

NEVADA LEGISLATURE

Eighty-Second Session, 2023

ASSEMBLY DAILY JOURNAL

THE THIRTY-NINTH DAY

CARSON CITY (Thursday), March 16, 2023

Assembly called to order at 11:48 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Gavin Jarvis.

Lord God, in the book of Proverbs it says this:

The Lord gives wisdom; from his mouth come knowledge and understanding; he stores up sound wisdom for the upright; he is a shield to those who walk in integrity, guarding the paths of justice and watching over the way of his saints.

Lord, as the Assembly convenes this morning, I pray for them. You made humanity with wisdom and reason and gave the ability to govern, and you put on the hearts of all here to lead on behalf of the people in our state. You say that you have placed all of us in the times and places that we live, and it is ultimately you who have placed these people in our time and in our state, with the capacity and calling to lead.

Therefore, Father, grant our leaders vision, wisdom, and discernment so they will continue to be strong and effective leaders.

Everyone here knows the gravity of the decisions that they make and their impact on all of Nevada; and I pray that you would give them wisdom. You are not a God of confusion but a God of order and of peace, and I pray that in every action taken here, there would be clarity and understanding that would lead to decisions that lead to the thriving of Nevada. Help them to lead and govern through the remainder of this session with integrity, and may that high commitment to integrity guide them in their decisions and actions today.

I ask that you protect their health, keep them safe, and for those who are away from home, I pray you would grant them rest, as they are away from loved ones and familiar places.

You say that all who come to You may ask You for wisdom and You will give without reproach, and so we lay this before You. To You be the glory and honor forever.

AMEN.

Pledge of Allegiance to the Flag.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce and Labor, to which were referred Assembly Bills Nos. 78, 107, 124, 163, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ELAINE MARZOLA, *Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 15, 2023

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 165.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Joint Resolution No. 1.

Resolution read.

Remarks by Assemblymen McArthur, Bilbray-Axelrod, and O'Neill.

ASSEMBLYMAN MCARTHUR:

Assembly Joint Resolution 1 urges the United States Department of Veterans Affairs to study the effectiveness and use of hyperbaric oxygen therapy for veterans and share the results with the state of Nevada.

ASSEMBLYWOMAN BILBRAY-AXELROD:

I was wondering if the Assemblyman could explain hyperbaric oxygen therapy.

ASSEMBLYMAN MCARTHUR:

Hyperbaric oxygen therapy is basically putting a lot of oxygen into your system. You basically have to have a mask so that you can stay pressurized. It pushes the oxygen at a pressure about three times your normal amount. It helps out the blood and your flexibility. You actually have to have about 20 sessions before it really has an effect.

ASSEMBLYMAN O'NEILL:

In support of our Assemblyman's resolution and to give additional information, there is preliminary information indicating that the therapy assists greatly with both PTSD [post-traumatic stress disorder] treatments and burn treatments—scars. Some of you may be familiar with Jay Leno. He suffered a serious burn while working on a Stanley Steamer vehicle several weeks ago. He was in and out of the hospital within three days, mainly because he received HBOT [hyperbaric oxygen therapy] treatment, at his own expense, during that time. It has proven worthy. I will ask all my membership in this body to vote in favor of it.

Roll call on Assembly Joint Resolution No. 1:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

NOTICE OF WAIVER

A Waiver requested by: Senator Cannizzaro.

For: BDR No. 40-38

Revises provisions governing the costs of health care.

To Waive:

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

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

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

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

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

Has been granted effective: March 16, 2023.

SENATOR NICOLE CANNIZZARO

Senate Majority Leader

ASSEMBLYMAN STEVE YEAGER

Speaker of the Assembly

Assemblywoman Jauregui moved that Assembly Bills Nos. 76 and 268 be taken from their positions on the General File and placed at the top of the General File.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblywoman Peters:

Assembly Bill No. 312—AN ACT relating to environmental justice; creating the Commission on Environmental Justice; setting forth certain duties of the Commission; establishing various requirements for agencies to determine the environmental impact of a proposed regulation on historically underserved communities; and providing other matters properly relating thereto.

