

THE SIXTY-SEVENTH DAY

CARSON CITY (Thursday), April 13, 2023

Senate called to order at 12:39 p.m.

President pro Tempore Spearman presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Brian Lucas.

Heavenly Father, thank You for this day. Thank You for this nation, where we have the freedom to praise You, together, share ideas and express ourselves with honesty and openness. I ask that You shine Your face upon these proceedings and be gracious and merciful with us today, O Lord. In all our interactions in this day, whether formal or informal, may we show peace, patience and kindness to one another. In all things, may our speech and actions be rooted in love, respect and honor for one another, and for You, as we recognize Your image in every human and person.

In Your holy Name, we pray today.

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.

REPORTS OF COMMITTEE

Madam President pro Tempore:

Your Committee on Commerce and Labor, to which were referred Senate Bills Nos. 97, 134, 139, 277, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

PAT SPEARMAN, *Chair*

Madam President pro Tempore:

Your Committee on Education, to which were referred Senate Bills Nos. 251, 291, 329, 340, 342, 425, 442, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

ROBERTA LANGE, *Chair*

Madam President pro Tempore:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 2, 3, 5, 23, 169, 261, 264, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

EDGAR FLORES, *Chair*

Madam President pro Tempore:

Your Committee on Health and Human Services, to which was referred Senate Bill No. 397, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

FABIAN DOÑATE, *Chair*

Madam President pro Tempore:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 171, 252, 309, 378, 401, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Judiciary, to which were referred Senate Bills Nos. 36, 55, 62, 382, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MELANIE SCHEIBLE, *Chair*

Madam President pro Tempore:

Your Committee on Legislative Operations and Elections, to which were referred Senate Bills Nos. 215, 279, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Legislative Operations and Elections, to which was referred Senate Bill No. 87, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Legislative Operations and Elections, to which was referred Senate Joint Resolution No. 7, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JAMES OHRENSCHALL, *Chair*

Madam President pro Tempore:

Your Committee on Natural Resources, to which was referred Senate Bill No. 180, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Natural Resources, to which was re-referred Senate Bill No. 90, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

JULIE PAZINA, *Chair*

Madam President pro Tempore:

Your Committee on Revenue and Economic Development, to which were referred Senate Bills Nos. 369, 396, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DINA NEAL, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 11, 2023

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bills Nos. 206, 276, 284, 289.

Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bills Nos. 13, 22, 24, 29, 110, 164, 189.

Also, I have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 2.

CAROL AIELLO-SALA

Assistant Chief Clerk of the Assembly

WAIVERS AND EXEMPTIONS

NOTICE OF EXEMPTION

April 12, 2023

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the exemption of: Senate Bills Nos. 98, 99, 100, 101, 102, 178, 189, 200, 217, 218, 219, 231, 236, 244, 263, 285, 287, 300, 306, 339, 341, 357, 375, 403.

Also, the Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 77, 103, 165, 319, 395, 413, 414, 416, 421, 426, 433, 443.

WAYNE THORLEY

Fiscal Analysis Division

April 13, 2023

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 201, 347.

WAYNE THORLEY
Fiscal Analysis Division

MOTIONS, RESOLUTIONS AND NOTICES

Senator Cannizzaro moved that Senate Bills Nos. 8, 16, 18, 19, 25, 26, 29, 39, 67, 80, 110, 131, 177, 181, 182 and 250 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

Senator Nguyen approved the addition of Senator Stone as a cosponsor of Senate Bill No. 242.

INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 13.

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

Motion carried.

Assembly Bill No. 22.

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

Motion carried.

Assembly Bill No. 24.

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

Motion carried.

Assembly Bill No. 29.

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

Motion carried.

Assembly Bill No. 110.

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

Motion carried.

Assembly Bill No. 164.

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

Motion carried.

Assembly Bill No. 189.

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

Motion carried.

Assembly Bill No. 206.

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

Motion carried.

Assembly Bill No. 276.

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

Motion carried.

Assembly Bill No. 284.

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

Motion carried.

Assembly Bill No. 289.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 34.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 61.

SUMMARY—Revises provisions relating to legal representation in certain actions or proceedings. (BDR 3-422)

AN ACT relating to legal services; authorizing the Attorney General or the chief legal officer or other authorized representative of a political subdivision of this State to provide legal representation to certain officers or employees of the State or a political subdivision thereof in certain actions or proceedings; ~~revising provisions relating to special counsel employed by the Attorney General;~~ revising provisions governing the legal representation of certain persons by the Attorney General; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Attorney General or the chief legal officer or other authorized representative of a political subdivision of this State to provide legal counsel to certain officers or employees of the State or a political subdivision of the State who are named as defendants in a civil action and certain other persons who are not officers or employees of the State or a political subdivision. Existing law authorizes the Attorney General, chief legal officer or other authorized representative to employ special counsel with respect to such civil actions if the Attorney General, chief legal officer or other authorized representative, as applicable, determines that it is impracticable, uneconomical or could constitute a conflict of interest for the legal service to

be provided by the Attorney General, chief legal officer or other authorized representative. (NRS 41.0339)

Section 1 of this bill authorizes the Attorney General or the chief legal officer or other authorized representative of a political subdivision of the State to represent certain officers or employees of the State or a political subdivision thereof who are summoned or subpoenaed to appear in an action or proceeding in which the person is not a named defendant if: (1) the person submits a written request for representation; and (2) the Attorney General, chief legal officer or other authorized representative, as applicable, determines that such representation is in the best interest of the State ~~or~~ or a political subdivision of the State. Section 1 also authorizes the Attorney General, chief legal officer or other authorized representative to employ special counsel with respect to such actions or proceedings if the Attorney General, chief legal officer or other authorized representative, as applicable, determines that it is impracticable, uneconomical or could constitute a conflict of interest for the legal service to be provided by the Attorney General, chief legal officer or other authorized representative. Section 2 of this bill makes a conforming change to indicate the appropriate placement of section 1 in the Nevada Revised Statutes.

