

THE FORTY-THIRD DAY

CARSON CITY (Friday), March 17, 2023

Senate called to order at 11:22 a.m.

President pro Tempore Spearman presiding.

Roll called.

All present.

Prayer by the Chaplain, Bishop Leo Thomas.

Gracious God, we raise our minds and hearts to You, confident You will hear our every prayer. Send abundant blessings upon the leaders of our State, most especially here in this hallowed hall. Let their lives be marked by integrity and selflessness. May they be friends of the poor, guardians of human rights, stewards of the public trust and advocates for the working family.

May this chamber be unified by the power of dialogue and the gift of civil discourse. May our Senators' leadership be marked by creative thinking and an untiring commitment to the common good. May they be friends of the voiceless, advocates for the vulnerable, champions of human rights and stewards of our natural resources.

Gracious God, we ask You, too, to raise up prophets of peace in every portion of the world. May understanding put an end to strife, hatred be quenched by mercy, and vengeance give way to forgiveness.

We pray, too, for the well-being of Nevada's men and women who are now deployed into battle. Grant them safety and protection and return them in due season to the waiting arms of anxious families.

May You, O Lord, now bless us and keep us. Let Your loving face shine upon us and be gracious to us. Look upon us kindly and grant us Your peace. We ask these things in Your holy Name, You who are our God, forever and ever.

AMEN.

Pledge of Allegiance to the Flag.

By previous order of the Senate, the reading of the Journal is dispensed with, and the President pro Tempore and Secretary are authorized to make the necessary corrections and additions.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 16, 2023

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 76; Assembly Joint Resolution No. 1.

Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bill No. 268.

CAROL AIELLO-SALA
Assistant Chief Clerk of the Assembly

WAIVERS AND EXEMPTIONS

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, 305.

WAYNE THORLEY
Fiscal Analysis Division

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Joint Resolution No. 1.

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

Motion carried.

Senator Cannizzaro moved that Joint Standing Rule No. 14.2, subsection 1(e)(1) be suspended.

Remarks by Senator Cannizzaro.

This suspension allows additional time for the introduction of legislative bills.

Motion carried.

Senator Cannizzaro moved that the following persons be accepted as accredited press representatives, and that they be allowed the use of appropriate media facilities: MENDEZ COMMUNICATION: David Mendez; TELEMUNDO RENO: Freixys Casado.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Flores:

Senate Bill No. 308—AN ACT relating to public employees; authorizing teachers and instructors employed by a school district under a teacher exchange program to elect to pay the employee's portion of contributions to the Public Employees' Retirement System on their own behalf; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Cannizzaro, Lange, Spearman, Daly, Doñate, Dondero Loop, Flores, Harris, Neal, Nguyen, Ohrenschall, Pazina and Scheible:

Senate Bill No. 309—AN ACT relating to crimes; establishing the crime of fertility fraud; creating a cause of action for a person who has suffered injury as a result of fertility fraud; providing that certain acts that constitute fertility fraud are subject to various statutory provisions relating to sex offenders; prohibiting a health care facility from taking certain actions relating to assisted reproduction; authorizing the imposition of civil penalties for certain violations committed by a health care facility; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Goicoechea, Hansen and Stone:

Senate Bill No. 310—AN ACT relating to dentistry; providing for the licensure and regulation of expanded function dental assistants; authorizing a dental hygienist who possesses certain qualifications to prescribe and dispense

certain drugs; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hansen, Titus, Goicoechea and Flores:

Senate Bill No. 311—AN ACT relating to wildlife; requiring the Board of Wildlife Commissioners to establish a program to allow a person to transfer his or her tag to hunt a big game mammal to certain persons; requiring a course of instruction in the responsibilities of hunters to be available online; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hansen, Titus, Goicoechea and Scheible:

Senate Bill No. 312—AN ACT relating to wildlife; authorizing a person who discovers the carcass of a big game mammal to report the location of the carcass to the Department of Wildlife and request that the antlers and horns be donated to a nonprofit organization for display, raffle or auction; authorizing a person to take or gather shed antlers and heads with antlers attached for certain purposes; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Lange, Krasner, Hammond, Dondero Loop, Flores, Harris, Neal, Nguyen, Ohrenschall and Scheible; Assemblymen Kasama and Gurr:

Senate Bill No. 313—AN ACT relating to education; requiring certain standards of content and performance for courses in health to correspond with certain social and emotional learning standards developed by the Department of Education and to include certain information relating to mental health; requiring the Commission on Professional Standards in Education to develop regulations requiring the completion of a course in mental health education to obtain a license to teach; requiring certain applicants for the renewal of a license to teach to complete a certain number of credits in a course in mental health education; requiring certain professional development training for teachers to include training on mental health education and social and emotional learning; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Lange and Assemblyman Carter:

Senate Bill No. 314—AN ACT relating to energy; revising provisions governing the establishment by the Public Utilities Commission of Nevada of biennial targets for the procurement of energy storage systems by certain electric utilities; requiring the Commission to reevaluate the existing biennial targets; eliminating an obsolete provision relating to the establishment of such targets; establishing requirements for the installation of electrochemical energy storage systems; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Scheible, Spearman and Harris:

Senate Bill No. 315—AN ACT relating to persons with disabilities; prescribing certain rights for persons with disabilities who are receiving certain home and community-based services and persons who are aged receiving such services; prescribing certain rights for pupils with disabilities; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Scheible, Spearman, Harris, Nguyen and Ohrenschall:

Senate Bill No. 316—AN ACT relating to criminal law; revising the required contents of certain annual reports concerning criminal cases; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Scheible, Spearman, Doñate, Neal, Harris, Daly, Lange, Ohrenschall and Pazina:

Senate Bill No. 317—AN ACT relating to public welfare; authorizing a provider of homeless services to authorize the use of the provider's address as a temporary mailing address by a person experiencing homelessness for certain purposes; requiring the Division of Welfare and Supportive Services of the Department of Health and Human Services to publish a list of such providers; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Scheible and Harris:

Senate Bill No. 318—AN ACT relating to indigent persons; authorizing the governing body of an incorporated city to impose an annual surcharge on users of the sanitary sewer system of an incorporated city to provide funding for

services and affordable housing for persons who are homeless or indigent in the incorporated city; 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 Harris, Spearman, Buck, Dondero Loop, Goicoechea, Ohrenschall, Pazina and Scheible and Assemblyman Yurek:

Senate Bill No. 319—AN ACT relating to public employees; revising the definition of “employee” for purposes of collective bargaining for state employees to include category I, II and III peace officers who are in the unclassified service of the State; 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 Harris, Stone, Doñate, Daly, Hammond, Krasner, Ohrenschall and Scheible; Assemblymen Watts, Peters, González, Kasama, Anderson, Considine, La Rue Hatch, Brittney Miller and Mosca:

Senate Bill No. 320—AN ACT relating to the Legislature; requiring the Legislative Counsel Bureau to pay a certain amount to the Public Employees' Benefits Program if a member of the Senate or Assembly elects to participate in the Program; requiring any such member to arrange to pay the Program the cost of premiums and contributions to the Program; 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 Krasner, Harris, Seevers Gansert and Scheible; Assemblymen Thomas, Gorelow, McArthur, Kasama, Marzola, C.H. Miller, Orentlicher, Peters, Taylor and Watts:

Senate Bill No. 321—AN ACT relating to evidence; prohibiting a law enforcement agency or forensic laboratory from taking certain actions relating to the DNA profile and DNA record of a survivor of sexual assault; expanding certain prohibitions against the use of certain evidence secured in connection with an investigation or prosecution of a sexual assault; requiring certain entities to conduct an audit of certain biological specimens, DNA profiles and DNA records, to the extent money is available; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Stone, Seevers Gansert, Goicoechea, Hammond, Hansen, Nguyen and Titus; Assemblymen Yurek, Hardy, Gray, Gallant and Gurr:

Senate Bill No. 322—AN ACT relating to crimes; revising the penalties for engaging in reckless driving under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Seevers Gansert and Hansen:

Senate Bill No. 323—AN ACT relating to peace officers; requiring the Peace Officers' Standards and Training Commission to adopt certain regulations concerning the recruitment and selection of category III peace officers from other states or the Federal Government; 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 Seevers Gansert, Titus, Stone, Krasner, Buck, Goicoechea and Harris:

Senate Bill No. 324—AN ACT relating to nursing; imposing requirements governing courses that provide clinical training at schools of practical nursing and at schools of professional nursing; requiring the Board to adopt standards for schools of practical nursing; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Seevers Gansert, Titus, Hansen, Stone, Krasner, Buck and Goicoechea:

Senate Bill No. 325—AN ACT relating to elections; creating the Unit for the Investigation and Prosecution of Election Crimes within the Office of the Attorney General; requiring the Unit to establish a complaint system and a hotline to report election irregularities; requiring the Unit to receive and review complaints, notices, referrals and reports concerning alleged election irregularities; authorizing the Unit to investigate and prosecute alleged election irregularities; requiring the Unit to submit a report concerning alleged election irregularities to the Governor and the Legislature every odd-numbered year; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Daly:

Senate Bill No. 326—AN ACT relating to elections; revising the requirements for certain persons, committees for political action, political

parties and committees sponsored by a political party to report contributions and expenditures; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ohrenschall:

Senate Bill No. 327—AN ACT relating to elections; revising provisions relating to the establishment of a polling place, ballot drop box and temporary branch polling place for early voting within an Indian reservation or Indian colony for an election; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Titus and Nguyen:

Senate Bill No. 328—AN ACT relating to cannabis; eliminating the exemption of the Cannabis Compliance Board from the provisions of the Nevada Administrative Procedure Act with respect to the adoption, amendment or repeal of regulations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Senate Bill No. 329—AN ACT relating to school districts; directing the Joint Interim Standing Committee on Education to appoint a committee to conduct an interim study concerning the budgeting process for and submission of certain required reports by school districts in this State; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Lange:

Senate Bill No. 330—AN ACT relating to health care; revising requirements for certain health insurance plans to provide certain benefits for preventative health care relating to breast cancer; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Scheible:

Senate Bill No. 331—AN ACT relating to emergency management; requiring certain emergency management plans to include certain information

related to the evacuation, transport and shelter of persons with pets; 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 Scheible and Lange:

Senate Bill No. 332—AN ACT relating to Medicaid; requiring the State Plan for Medicaid to provide coverage for certain children who are under a guardianship; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Neal:

Senate Bill No. 333—AN ACT relating to virtual currency; requiring a virtual currency business to provide to the Commissioner of Financial Institutions a written disclosure before engaging in virtual currency business activity with or on behalf of a resident of this State; creating the Virtual Currency Recovery Account; requiring a virtual currency business to pay to the Commissioner an annual assessment; authorizing the Commissioner to award grants to certain residents who are customers of certain virtual currency businesses who are unable to satisfy their monetary obligations to customers; requiring a virtual currency business to provide certain disclosures to a resident before engaging in virtual currency business activity with or on behalf of the resident; prohibiting a virtual currency business from engaging in certain advertisements or promotions; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Spearman, Krasner, Hammond, Pazina, Stone and Hansen:

Senate Bill No. 334—AN ACT relating to energy; revising the definition of “renewable energy” to include clean hydrogen for the purposes of provisions governing the portfolio standard; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Ohrenschall:

Senate Bill No. 335—AN ACT relating to property; revising provisions relating to summary evictions; authorizing tenants subject to certain eviction proceedings to assert certain affirmative defenses relating to rental assistance

and establishing procedures relating thereto; and providing other matters properly relating thereto.

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

By Senator Ohrenschall:

Senate Bill No. 336—AN ACT relating to health care; exempting certain conduct of certain practitioners of healing arts practicing within their authorized scope of authority from provisions governing certain practitioners of other healing arts; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hansen:

Senate Bill No. 337—AN ACT relating to criminal procedure; establishing a uniform procedure for the criminal forfeiture of property used or obtained in certain crimes; providing for the distribution of forfeited property and proceeds from the sale of such property; requiring the reporting of certain information relating to the forfeiture of property; revising provisions authorizing the forfeiture of property; repealing certain provisions governing the seizure, forfeiture and disposition of property and proceeds; and providing other matters properly relating thereto.

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

Assembly Bill No. 76.

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

Assembly Bill No. 268.

Senator Lange moved that the bill be referred to the Committee on Finance.
Motion carried.

Senator Cannizzaro moved that the Senate recess until 3:00 p.m.

Motion carried.

Senate in recess at 11:44 a.m.

SENATE IN SESSION

At 3:13 p.m.

