

**THE THIRTY-NINTH DAY**

CARSON CITY (Thursday), March 16, 2023

Senate called to order at 11:32 a.m.

President Anthony presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Jeff Paul.

Faithful God, we thank You for all the things we forget are gifts, not rights. Save us from the self-pity, the self-seeking and the fat-heartedness, which is true poverty. Guide us if we are willing, and drive us if we are not into the ways of sacrifice, which are just and compassionate. Make us wide-eyed for beauty and for our neighbor's need and goodness. Make us wide-hearted for love and for the unloved, who need it the most.

We invoke blessing and protection upon this Senate and upon those who work herein.

And the people say,

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.

**WAIVERS AND EXEMPTIONS**

## NOTICE OF EXEMPTION

March 16, 2023

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 71, 278.

WAYNE THORLEY  
*Fiscal Analysis Division*

**MOTIONS, RESOLUTIONS AND NOTICES**

Senator Cannizzaro moved that Senate Bills Nos. 4 and 43 be taken from the General File and placed on the Secretary's Desk.

Motion carried.

By Senators Cannizzaro, Lange, Scheible, Spearman, Nguyen, Daly, Doñate, Dondero Loop, Flores, Harris, Ohrenschall and Pazina; Assemblymen Jauregui, Cohen, Backus, Marzola, Gorelow, Anderson, Bilbray-Axelrod, Brown-May, Carter, Considine, D'Silva, Duran, González, La Rue Hatch, Brittney Miller, C.H. Miller, Monroe-Moreno, Mosca, Newby, Nguyen, Orentlicher, Peters, Summers-Armstrong, Taylor, Thomas, Torres, Watts and Yeager:

Senate Joint Resolution No. 7—Proposing to amend the Nevada Constitution to establish certain rights relating to reproductive health.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That a new section, designated Section 25, be added to Article 1 of the Nevada Constitution to read as follows:

*Sec. 25. 1. Every individual has a fundamental right to reproductive freedom, which entails the right to make and effectuate*

*decisions about all matters relating to pregnancy, including, without limitation, prenatal care, childbirth, postpartum care, birth control, vasectomy, tubal ligation, abortion, abortion care, management of a miscarriage and infertility care. The right of an individual to reproductive freedom shall not be denied, burdened or infringed upon unless justified by a compelling State interest that is achieved by the least restrictive means available.*

*2. Notwithstanding the provisions of subsection 1, the State may regulate the provision of abortion care after fetal viability, provided that in no circumstance may the State prohibit an abortion that, in the professional judgment of an attending provider of health care, is medically indicated to protect the life or physical or mental health of the pregnant individual.*

*3. The State shall not penalize, prosecute or otherwise take adverse action against an individual based on the actual, potential, perceived or alleged outcome of the pregnancy of the individual, including, without limitation, a miscarriage, stillbirth or abortion.*

*4. The State shall not penalize, prosecute or otherwise take adverse action against a provider of health care, who is licensed by the State, while acting within the applicable scope of practice and standard of care for performing an abortion upon an individual who has granted informed consent to the abortion.*

*5. The State shall not penalize, prosecute or otherwise take adverse action against any individual for aiding or assisting another individual in exercising the right of the individual to reproductive freedom with the voluntary consent of the individual.*

*6. As used in this section:*

*(a) "Compelling state interest" means an interest which is limited exclusively to the State's interest in protecting the health of an individual who is seeking reproductive health care that is consistent with accepted clinical standards of practice.*

*(b) "Fetal viability" means the point in a pregnancy when, in the professional judgment of an attending provider of health care and based on the particular facts of the case, there is a significant likelihood of the sustained survival of the fetus outside the uterus without the application of extraordinary medical measures.*

*(c) "Least restrictive means" means in a manner that restricts or infringes upon the autonomous decision-making of an individual to the slightest degree possible while furthering a compelling state interest.*

And be it further

RESOLVED, That this resolution becomes effective upon passage.

Senator Cannizzaro moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

Senator Pazina approved the addition of Senators Seevers Gansert and Spearman as cosponsors of Senate Bill No. 181.

INTRODUCTION, FIRST READING AND REFERENCE

By Senators Harris, Spearman, Doñate, Ohrenschall and Neal; Assemblymen González, Brown-May, Peters, Summers-Armstrong and Watts:

Senate Bill No. 296—AN ACT relating to traffic stops; prohibiting a peace officer from stopping a motor vehicle for the sole purpose of determining whether the driver is committing a low-level traffic violation or issuing a citation for such a violation; providing that any evidence acquired by a law enforcement agency during or after such a traffic stop is not admissible as evidence in certain proceedings; requiring law enforcement agencies to adopt a policy relating to the enforcement of low-level traffic violations; and providing other matters properly relating thereto.

Senator Harris moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Judiciary.

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 297—AN ACT relating to dementia; providing for the establishment of the Nevada Memory Network for the diagnosis of dementia and the care of patients with dementia; making an appropriation; and providing other matters properly relating thereto.