~~[Existing law requires that certain determinations relating to the employment of special counsel be made by the Attorney General prior to trial. (NRS 41.03435) Section 3 of this bill removes the requirement that such determinations be made prior to trial. Under existing law, compensation for special counsel employed by the Attorney General must be paid out of: (1) the Reserve for Statutory Contingency Account; or (2) available federal grants or a permanent fund in the State Treasury other than the State General Fund. (NRS 41.03435) Section 3 removes the prohibition against such compensation being paid out of the State General Fund, thereby authorizing the Attorney General to compensate special counsel using money from a permanent fund in the State General Fund.]~~

In general, existing law: (1) provides that the Attorney General and his or her deputies are the legal advisers on all state matters arising in the Executive Department of the State Government; and (2) prohibits persons in the Executive Department from employing other counsel to represent the State or any agency in the Executive Department unless the Attorney General and the deputies of the Attorney General are disqualified to act in the matter. (NRS 228.110) Section 4 of this bill authorizes a person in the Executive Department to employ counsel other than the Attorney General to represent the State or any agency in the Executive Department if the Attorney General determines that it is impracticable, uneconomical or could constitute a conflict of interest for the Attorney General or a deputy of the Attorney General to serve as the legal adviser on the matter. Section 4 also requires compensation for such counsel to be paid out of: (1) the Reserve for Statutory Contingency Account; or (2) available federal grants or a permanent fund in the State Treasury other than the State General Fund.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 41 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The official attorney may represent any present or former local judicial officer, state judicial officer, ~~immune contractor or officer or employee of the State or a political subdivision~~ ~~[, immune contractor or State Legislator]~~ summoned or subpoenaed to appear in an action or proceeding in which the person is not a named defendant, if:*

(a) Within 7 days after the delivery or service of the summons or subpoena, the person submits a written request for representation to the official attorney, and, if the person has an administrative supervisor, his or her administrative supervisor, unless a waiver is granted pursuant to subsection 9; and

(b) The official attorney determines that such representation is in the best interest of the State ~~+~~ or a political subdivision of the State.

2. *As soon as reasonably practicable after receiving a request pursuant to subsection 1, the official attorney shall determine whether to represent the person who submitted the request and provide written notice of his or her determination to that person.*

3. *No fact pertaining to the arrangements or circumstances by which the State or a political subdivision or any attorney thereof represents any person or does not represent a person pursuant to this section is admissible in evidence in any action or proceeding, except in connection with an application to withdraw as the attorney of record.*

4. *If the official attorney determines that it is ~~impractical,~~ impracticable, uneconomical or could constitute a conflict of interest for the official attorney to provide the legal services associated with representing a person pursuant to this section, the official attorney may employ special counsel to render such legal services. Compensation for special counsel employed by an official attorney pursuant to this subsection must be paid in accordance with the requirements prescribed by NRS 41.03435 or 41.0344, as applicable.*

5. *At any time after a written request is submitted pursuant to subsection 1, the person requesting representation may employ his or her own counsel to represent him or her in the action or proceeding. At that time, the State or political subdivision is excused from any duty to represent that person and is not liable for any expenses associated with the action or proceeding, including, without limitation, court costs and attorney's fees.*

6. *The official attorney may apply to a court to withdraw from representing a person pursuant to this section at any time after the official attorney has appeared in an action or proceeding to represent the person upon notice to the person. Such notice must include, without limitation, the reason for the requested withdrawal.*

7. *If a court grants a motion to withdraw brought by the official attorney pursuant to subsection 6, the State or any political subdivision has no duty to continue to represent the person who is the subject of the motion to withdraw.*

8. *The provisions of this section do not abrogate or otherwise alter or affect any immunity from, or protection against, any civil action or civil liability which is provided by law to a local judicial officer, state judicial officer, immune contractor or officer or employee of the State or a political subdivision, ~~immune contractor, State Legislator,~~ member of a state board or commission or member of a local board or commission for any act or omission relating to the person's public duties or employment.*

9. *The official attorney may waive the requirement for notification prescribed by paragraph (a) of subsection 1 for good cause shown.*

10. *Nothing in this section shall be construed to require an official attorney to represent any present or former local judicial officer, state judicial officer, immune contractor or officer or employee of the State or a political subdivision ~~, immune contractor or State Legislator,~~ in any action or proceeding.*

11. *As used in this section, "action or proceeding" means any action, suit, matter, cause, hearing, appeal or proceeding.*

Sec. 2. NRS 41.03375 is hereby amended to read as follows:

41.03375 As used in NRS 41.03375 to 41.03473, inclusive, *and section 1 of this act*, unless the context otherwise requires, the words and terms defined in NRS 41.03377, 41.0338 and 41.03385 have the meanings ascribed to them in those sections.