President pro Tempore Spearman presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Krasner approved the addition of Senators Nguyen and Pazina as cosponsors of Senate Bill No. 321.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Flores:

Senate Bill No. 338—AN ACT relating to off-highway vehicles; revising provisions relating to the operation of certain off-highway vehicles on certain streets and highways; authorizing the Commission on Off-Highway Vehicles to designate a portion of certain highways for use by off-highway vehicles; revising certain duties of an operator of an off-highway vehicle being driven on a highway; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Dondero Loop, Cannizzaro, Spearman, Daly, Doñate, Harris, Lange, Neal, Nguyen, Ohrenschall, Pazina and Scheible:

Senate Bill No. 339—AN ACT relating to education; creating the Teachers' School Supplies Assistance Account; providing for an annual allocation from the Account to each school district and charter school for distribution to teachers for the purchase of certain school supplies; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Dondero Loop, Cannizzaro, Nguyen, Spearman, Neal, Daly, Doñate, Lange, Ohrenschall, Pazina and Scheible:

Senate Bill No. 340—AN ACT relating to education; requiring the board of trustees of a school district and the State Public Charter School Authority to submit to the Superintendent of Public Instruction plans for the provision of summer school to certain pupils; requiring the submission to certain entities of certain reports relating to such plans for the provision of summer school; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 341—AN ACT making appropriations to the Food Bank of Northern Nevada and Three Square for the purpose of purchasing food for persons who are served by such organizations; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Goicoechea, Titus, Seevers Gansert, Buck, Stone, Daly, Doñate, Dondero Loop, Flores, Hammond, Hansen, Krasner and Pazina:

Senate Bill No. 342—AN ACT relating to veterinary medicine; revising provisions relating to certain requirements for participants in a program

administered by the Nevada Office of the Western Interstate Commission for Higher Education; requiring the Office to enter into certain contracts and implement certain programs relating to veterinary medicine; making appropriations; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Cannizzaro, Dondero Loop and Pazina:

Senate Bill No. 343—AN ACT relating to controlled substances; establishing the crimes of low-level, mid-level and high-level trafficking in fentanyl, any derivative of fentanyl or any mixture which contains fentanyl or any derivative of fentanyl; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Neal:

Senate Bill No. 344—AN ACT relating to education; prohibiting certain practices that impede public comment at meetings of boards of trustees of large school districts and local school precincts; requiring large school districts to undergo certain audits regardless of the availability of certain funds; revising provisions governing the qualifications for the hiring of certain school officials; requiring evaluations for certain school officials; prohibiting certain governing bodies from using certain methods to support, sponsor or operate a charter school; requiring all employers to provide paid leave for certain employees to attend certain school meetings; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hammond:

Senate Bill No. 345—AN ACT relating to education; requiring the Commission on Postsecondary Education to review certain regulations every 5 years; revising provisions governing certain requirements of licensed postsecondary educational institutions; eliminating the requirement for certain applicants for a license to operate a postsecondary educational institution to provide certain financial information; authorizing the Commission to reduce or waive the amount of certain required surety bonds; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Spearman:

Senate Bill No. 346—AN ACT relating to motor vehicles; authorizing certain acts and transactions to be conducted through an electronic branch office established by the Department of Motor Vehicles; revising requirements relating to certificates of registration and certificates of title of a vehicle; eliminating certain limitations on the persons authorized to participate in a program established by the Department for the electronic submission and storage of documents; authorizing the use of electronic signatures and stamps for recording certain information for certain transactions; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS
SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President pro Tempore and Secretary signed Assembly Bill No. 165.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Scheible, the privilege of the floor of the Senate Chamber for this day was extended to Mayor Lori Bagwell.

On request of Senator Seevers Gansert, the privilege of the floor of the Senate Chamber for this day was extended to Montie Chavez, Chuck Durante, Judith Kohl, Jodie Nelson and Tim O'Callahan.

On request of Senator Stone, the privilege of the floor of the Senate Chamber for this day was extended to Mayor and former Senator Joseph Hardy, M.D.

Senator Cannizzaro moved that the Senate adjourn until Tuesday, March 21, 2023, at 11:00 a.m.

Motion carried.

Senate adjourned at 3:15 p.m.

Approved:

PAT SPEARMAN

President pro Tempore of the Senate

Attest: BRENDAN BUCY

Secretary of the Senate