Assemblywoman Torres moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblywoman Peters:

Assembly Bill No. 313—AN ACT relating to mining; requiring an operator of a mining operation to submit a revised plan for reclamation under certain circumstances; revising provisions relating to the reclamation of exploration projects and mining operations; revising requirements relating to a plan for reclamation; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Cohen moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By Assemblymen Gallant, Taylor, DeLong, Dickman, Gray and Nguyen and Senator Stone:

Assembly Bill No. 314—AN ACT relating to local government; restricting the authority of a board of county commissioners, governing body of a city or town board to regulate home-based businesses; and providing other matters properly relating thereto.

Assemblywoman Torres moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblywoman Hardy:

Assembly Bill No. 315—AN ACT relating to energy; requiring the Director of the Office of Energy to coordinate with certain entities to recommend best practices for issuing a permit for geothermal energy; temporarily creating the Geothermal Energy Systems Demonstration Program; prohibiting certain restrictions on the use of a system for obtaining geothermal energy by the owners of real property; requiring the Office of Energy to conduct an interim study relating to geothermal energy; and providing other matters properly relating thereto.

Assemblyman Watts moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By Assemblyman C.H. Miller:

Assembly Bill No. 316—AN ACT relating to motor vehicles; revising the penalty for the unlawful possession of unregistered vehicles unfit for use; and providing other matters properly relating thereto.

Assemblyman Watts moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

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

Assembly Bill No. 317—AN ACT relating to education; revising provisions relating to dual credit courses offered by an institution of higher education located in another state; and providing other matters properly relating thereto.

Assemblywoman Bilbray-Axelrod moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Nguyen, González, Brown-May, Cohen, D'Silva, Gallant, Gorelow, Hibbetts, Koenig, La Rue Hatch, Mosca, Newby, Summers-Armstrong and Taylor; Senators Doñate and Pazina:

Assembly Bill No. 318—AN ACT relating to medicine; revising certain procedures relating to the expiration of a license to practice medicine; requiring a physician assistant, practitioner of respiratory care or perfusionist or the insurer of such a person to report certain information relating to an action or claim of malpractice to the Board of Medical Examiners; providing administrative penalties; requiring the Board to investigate a physician assistant, practitioner of respiratory care or perfusionist in certain

circumstances; authorizing the Board to examine such a person under certain circumstances; and providing other matters properly relating thereto.

Assemblywoman Marzola moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblywoman Jauregui:

Assembly Bill No. 319—AN ACT making an appropriation to the Department of Education for the purpose of awarding grants of money to Nevada school districts to provide universal free breakfast and lunch for Nevada pupils; and providing other matters properly relating thereto.

Assemblywoman Monroe-Moreno moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Dickman, Gurr, La Rue Hatch, Anderson, Carter, DeLong, D'Silva, Duran and Gallant; Senators Flores, Hammond and Stone:

Assembly Bill No. 320—AN ACT relating to Internet privacy; imposing certain requirements on certain businesses that provide an online service, product or feature that is likely to be accessed by children; exempting certain information and entities from those requirements; providing a civil penalty for violations of those requirements; requiring the Attorney General to take certain actions before bringing a civil action against a business to recover such a civil penalty under certain circumstances; and providing other matters properly relating thereto.

Assemblywoman Marzola moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Carter, Anderson and La Rue Hatch:

Assembly Bill No. 321—AN ACT relating to public safety; setting forth certain requirements and restrictions concerning foil balloons that are sold, offered for sale or manufactured in this State; prohibiting, with certain exceptions, a person from selling, offering for sale or manufacturing a foil balloon that fails to meet certain requirements; requiring the Public Utilities Commission of Nevada to adopt a standard for the testing and evaluation of the dielectric performance of foil balloons; prohibiting a person from committing certain acts against the infrastructure of a public utility; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Marzola moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Nguyen, Yeager, González, Brown-May, Dickman, D'Silva and Gallant; Senators Hansen and Nguyen:

Assembly Bill No. 322—AN ACT relating to public health; prohibiting a person from preparing, distributing, advertising, selling or offering to sell a kratom product unless the kratom product has been registered with the State Board of Oriental Medicine; setting forth requirements for the registration of a kratom product with the Board; authorizing the Board to take certain actions relating to kratom products offered for sale that are not registered with the Board; authorizing the Board to adopt certain regulations governing kratom products; revising provisions establishing certain prohibited acts relating to kratom products; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Marzola moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Torres, Mosca, D'Silva, González, Bilbray-Axelrod, Anderson, Gorelow, Hansen, Koenig, La Rue Hatch, Marzola, Newby, Orentlicher, Taylor, Thomas and Watts; Senators Doñate, Buck, Flores and Nguyen:

Assembly Bill No. 323—AN ACT relating to education; requiring the Superintendent of Public Instruction to develop a strategic plan for the recruitment of teachers and other licensed educational personnel; requiring the Commission on Professional Standards in Education to adopt certain regulations concerning the licensing of teachers and other educational personnel; authorizing a school district to compensate a student who is assigned for training purposes as a student teacher, counselor or trainee in a library; authorizing a school district or the governing body of a charter school to provide certain professional development training; creating the Incentivizing Pathways to Teaching Account in the State General Fund; establishing the Incentivizing Pathways to Teaching Program; and providing other matters properly relating thereto.

Assemblywoman Bilbray-Axelrod moved that the bill be referred to the Committee on Education.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 2.

Bill read second time and ordered to third reading.

Assembly Bill No. 3.

Bill read second time and ordered to third reading.

Assembly Bill No. 33.

Bill read second time and ordered to third reading.

Assembly Bill No. 36.

Bill read second time and ordered to third reading.

Assembly Bill No. 43.

Bill read second time and ordered to third reading.

Assembly Bill No. 47.

Bill read second time and ordered to third reading.

Assembly Bill No. 82.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 76.

Bill read third time.

Remarks by Assemblywoman Considine.

ASSEMBLYWOMAN CONSIDINE:

Assembly Bill 76 increases the maximum amount of costs that a court may award to a prevailing party for the reasonable fees of expert witnesses, from \$1,500 for each expert witness to not more than \$15,000 for each expert witness.

Roll call on Assembly Bill No. 76:

YEAS—42.

NAYS—None.

Assembly Bill No. 76 having received a constitutional majority,

Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 268.

Bill read third time.

Remarks by Assemblywoman Monroe-Moreno.

ASSEMBLYWOMAN MONROE-MORENO:

Assembly Bill 268, as amended, makes General Fund appropriations for the payment of retention incentives of \$500 to employees of state government employed on March 31, 2023, and June 16, 2023, as follows: \$20,970,000 to the Governor's Office of Finance for employees of the Executive and Judicial Departments of state government, except for persons whose positions are temporary, intermittent, or seasonal or persons who fill positions for which there is a critical labor shortage; professional staff of the Nevada System of Higher Education; and persons whose compensation is paid from a budget account that is not subject to NRS [*Nevada Revised Statutes*] 353.150 to 353.246, inclusive, unless otherwise provided.

It also provides for \$325,000 to the Legislative Fund for employees of the Legislative Department of state government, except persons whose positions are for a legislative session or are otherwise temporary, intermittent, or seasonal.

An additional \$81,000 is provided for the Public Employees' Retirement System for employees of PERS [Public Employees' Retirement System], except persons whose positions are temporary, intermittent, or seasonal or persons who fill positions for which there is a critical labor shortage.

This act becomes effective upon passage and approval.

Roll call on Assembly Bill No. 268:

YEAS—42.

NAYS—None.

Assembly Bill No. 268 having received a constitutional majority,
Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Jauregui moved that Assembly Bills Nos. 17, 19, 68, and 231 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Shannon Bilbray-Axelrod, the privilege of the floor of the Assembly Chamber for this day was extended to Layke Martin, Ford Conine, Teddy Conine, and Ruby Stolberg.

On request of Assemblywoman Brittney Miller, the privilege of the floor of the Assembly Chamber for this day was extended to Tess Corda and Aaron Borg.

On request of Assemblywoman Erica Mosca, the privilege of the floor of the Assembly Chamber for this day was extended to Cindi Rivera.

On request of Assemblyman Duy Nguyen, the privilege of the floor of the Assembly Chamber for this day was extended to Cevan Louie, Evan Louie, and Leson Nguyen.

On request of Assemblywoman Shondra Summers-Armstrong, the privilege of the floor of the Assembly Chamber for this day was extended to David Goldwater, Szelina Kiss, Alessandra Goldwater, and Alexander Goldwater.

On request of Assemblywoman Angie Taylor, the privilege of the floor of the Assembly Chamber for this day was extended to Jalon Kea.

Assemblywoman Jauregui moved that the Assembly adjourn until Friday, March 17, 2023, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:24 p.m.

Approved:

STEVE YEAGER
Speaker of the Assembly

Attest: SUSAN FURLONG
Chief Clerk of the Assembly