Sec. 3. ~~NRS 41.03435 is hereby amended to read as follows:~~

~~41.03435 The Attorney General may employ special counsel whose compensation must be fixed by the Attorney General, subject to the approval of the State Board of Examiners, if the Attorney General determines [at any time prior to trial] that it is impracticable, uneconomical or could constitute a conflict of interest for the legal service to be rendered by the Attorney General or a deputy attorney general. Compensation for special counsel must be paid out of:~~

- ~~1. The Reserve for Statutory Contingency Account; [or]~~
- ~~2. Available federal grants; or [a]~~
- ~~3. A permanent fund in the State Treasury. [other than the State General Fund.]] (Deleted by amendment.)~~

Sec. 4. NRS 228.110 is hereby amended to read as follows:

228.110 1. Except as otherwise provided in NRS 228.111 to 228.1118, inclusive, and 228.112 to 228.1127, inclusive, or by specific statute:

(a) The Attorney General and the duly appointed deputies of the Attorney General shall be the legal advisers on all state matters arising in the Executive Department of the State Government.

(b) No officer, commissioner or appointee of the Executive Department of the Government of the State of Nevada shall employ any attorney at law or counselor at law to represent the State of Nevada within the State, or to be compensated by state funds, directly or indirectly, as an attorney acting within the State for the State of Nevada or any agency in the Executive Department thereof unless ~~the~~ :

(1) *The Attorney General and the deputies of the Attorney General are disqualified to act in such matter [] ; or*

(2) *The Attorney General determines that it is impracticable, uneconomical or could constitute a conflict of interest for the Attorney General or a deputy of the Attorney General to serve as the legal adviser in such matter.*

2. Compensation for any attorney or counselor at law employed as special counsel by the Attorney General must be paid in accordance with the requirements prescribed by NRS 41.03435.

3. All claims for legal services rendered in violation of this section shall be void.

Sec. 5. 1. This section and section 3 of this act become effective upon passage and approval.

2. Sections 1, 2 and 4 of this act become effective on October 1, 2023.

Senator Scheible moved the adoption of the amendment.

Remarks by Senator Scheible.

Amendment No. 61 to Senate Bill No. 34 removes a State Legislator from the list of persons who can be represented under the provisions of this bill; adds a political subdivision of the State to the entities in whose best interest such representation may be; and clarifies that compensation for an attorney or counselor employed under the provisions of this bill must be paid from the Reserve for Statutory Contingency Account, from available grants or from a permanent fund in the State Treasury other than the State General Fund.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 44.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 6.

SUMMARY—Revises provisions related to dental and oral health care. (BDR 38-221)

AN ACT relating to public health; transferring the State Dental Health Officer from the Division of Health Care Financing and Policy of the Department of Health and Human Services to the Department; revising provisions governing the qualifications for appointment as the State Dental Health Officer or the State Public Health Dental Hygienist; transferring the State Program for Oral Health, the Advisory Committee on the State Program for Oral Health and certain duties from the Division of Public and Behavioral Health of the Department of Health and Human Services to the Department; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires the Division of Health Care Financing and Policy of the Department of Health and Human Services to appoint, with the consent of the Director of the Department, a State Dental Health Officer and prescribes the qualifications and duties of the State Dental Health Officer. Existing law also requires the State Dental Health Officer to: (1) hold a current license to

practice dentistry issued pursuant to chapter 631 of NRS; and (2) be appointed on the basis of his or her education, training and experience and his or her interest in public dental health and related programs. Finally, existing law requires the State Dental Health Officer to devote all of his or her time to the business of his or her office and prohibits him or her from pursuing any other business or vocation or holding any other office of profit. (NRS 422.239) Section 1 of this bill transfers the duty to appoint the State Dental Health Officer from the Division of Health Care Financing and Policy to the Director of the Department. Section 1 also provides that the State Dental Health Officer must have satisfied the educational requirements for and may, but is not required to, ~~hold a current~~ satisfy any other requirements for the issuance of an unrestricted license to practice dentistry ~~issued~~ pursuant to chapter 631 of NRS. Finally, section 1 eliminates the requirement that the State Dental Health Officer devote all of his or her time to the business of his or her office and the prohibition on the pursuit of any other business or vocation or holding any other office of profit.

Existing law requires the Division of Public and Behavioral Health of the Department of Health and Human Services to appoint, with the consent of the Director of the Department, a State Public Health Dental Hygienist, who must: (1) hold a current license to practice dental hygiene issued pursuant to chapter 631 of NRS with a special endorsement to practice public health dental hygiene; and (2) be appointed on the basis of his or her education, training and experience and his or her interest in public health dental hygiene and related programs. Existing law also requires the State Public Health Dental Hygienist to devote all of his or her time to the business of his or her office and prohibits the State Public Health Dental Hygienist from pursuing any other business or vocation or holding any other office of profit. (NRS 439.279) Section 2 of this bill transfers the duty to appoint the State Public Health Dental Hygienist to the Department and provides that the State Public Health Dental Hygienist may, but is not required to, hold a current license to practice dental hygiene issued pursuant to chapter 631 of NRS with a special endorsement to practice public health dental hygiene. Section 2 also eliminates the requirement that the State Public Health Dental Hygienist devote all of his or her time to the business of his or her office and the prohibition on the pursuit of any other business or vocation or holding any other office of profit.

Existing law establishes the State Program for Oral Health within the Division of Public and Behavioral Health. (NRS 439.2791) Section 3 of this bill transfers that Program to the Department.

