and measures, public

weighing, petroleum products and advertisements of motor vehicle fuel and petroleum products; requiring the State Sealer of Consumer Equitability to adopt certain regulations; establishing procedures for an administrative hearing in certain circumstances; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 401—AN ACT relating to criminal procedure; requiring justice courts, municipal courts and district courts to maintain certain records relating to pretrial detention and submit such records to the Administrative Office of the Courts; requiring the Court Administrator to submit a quarterly report concerning pretrial detention to the Legislature or the Advisory Commission on the Administration of Justice, as applicable, and to make the report available on the Internet; requiring county and city jails to notify the court having jurisdiction over a defendant if the defendant is held for more than 7 days after bail for the defendant is set at \$2,500 or less; and providing other matters properly relating thereto.

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

Motion carried.

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

Motion carried.

Senate in recess at 5:18 p.m.

SENATE IN SESSION

At 5:21 p.m.

President pro Tempore Denis presiding.

Quorum present.

Senator Cannizzaro moved that the Senate adjourn until Monday, March 29, 2021, at 11:00 a.m.

Motion carried.

Senate adjourned at 5:22 p.m.

Approved:

DENIS MOISES
President pro Tempore

Attest: CLAIRE J. CLIFT
Secretary of the Senate