Senator Doñate 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. 298—AN ACT relating to residential facilities for groups; prescribing certain grounds for disciplinary action against a residential facility for groups; prohibiting certain persons from serving as the representative of a resident of a residential facility for groups for purposes relating to an involuntary discharge; imposing requirements governing certain contracts between a resident and a residential facility for groups; prohibiting the involuntary discharge of a resident of a residential facility for groups except for certain reasons; imposing requirements governing the procedure for such an involuntary discharge; authorizing a resident or a representative of a resident to request a hearing concerning such an involuntary discharge; requiring the State Long-Term Care Ombudsman to provide certain assistance concerning such a discharge; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Flores, Daly, Hansen, Cannizzaro, Spearman, Doñate, Dondero Loop, Harris, Lange, Neal, Nguyen, Ohrenschall, Pazina and Scheible; Assemblymen Torres, D'Silva, Dickman and Watts:

Senate Bill No. 299—AN ACT relating to public works; eliminating certain exemptions from prevailing wage requirements relating to railroad companies or monorails; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Seevers Gansert, Buck, Doñate, Titus, Stone, Dondero Loop, Goicoechea, Hansen, Harris, Krasner, Lange, Ohrenschall and Pazina:

Senate Bill No. 300—AN ACT making an appropriation from the State General Fund to the University of Nevada, Las Vegas, for a grant program for certain interns; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Lange, Doñate, Spearman, Daly, Flores, Harris, Neal, Nguyen, Ohrenschall, Pazina and Scheible and Assemblywoman Gorelow:

Senate Bill No. 301—AN ACT relating to public works; revising provisions governing the circumstances under which a worker is deemed to be employed on a public work; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Ohrenschall, Scheible, Spearman, Harris, Flores, Neal, Nguyen and Pazina:

Senate Bill No. 302—AN ACT relating to health care; prohibiting health care licensing boards from disqualifying from licensure or disciplining a person for providing or assisting in the provision of services for gender-affirming services; prohibiting the Governor from surrendering, or issuing an arrest warrant for, a person who is charged in another state with a criminal violation related to gender-affirming services; prohibiting state agencies from assisting in certain investigations and proceedings initiated in other states related to gender-affirming services; requiring certain health care licensing boards to examine the feasibility of reciprocal licensure for health care providers who provide gender-affirming services in other states; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Dondero Loop, Flores, Daly, Doñate, Lange, Neal, Ohrenschall, Pazina and Spearman:

Senate Bill No. 303—AN ACT relating to motor vehicles; providing that it is an unfair act or practice for a manufacturer to not compensate a dealer fairly for warranty work or a recall service or repair or to violate certain provisions; setting forth a process for calculating the rate at which a manufacturer must compensate a dealer for warranty work or a recall service or repair; requiring the Director of the Department of Motor Vehicles to decide certain disputes between a dealer and a manufacturer relating to the payment of compensation to a dealer for warranty work or a recall service or repair; making various other changes relating to motor vehicles; and other matters properly relating thereto.

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

Motion carried.

By Senators Cannizzaro, Dondero Loop, Spearman, Doñate, Flores, Ohrenschall and Pazina:

Senate Bill No. 304—AN ACT relating to governmental administration; requiring a fire department established by a county, city or town to operate in compliance with certain standards; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Harris, Spearman, Hansen, Neal, Daly, Lange, Ohrenschall, Scheible and Stone:

Senate Bill No. 305—AN ACT relating to employment; creating the Board of Trustees of the Nevada Employee Savings Trust; prescribing the membership, powers, duties and limitations of the Board; authorizing the Board to create the Nevada Employee Savings Trust Program; prescribing certain required attributes of the Program; creating the Nevada Employee Savings Trust Administrative Fund and specifying the sources and uses of money deposited therein; creating the Nevada Employee Savings Trust and prescribing the manner of its administration; providing for the confidentiality of certain information; providing civil immunity to certain persons and entities in connection with the Program; making certain persons fiduciaries with respect to participants in the Program; prohibiting certain persons from engaging in certain financial transactions in connection with the Program; requiring the preparation and submission of certain annual reports; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Spearman:

Senate Bill No. 306—AN ACT relating to public welfare; increasing the maximum amount of matching funds the holder of an individual development account may accrue; removing the authority of a fiduciary organization to designate a lesser maximum amount for such matching funds; making appropriations; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Spearman:

Senate Bill No. 307—AN ACT relating to offenders; defining certain terms relating to the housing of offenders; requiring the Director of the Department of Corrections to adopt certain regulations relating to solitary confinement; requiring the Department to submit a biennial report concerning the use of solitary confinement to the Joint Interim Standing Committee on the Judiciary; limiting the number of days that an offender may be placed in disciplinary segregation; and providing other matters properly relating thereto.

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

Motion carried.

#### REMARKS FROM THE FLOOR

Senator Hansen requested that his remarks be entered in the Journal.

As everyone knows, in Nevada we have a serious childcare and preschool shortage. Today, as part of children's week at the Legislature, I have two people here who have been working aggressively to help correct some of those things. They have been working on licensing and regulatory problems.

I have Jana Nettleson, who is the Center Director for the Zion Lutheran Church Preschool and Childcare Program in Winnemucca, and I have Lela Arney. Lela is the American Rescue Plan Project Coordinator for the Children's Cabinet and, previously, was the preschool and kindergarten Program Director for licensed programs in Reno and Sparks. If you have not had the chance to meet these two ladies, be sure to give them a welcome to your offices. They are really trying to help provide a necessary service that is struggling in Nevada.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Cannizzaro, the privilege of the floor of the Senate Chamber for this day was extended to Cyngh Perry.

On request of Senator Hansen, the privilege of the floor of the Senate Chamber for this day was extended to Lela Arney and Jana Nettleson.

On request of Senator Seevers Gansert, the privilege of the floor of the Senate Chamber for this day was extended to Dennis Perea.

Senator Cannizzaro moved that the Senate adjourn until Monday, March 20, 2023, at 11:00 a.m.

Motion carried.

Senate adjourned at 11:49 a.m.

Approved:

STAVROS ANTHONY  
*President of the Senate*

Attest: BRENDAN BUCY  
*Secretary of the Senate*