Existing law: (1) creates the Advisory Committee on the State Program for Oral Health within the Division of Public and Behavioral Health; and (2) requires the Advisory Committee to annually submit a written report to the Administrator of the Division summarizing the activities of the Advisory Committee and its recommendations. (NRS 439.2792) Section 4 of this bill: (1) transfers the Advisory Committee to the Department; and (2) requires the

Advisory Committee to submit its annual report to the Director of the Department.

Existing law prescribes certain duties for the Division of Public and Behavioral Health to perform with the advice and recommendations of the Advisory Committee. (NRS 439.2793) Section 5 of this bill transfers those duties to the Department.

Existing law authorizes the Division of Public and Behavioral Health to take certain actions and sets forth certain requirements and duties for the administration of money accepted to carry out the State Program for Oral Health. (NRS 439.2794) Section 6 of this bill transfers that authority and those requirements and duties to the Department.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 422.239 is hereby amended to read as follows:

422.239 1. The ~~{Division of Health Care Financing and Policy of the Department}~~ Director shall appoint ~~{, with the consent of the Director,}~~ a State Dental Health Officer, who may serve in the unclassified service of the State or as a contractor for the ~~{Division,} Department~~. The State Dental Health Officer ~~{,}~~ must:

- (a) Be ~~{Must be}~~ a resident of this State;
- (b) ~~{Hold May,}~~ Have satisfied the educational requirements for and may, but is not required to, ~~{hold a current}~~ satisfy any other requirements for the issuance of an unrestricted license to practice dentistry ~~{issued}~~ pursuant to chapter 631 of NRS; and
- (c) Be ~~{Must be}~~ appointed on the basis of his or her education, training and experience and his or her interest in public dental health and related programs.

2. The State Dental Health Officer shall:

- (a) Determine the needs of the residents of this State for public dental health;
- (b) Provide the Advisory Committee ~~{, the Division of Health Care Financing and Policy}~~ and the ~~{Division of Public and Behavioral Health} Department~~ with advice regarding public dental health;
- (c) Make recommendations to the Advisory Committee, the ~~{Division of Health Care Financing and Policy, the Division of Public and Behavioral Health} Department~~ and the Legislature regarding programs in this State for public dental health;
- (d) Work collaboratively with the State Public Health Dental Hygienist; and
- (e) Seek such information and advice from the Advisory Committee or from any dental education program in this State, including any such programs of the Nevada System of Higher Education, as necessary to carry out his or her duties.

3. ~~{The State Dental Health Officer shall devote all of his or her time to the business of his or her office and shall not pursue any other business or vocation or hold any other office of profit.~~

~~{4.}~~ As used in this section, "Advisory Committee" means the Advisory Committee on the State Program for Oral Health created by NRS 439.2792.

Sec. 2. NRS 439.279 is hereby amended to read as follows:

439.279 1. The ~~{Division}~~ *Department* shall appoint ~~[, with the consent of the Director,]~~ a State Public Health Dental Hygienist, who may serve in the unclassified service of the State or as a contractor for the ~~{Division}~~ *Department*. The State Public Health Dental Hygienist : ~~{must:}~~

- (a) ~~{Be}~~ *Must be* a resident of this State;
- (b) ~~{Hold}~~ *May, but is not required to, hold* a current license to practice dental hygiene issued pursuant to chapter 631 of NRS with a special endorsement issued pursuant to NRS 631.287; and
- (c) ~~{Be}~~ *Must be* appointed on the basis of his or her education, training and experience and his or her interest in public health dental hygiene and related programs.

2. The State Public Health Dental Hygienist:

- (a) Shall work collaboratively with the State Dental Health Officer in carrying out his or her duties; and
- (b) May:

(1) Provide advice and make recommendations to the Advisory Committee and the ~~{Division}~~ *Department* regarding programs in this State for public health dental hygiene; and

(2) ~~{Perform}~~ *If he or she holds a license to practice dental hygiene issued pursuant to chapter 631 of NRS with a special endorsement issued pursuant to NRS 631.287, perform* any acts authorized pursuant to NRS 631.287.

3. ~~{The State Public Health Dental Hygienist shall devote all of his or her time to the business of his or her office and shall not pursue any other business or vocation or hold any other office of profit.~~

~~—4—~~ The ~~{Division}~~ *Department* may solicit and accept gifts and grants to pay the costs associated with the position of State Public Health Dental Hygienist.

Sec. 3. NRS 439.2791 is hereby amended to read as follows:

439.2791 There is hereby established within the ~~{Division}~~ *Department* the State Program for Oral Health to increase public knowledge and raise public awareness of the importance of oral health and to educate the residents of this State on matters relating to oral health, including, without limitation:

- 1. Proper oral hygiene;
- 2. The factors that increase the risk of a person developing oral diseases; and
- 3. The prevention and treatment of oral diseases.

Sec. 4. NRS 439.2792 is hereby amended to read as follows:

439.2792 1. There is hereby created within the ~~{Division of Public and Behavioral Health}~~ *Department* the Advisory Committee on the State Program for Oral Health to advise and make recommendations to the ~~{Division}~~ *Department* concerning the Program.

