

# NEVADA LEGISLATURE

Eighty-Second Session, 2023

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## ASSEMBLY DAILY JOURNAL

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### THE FORTY-THIRD DAY

CARSON CITY (Monday), March 20, 2023

Assembly called to order at 11:45 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Orentlicher, who was excused.

Prayer by the Chaplain, Bishop Daniel Mueggenborg.

God of Heaven and Earth, we pray that You will send the Spirit of Wisdom upon those entrusted with civic responsibilities. We remember especially our President that his administration may be filled with righteousness and integrity.

We pray, too, for the deliberations of Congress that they be guided by Your inspiration. Under their national leadership, may all who live in our country grow in peace, natural happiness, increase of industry, useful knowledge, respect and understanding, and freedom with responsibility.

In particular, we ask for blessing upon Governor Lombardo and the members of our Nevada Assembly who now gather to fulfill their elected duty. May they discharge the responsibilities of their offices with honesty and truth.

May all the leaders of our world always see others as brothers and sisters without prejudice or preference; may they resolve their differences in peaceful ways; may they seek to alleviate human suffering and never to increase it; and may they protect and promote all human life especially the most vulnerable in our midst.

Remember in Your mercy those who suffer injustice or neglect of any kind — the destitute, the poor, the marginalized, the voiceless, the immigrant, and the maligned. Protect in Your mercy those who suffer illness and distress.

Grant us a true spirit of friendship that cares for the needs of others, overcomes our differences, and fosters the life of virtue in everyone.

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 Health and Human Services, to which were referred Assembly Bills Nos. 138, 215, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

SARAH PETERS, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

NOTICE OF EXEMPTION

March 20, 2023

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 273 and 305.

WAYNE THORLEY  
*Fiscal Analysis Division*

Assemblywoman Jauregui moved that the Assembly suspend subsection 1(e)(1) of Joint Standing Rule 14.2.

Remarks by Assemblywoman Jauregui.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblywomen Peters, Monroe-Moreno, Anderson, Backus and Thomas and Senator Dondero Loop:

Assembly Bill No. 337—AN ACT relating to state employees; reestablishing a compensation plan to encourage continuity of service for state employees; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblywoman Peters:

Assembly Bill No. 338—AN ACT relating to Medicaid; requiring the State Plan for Medicaid to provide coverage of art therapy services to the extent authorized by federal law; requiring the Department of Health and Human Services to apply for a waiver or an amendment of the State Plan to receive federal funding for coverage of art therapy services; requiring any person who wishes to provide art therapy services to a recipient of Medicaid to enroll with the Division of Health Care Financing and Policy of the Department; requiring an enrolled art therapist to report the abuse of certain persons; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblymen Brittney Miller, Anderson, Brown-May, Cohen, Considine, D'Silva, González, Gorelow, La Rue Hatch, C.H. Miller, Mosca, Nguyen, Thomas and Torres:

Assembly Bill No. 339—AN ACT relating to education; requiring the inclusion of certain information regarding pupil achievement to be included in annual reports of accountability submitted by the boards of trustees of school districts, the sponsors of charter schools and the State Board of Education; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Summers-Armstrong, Brown-May, Duran, Gorelow, Newby, Orentlicher, Peters, Thomas, Torres and Watts:

Assembly Bill No. 340—AN ACT relating to property; revising provisions relating to summary evictions; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman D’Silva:

Assembly Bill No. 341—AN ACT relating to education; revising provisions governing the selection of members to certain boards, networks and councils; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Hibbetts, Yurek, Hardy, Gurr and Hafen:

Assembly Bill No. 342—AN ACT relating to cannabis; requiring an adult-use cannabis retail store and cannabis consumption lounge to take certain actions to verify the age of a consumer before selling cannabis or a cannabis product to the consumer; requiring the Cannabis Compliance Board to adopt regulations setting forth standards for an independent, third-party age verification service to be used by an adult-use cannabis retail store and cannabis consumption lounge; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman C.H. Miller:

Assembly Bill No. 343—AN ACT relating to occupational therapy; authorizing the Board of Occupational Therapy to issue a license by reciprocity as an occupational therapist or occupational therapy assistant; authorizing the Board to issue certain citations to licensees for certain violations; revising the qualifications for a person to obtain a license as an occupational therapist or occupational therapy assistant; providing a salary for

members of the Board; revising various provisions relating to licensing occupational therapists or occupational therapy assistants; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Taylor:

Assembly Bill No. 344—AN ACT relating to education; repealing the cost adjustment factor by which the statewide base per pupil funding amount is adjusted in the Pupil-Centered Funding Plan; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblywoman Considine:

Assembly Bill No. 345—AN ACT relating to taxation; removing the exemption from the commerce tax for real estate investment trusts and qualified real estate investment trust subsidiaries; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Revenue.

Motion carried.

By Assemblyman O'Neill:

Assembly Bill No. 346—AN ACT relating to state financial administration; defining the term “adjusted base budget” for purposes of the State Budget Act; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblywoman Torres:

Assembly Bill No. 347—AN ACT making an appropriation to the Department of Education for the purpose of awarding grants of money to school districts for programs of dual credit; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblywoman Torres:

Assembly Bill No. 348—AN ACT relating to education; creating the Virtual Early Childhood Family Engagement Pilot Program in the Department of Health and Human Services; making an appropriation; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblyman O'Neill:

Assembly Bill No. 349—AN ACT relating to wildlife; establishing the Nevada Wildlife Conservation Program and Nevada Wildlife Conservation Program Account to support the preservation, protection, management and restoration of wildlife and wildlife habitats; creating the Board of the Nevada Wildlife Conservation Program; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 350—AN ACT relating to property; requiring a law enforcement agency to include certain additional information relating to seizures and forfeitures in its annual report to the Office of the Attorney General; requiring the Office of the Attorney General to publish certain reports on its Internet website in a machine-readable format; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Yurek and Hibbetts:

Assembly Bill No. 351—AN ACT relating to public employment; establishing the Deferred Retirement Option Program to allow public employees who are police officers or firefighters to obtain monthly retirement benefits while continuing public employment; providing certain requirements for participating in the Program; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen D'Silva and Bilbray-Axelrod:

Assembly Bill No. 352—AN ACT relating to education; requiring the appropriation of certain weighted funding to fund the additional needs of certain pupils with low academic achievement in the English language; establishing limitations on the use of weighted funding appropriated for the needs of certain pupils with low academic achievement in the English language; imposing on the Department of Education and the board of trustees of each school district in this State certain duties relating to the achievement of pupils in the English language; authorizing a pupil with limited proficiency

in English to enroll in a public school outside the zone of attendance in which the pupil resides under certain circumstances; authorizing the Department of Education to adopt certain regulations; establishing certain rights for the parents and legal guardians of pupils with limited proficiency in English; requiring the board of trustees of a school district to collect and report to the Department certain data relating to pupils with limited proficiency in English; requiring the principals of certain public schools that demonstrate low achievement for pupils with limited proficiency in English to develop a corrective action plan; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen DeLong, Dickman, Gray, Gallant, Gurr and Hansen:

Assembly Bill No. 353—AN ACT relating to governmental administration; creating the Nevada Office of the Inspector General and the position of Inspector General; setting forth the powers and duties of the Inspector General and employees of the Office; requiring a school district to cooperate with and provide assistance to the Inspector General in carrying out those duties; prohibiting retaliation against certain persons who make a lawful complaint concerning fraud, waste, abuse or corruption within a school district; prohibiting certain acts to deter or prevent the Inspector General or an employee of the Office from performing his or her duty; imposing increased penalties for certain acts of assault or battery on the Inspector General or an employee of the Office; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblywoman Jauregui:

Assembly Bill No. 354—AN ACT relating to firearms; prohibiting, under certain circumstances, the possession of a firearm in or within a certain distance of an election site; revising the definition of the term “unfinished frame or receiver”; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Jauregui, Yeager and Monroe-Moreno:

Assembly Bill No. 355—AN ACT relating to firearms; prohibiting a person who is less than 21 years of age from possessing certain firearms; making it unlawful to aid or knowingly permit a person who is less than 21 years of age to possess a firearm under certain circumstances; revising provisions relating to the storage of a firearm; revising provisions relating to the handling,

possession or control of a firearm by certain children; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Dickman, La Rue Hatch, Anderson, Hansen, Kasama, Carter, D'Silva, Duran, Gallant, Gray, Gurr, Hafen, Hardy, Koenig, McArthur, Mosca, O'Neill, Taylor, Watts, Yeager and Yurek; Senators Seevers Gansert, Goicoechea, Titus, Hansen and Neal:

Assembly Bill No. 356—AN ACT relating to mobile tracking devices; prohibiting a person from installing, concealing or otherwise placing a mobile tracking device in or on the motor vehicle of another person under certain circumstances; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Bilbray-Axelrod, Torres, Watts and Peters and Senator Harris:

Assembly Bill No. 357—AN ACT relating to education; replacing the required course or unit of a course of instruction concerning the human immunodeficiency virus, the human reproductive system, related communicable diseases and sexual responsibility with a required course or unit of a course in sexuality education; revising the membership and duties of the advisory committee established in each school district for such a course; revising provisions governing consent to participate in such a course or unit of a course; requiring the board of trustees of each school district to submit to the Legislature an annual report concerning such a course or unit of a course of instruction; requiring the adoption of statewide standards concerning such a course or unit of a course; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Gray, O'Neill, DeLong, Dickman, Gallant, Hibbetts and Koenig and Senator Stone:

Assembly Bill No. 358—AN ACT relating to health care; creating the Bureau of Emergency Medical Services in the State Fire Marshal Division of the Department of Public Safety; transferring to the Bureau certain duties related to emergency medical services; revising the membership of the Committee on Emergency Medical Services; requiring the State Fire Marshal to appoint a Chief of the Bureau; making various other changes relating to

emergency medical services; and providing other matters properly relating thereto.

Assemblywoman Jauregui moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Jauregui moved that Assembly Bills Nos. 2, 3, 17, 19, 33, 36, 43, 47, 68, 78, 82, 107, 124, 163, 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 Assemblyman Max Carter, the privilege of the floor of the Assembly Chamber for this day was extended to Alejandra Ceja Soloranzo and Miriam Gomez Silva.

On request of Assemblywoman Venicia Considine, the privilege of the floor of the Assembly Chamber for this day was extended to Danielle Bennett, Maggie Lee, Breanna Gregorio, Eddie Curry, and Theodore “T.J.” Milk.

On request of Assemblyman Bert Gurr, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. Jerri Lynn Williams-Harper, Samantha Elliott, and Shadrach Robertson.

On request of Assemblywoman Sandra Jauregui, the privilege of the floor of the Assembly Chamber for this day was extended to Bishop Daniel Mueggenborg, Mrs. Sharon Jannuzzi, and Rev. Charles Durante.

On request of Assemblywoman Erica Mosca, the privilege of the floor of the Assembly Chamber for this day was extended to Alexander Avila and Nestor Sanchez.

On request of Assemblyman Duy Nguyen, the privilege of the floor of the Assembly Chamber for this day was extended to Jessica Guerra, Linda Ly, and Marcus Manabat.

On request of Assemblywoman Selena Torres, the privilege of the floor of the Assembly Chamber for this day was extended to Olivia Ngo.

On request of Assemblyman Howard Watts, the privilege of the floor of the Assembly Chamber for this day was extended to Leah Chan Grinvald and Keith E. Whitfield, Ph.D.

Assemblywoman Jauregui moved that the Assembly adjourn until Tuesday, March 21, 2023, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:11 p.m.

Approved:

STEVE YEAGER  
*Speaker of the Assembly*

Attest: SUSAN FURLONG  
*Chief Clerk of the Assembly*