2. The ~~{Administrator}~~ *Director* shall appoint to the Advisory Committee 13 members, including, without limitation, one or more persons who are representatives of:

- (a) Public health care professionals and educators;
- (b) Providers of oral health care;
- (c) Persons knowledgeable in promoting and educating the public on oral health issues; and
- (d) National dental and other oral health organizations and their local or state chapters.

3. After the initial terms, the members of the Advisory Committee serve terms of 2 years commencing on July 1. A member may be reappointed.

4. Members of the Advisory Committee serve without compensation, except that each member is entitled, while engaged in the business of the Advisory Committee, to the per diem allowance and travel expenses provided for state officers and employees generally.

5. Any member of the Advisory Committee who is a public employee must be granted administrative leave from his or her duties to engage in the business of the Advisory Committee without loss of his or her regular compensation. Such leave does not reduce the amount of the member's other accrued leave.

6. A majority of the members of the Advisory Committee constitutes a quorum for the transaction of business, and a majority of a quorum present at any meeting is sufficient for any official action taken by the Advisory Committee.

7. The Advisory Committee shall:

(a) At its first meeting and annually thereafter, elect a Chair from among its members;

(b) Meet at the call of the Director, the Chair or a majority of its members as necessary and within the budget of the Advisory Committee; and

(c) On or before July 1 of each year, submit a written report to the ~~{Administrator}~~ *Director* summarizing the activities of the Advisory Committee and any recommendations of the Advisory Committee.

Sec. 5. NRS 439.2793 is hereby amended to read as follows:

439.2793 To carry out the provisions of NRS 439.271 to 439.2794, inclusive, the ~~{Division}~~ *Department* shall, with advice and recommendations of the Advisory Committee:

1. Establish a solid scientific database of the most current information on the importance of oral health, using information obtained through surveillance, epidemiology and research related to oral health;

2. Provide educational materials and information on research concerning matters relating to oral health to health care professionals, providers of oral health care and the public, including, without limitation, materials and information concerning programs and services available to the public and strategies for the prevention of oral diseases;

3. Coordinate the establishment of regional coalitions to support the efforts of the Program;
4. Increase public awareness about the prevention, detection and treatment of oral diseases among state and local governmental officials who are responsible for matters relating to oral health, health care professionals, providers of oral health care and policymakers;
5. Coordinate state and local programs and services to ensure that the public has adequate access to dental services;
6. Work with other governmental agencies, national health organizations and their local and state chapters, community and business leaders, community organizations and providers of oral health care to:
 - (a) Coordinate the work of the Program with the work of those agencies, organizations and persons; and
 - (b) Maximize the resources of state and local governments in the efforts to educate the public about the importance of oral health, including, without limitation, the prevention and detection of oral diseases and proper oral hygiene;
7. Develop and carry out public awareness and media campaigns in each county, targeting groups of persons who are considered at risk for developing oral diseases;
8. Evaluate the need to improve the quality and accessibility of dental services that exist in communities in this State; and
9. Develop and coordinate, in cooperation with the Department of Education, recommendations for dental programs to encourage proper oral hygiene by children.

Sec. 6. NRS 439.2794 is hereby amended to read as follows:

439.2794 1. The ~~{Division}~~ *Department* may:

- (a) Enter into contracts for any services necessary to carry out or assist the ~~{Division}~~ *Department* in carrying out the provisions of NRS 439.271 to 439.2794, inclusive, with public or private entities that have the appropriate expertise to provide such services;
- (b) Apply for and accept any gift, donation, bequest, grant or other source of money to carry out the provisions of NRS 439.271 to 439.2794, inclusive;
- (c) Apply for any waiver from the Federal Government that may be necessary to maximize the amount of money this State may obtain from the Federal Government to carry out the provisions of NRS 439.271 to 439.2794, inclusive; and
- (d) Adopt regulations as necessary to carry out and administer the Program.

2. Any money that is accepted by the ~~{Division}~~ *Department* pursuant to subsection 1 must be deposited in the State Treasury and accounted for separately in the State General Fund.

3. The ~~{Administrator}~~ *Director* shall administer the account created pursuant to subsection 2. Money in the account does not lapse to the State General Fund at the end of the fiscal year. The interest and income earned on

the money in the account must be credited to the account. Any claims against the account must be paid as other claims against the State are paid.

Sec. 7. The Legislative Counsel shall:

1. In preparing the reprint and supplements to the Nevada Revised Statutes, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

2. In preparing supplements to the Nevada Administrative Code, appropriately change any references to an officer, agency or other entity whose name is changed or whose responsibilities are transferred pursuant to the provisions of this act to refer to the appropriate officer, agency or other entity.

Sec. 8. 1. Any administrative regulations adopted by an officer or an agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency remain in force until amended by the officer or agency to which the responsibility for the adoption of the regulations has been transferred.

2. Any contracts or other agreements entered into by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency are binding upon the officer or agency to which the responsibility for the administration of the provisions of the contract or other agreement has been transferred. Such contracts and other agreements may be enforced by the officer or agency to which the responsibility for the enforcement of the provisions of the contract or other agreement has been transferred.

3. Any action taken by an officer or agency whose name has been changed or whose responsibilities have been transferred pursuant to the provisions of this act to another officer or agency remains in effect as if taken by the officer or agency to which the responsibility for the enforcement of such actions has been transferred.

Sec. 9. This act becomes effective on July 1, 2023.

Senator Doñate moved the adoption of the amendment.

Remarks by Senator Doñate.

Amendment No. 6 to Senate Bill No. 44 requires the State Dental Health Officer to satisfy the educational requirements for an unrestricted license to practice dentistry and may, but is not required to, satisfy any other requirements.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 71.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 47.

~~SUMMARY—[Creates the Nevada State Education Support Professional Recruitment and Retention Advisory Task Force.]~~ Revises provisions relating to the recruitment and retention of school staff. (BDR 34-439)

AN ACT relating to education; ~~[creating]~~ renaming the Nevada State ~~[Education Support Professional]~~ Teacher Recruitment and Retention Advisory Task Force; ~~[prescribing the membership, powers and duties]~~ revising the membership of the Task Force; ~~[]~~ to include education support professionals; revising the powers and duties of the Task Force; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Nevada State Teacher Recruitment and Retention Advisory Task Force for the purpose of evaluating and addressing the challenges in attracting and retaining teachers throughout this State. (NRS 391.490-391.496) ~~[This bill similarly creates the Nevada State Education Support Professional Recruitment and Retention Advisory Task Force for the purpose of evaluating and addressing the challenges throughout this State in attracting and retaining education support professionals. Section]~~ Under existing law, the Task Force is composed of 20 teachers from various school districts in this State. (NRS 391.492) Section 3 of this bill defines the term "education support ~~[professionals]~~ professional" for the purpose of the Task Force to include paraprofessionals, security officers, school nurses, counselors, psychologists and social workers, school bus drivers and clerical, food service, custodial and maintenance staff. ~~[Section 4 of this bill defines the term "Task Force" to refer to the Task Force. Sections 5 and 7 of this bill set forth the membership, powers and duties of the Task Force. Section 5 requires the Task Force to meet quarterly and, in its fourth meeting in even-numbered years, present its findings and recommendations to the Joint Interim Standing Committee on Education. Section 7 requires the Task Force to: (1) evaluate the challenges in attracting and retaining education support professionals throughout this State; (2) make recommendations to the Joint Interim Standing Committee on Education to attract and retain education support professionals; and (3) submit a report of the findings and recommendations of the Task Force to the Director of the Legislative Counsel Bureau for transmittal to the Legislature. Section 6 of this bill establishes certain requirements for membership on the Task Force.]~~ Sections 7.2 and 7.4 of this bill revise the name of the Task Force to the Nevada State Teacher and Education Support Professional Recruitment and Retention Advisory Task Force. Section 7.4 requires the Task Force be composed of 20 members employed by a school district in this State. To the extent practicable, section 7.4 requires 10 of those members to be teachers and 10 to be education support professionals. Section 7.6 of this bill establishes: (1) the qualifications for membership on the Task Force; and (2) the procedure for appointment to the Task Force. Section 7.8 of this bill expands the duties of the Task Force to include evaluating and addressing the challenges throughout the State in attracting and retaining education support professionals.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 391 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 7, inclusive, of this act.

Sec. 2. ~~As used in sections 2 to 7, NRS 391.490 to 391.496, inclusive, and sections 2 and 3 of this act, unless the context otherwise requires, the words and terms defined in sections NRS 391.490 and section 3 and 4 of this act have the meanings ascribed to them in those sections.~~

Sec. 3. "Education support professional" means a person, other than a teacher or administrator, who is employed to work at a public school. The term includes, without limitation:

1. Paraprofessionals;
2. School police officers, school resource officers and other providers of security services at a school;
3. School nurses;
4. School counselors;
5. School psychologists;
6. School social workers;
7. Drivers of school buses;
8. Secretaries;
9. Members of the custodial or maintenance staff; and
10. Workers in food services.

Sec. 4. ~~"Task Force" means the Nevada State Education Support Professional Recruitment and Retention Advisory Task Force created by section 5 of this act.~~ (Deleted by amendment.)

Sec. 5. ~~1. There is hereby created the Nevada State Education Support Professional Recruitment and Retention Advisory Task Force consisting of the following members appointed by the Joint Interim Standing Committee on Education:~~

~~(a) One education support professional employed by each school district located in a county whose population is less than 100,000;~~

~~(b) Two education support professionals employed by each school district located in a county whose population is 100,000 or more but less than 700,000; and~~

~~(c) Three education support professionals employed by each school district located in a county whose population is 700,000 or more.~~

~~2. Each member of the Task Force serves a term of 2 years and may be reappointed to one additional 2-year term following the initial term of the member. If any member of the Task Force ceases to be qualified for the position to which the member was appointed, the position shall be deemed vacant and the Joint Interim Standing Committee on Education shall appoint a replacement for the remainder of the unexpired term. A vacancy must be filled in the same manner as the original appointment.~~

~~3. The Task Force shall, at its first meeting and each odd-numbered year thereafter, elect a Chair from among its members.~~

~~4. The Task Force shall meet at least quarterly and may meet at other times upon the call of the Chair or a majority of the members of the Task Force. In even numbered years, the Task Force shall have three meetings before the final meeting of the Joint Interim Standing Committee on Education. In even numbered years, the fourth meeting of the Task Force must be a presentation to the Joint Interim Standing Committee on Education of the findings and recommendations of the Task Force made pursuant to section 7 of this act.~~

~~5. Ten members of the Task Force constitute a quorum, and a quorum may exercise all the power and authority conferred on the Task Force.~~

~~6. Members of the Task Force serve without compensation, except that for each day or portion of a day during which a member of the Task Force attends a meeting of the Task Force or is otherwise engaged in the business of the Task Force, the member is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.~~

~~7. Each member of the Task Force who is an officer or employee of the State or a local government must be relieved from the duties of the member without loss of regular compensation so that the member may prepare for and attend meetings of the Task Force and perform any work necessary to carry out the duties of the Task Force in the most timely manner practicable. A state agency or local government shall not require an officer or employee who is a member of the Task Force to make up the time the member is absent from work to carry out his or her duties as a member, and shall not require the member to take annual vacation or compensatory time for the absence.~~

~~8. The Department shall provide administrative support to the Task Force.~~

‡ (Deleted by amendment.)

Sec. 6. ~~1. Each member of the Task Force must:~~

~~(a) Have at least 5 consecutive years of experience working as an education support professional in a public school in this State;~~

~~(b) Be currently employed as an education support professional and actively working as an education support professional in a public school in this State, and remain employed as an education support professional in a public school in this State for the duration of the term of the member; and~~

~~(c) Not be currently serving on any other education related board, commission, council, task force or similar governmental entity.~~

~~2. On or before December 1, 2023, the Department shall prescribe a uniform application for an education support professional to use to apply to serve on the Task Force.~~

~~3. An education support professional who wishes to serve on the Task Force must submit an application prescribed pursuant to subsection 2 to the Joint Interim Standing Committee on Education on or before January 15 of an even numbered year. On or before February 15 of each even numbered year, the Joint Interim Standing Committee on Education shall select one or more education support professionals, as applicable, to serve as a member of the Task Force. To the extent possible from those that applied to serve on the Task~~

~~Force, the Joint Interim Standing Committee on Education shall select education support professionals from a variety of education support professions.] (Deleted by amendment.)~~

~~Sec. 7. [The Task Force shall~~

~~1. Evaluate the challenges in attracting and retaining education support professionals throughout the State.~~

~~2. Make recommendations to the Joint Interim Standing Committee on Education to address the challenges in attracting and retaining education support professionals throughout this State, including, without limitation, providing incentives to attract and retain education support professionals.~~

~~3. On or before February 1 of each odd-numbered year, submit a report to the Director of the Legislative Counsel Bureau for transmission to the Legislature describing the findings and recommendations of the Task Force.] (Deleted by amendment.)~~

Sec. 7.2. NRS 391.490 is hereby amended to read as follows:

391.490 ~~[As used in NRS 391.490 to 391.496, inclusive,]~~ "Task Force" means the Nevada State Teacher and Education Support Professional Recruitment and Retention Advisory Task Force created by NRS 391.492.

Sec. 7.4. NRS 391.492 is hereby amended to read as follows:

391.492 1. There is hereby created the Nevada State Teacher and Education Support Professional Recruitment and Retention Advisory Task Force consisting of the following 20 members:

(a) One licensed teacher or education support professional employed by each school district located in a county whose population is less than 100,000, appointed by the Joint Interim Standing Committee on Education;

(b) Two licensed teachers or education support professionals employed by each school district located in a county whose population is 100,000 or more but less than 700,000, appointed by the Joint Interim Standing Committee on Education; and

(c) Three licensed teachers or education support professionals employed by each school district located in a county whose population is 700,000 or more, appointed by the Joint Interim Standing Committee on Education.

↪ To the extent practicable, the Joint Interim Standing Committee shall appoint 10 licensed teachers and 10 education support professionals to the Task Force.

2. After the initial terms, each member of the Task Force serves a term of 2 years and may be reappointed to one additional 2-year term following his or her initial term. If any member of the Task Force ceases to be qualified for the position to which he or she was appointed, the position shall be deemed vacant and the Joint Interim Standing Committee on Education shall appoint a replacement for the remainder of the unexpired term. A vacancy must be filled in the same manner as the original appointment.

3. The Task Force shall, at its first meeting and each odd-numbered year thereafter, elect a Chair from among its members.

4. The Task Force shall meet at least quarterly and may meet at other times upon the call of the Chair or a majority of the members of the Task Force. In even-numbered years, the Task Force shall have three meetings before the final meeting of the Joint Interim Standing Committee on Education. In even-numbered years, the fourth meeting of the Task Force must be a presentation to the Joint Interim Standing Committee on Education of the findings and recommendations of the Task Force made pursuant to NRS 391.496.

5. Ten members of the Task Force constitute a quorum, and a quorum may exercise all the power and authority conferred on the Task Force.

6. Members of the Task Force serve without compensation, except that for each day or portion of a day during which a member of the Task Force attends a meeting of the Task Force or is otherwise engaged in the business of the Task Force, the member is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

7. Each member of the Task Force who is an officer or employee of the State or a local government must be relieved from his or her duties without loss of his or her regular compensation so that the member may prepare for and attend meetings of the Task Force and perform any work necessary to carry out the duties of the Task Force in the most timely manner practicable. A state agency or local government shall not require an officer or employee who is a member of the Task Force to make up the time the member is absent from work to carry out his or her duties as a member, and shall not require the member to take annual vacation or compensatory time for the absence.

8. The Department shall provide administrative support to the Task Force.

Sec. 7.6. NRS 391.494 is hereby amended to read as follows:

391.494 1. Each member of the Task Force must:

(a) Be a licensed teacher *or an education support professional* with at least 5 consecutive years of experience teaching *or serving as an education support professional, as applicable*, in a public school in this State;

(b) Be currently employed as a teacher *or an education support professional* and actively teaching *or serving as an education support professional, as applicable*, in a public school in this State, and remain employed as a teacher *or an education support professional, as applicable*, in a public school in this State for the duration of the member's term; and

(c) Not be currently serving on any other education-related board, commission, council, task force or similar governmental entity.

2. On or before December 1, ~~2019,~~ 2023, the Department shall prescribe a uniform application for a teacher *or an education support professional* to use to apply to serve on the Task Force.

3. A teacher *or an education support professional* who wishes to serve on the Task Force must submit an application prescribed pursuant to subsection 2 to the Joint Interim Standing Committee on Education on or before January 15 of an even-numbered year. On or before February ~~14~~ 15 of each even-numbered year, the Joint Interim Standing Committee on Education shall

select one or more teachers ~~and~~ or education support professionals, as applicable, to serve as a member of the Task Force.

Sec. 7.8. NRS 391.496 is hereby amended to read as follows:

391.496 The Task Force shall:

1. Evaluate the challenges in attracting and retaining teachers and education support professionals throughout this State;

2. Make recommendations to the Joint Interim Standing Committee on Education to address the challenges in attracting and retaining teachers and education support professionals throughout this State, including, without limitation, providing incentives to attract and retain teachers ~~and~~ and education support professionals; and

3. On or before February 1 of each odd-numbered year, submit a report to the Director of the Legislative Counsel Bureau for transmission to the Legislature describing the findings and recommendations of the Task Force.

Sec. 7.9. The amendatory provisions of this act do not affect the current term of appointment of any person who, on June 30, 2023, is a member of the Nevada State Teacher Recruitment and Retention Advisory Task Force created by NRS 391.492, as that section existed on June 30, 2023, and each such member continues to serve until the expiration of his or her term or until the member vacates his or her office, whichever occurs first. On and after February 15, 2024, the Joint Interim Standing Committee on Education shall make appointments to the Nevada State Teacher and Education Support Professional Recruitment and Retention Advisory Task Force in accordance with NRS 391.492, as amended by section 7.4 of this act.

Sec. 8. The provisions of subsection 1 of NRS 218D.380 do not apply to any provision of this act which adds or revises a requirement to submit a report to the Legislature.

Sec. 9. This act becomes effective on July 1, 2023.

Senator Lange moved the adoption of the amendment.

Remarks by Senator Lange.

Amendment No. 47 to Senate Bill No. 71 includes, as part of the existing Nevada State Teacher Recruitment and Retention Advisory Task Force's work, a study on attracting and retaining Education Support Professionals (ESPs) rather than creating a separate task force for this purpose. To reflect this change, the amendment revises the name of the Teacher Recruitment and Retention Advisory Task Force to include ESPs, the composition of the task force to include ESP representatives, and the ongoing charge of the task force to advise on both teacher and ESP recruitment and retention.

The amendment also modifies the date by which the Joint Interim Standing Committee on Education must select the teachers and ESPs to serve as members of the task force from February 1 to February 15 of each even-numbered year.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 76.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 7.

SUMMARY—Establishes provisions governing certain products that contain intentionally added perfluoroalkyl and polyfluoroalkyl substances. (BDR 40-291)

AN ACT relating to hazardous materials; prohibiting, with certain exceptions, the sale and distribution of certain products containing intentionally added perfluoroalkyl and polyfluoroalkyl substances; requiring, with certain exceptions, manufacturers of cookware containing intentionally added perfluoroalkyl and polyfluoroalkyl substances to provide certain information to a customer; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law prohibits, with certain exceptions, the discharge, use or release of any Class B firefighting foam that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances for the purpose of testing the Class B firefighting foam or firefighting training. (NRS 459.682) Beginning on January 1, 2024, section 21 of this bill prohibits, with certain exceptions, a manufacturer from selling, offering for sale, distributing for sale or distributing for use any carpet or rug, fabric treatment, food packaging or ~~children's~~ juvenile product that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances. Section 21 also requires a manufacturer of such products to include a statement on the product label that perfluoroalkyl and polyfluoroalkyl substances were not intentionally added or used to make the product. Section 24 of this bill amends section 21 to also prohibit, beginning July 1, 2024, a manufacturer from selling, offering for sale, distributing for sale or distributing for use any cosmetics, indoor textile furnishings or indoor upholstered furniture that contain intentionally added perfluoroalkyl and polyfluoroalkyl substances.

Section 22 of this bill requires, with certain exceptions, a manufacturer of cookware sold in this State that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances to include on the cookware product label and on any product listing for online sales: (1) that the product contains intentionally added perfluoroalkyl and polyfluoroalkyl substances; and (2) an Internet address and quick response code for a website that contains certain information about the intentionally added perfluoroalkyl and polyfluoroalkyl substances.

Section 23 of this bill provides that a person who willfully and knowingly violates the provisions of section 21, 22 or 24 is subject to a maximum civil penalty of \$1,000.

Section 20 of this bill provides an exception to the requirements and prohibitions set forth in this bill to the extent that such provisions are preempted by or conflict with federal law.

Sections 3-19 of this bill define certain terms related to these requirements.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 459 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 23, inclusive, of this act.

Sec. 2. *As used in sections 2 to 23, inclusive, of this act, the words and terms defined in sections 3 to 19, inclusive, of this act have the meanings ascribed to them in those sections.*

Sec. 3. *"Adult mattress" means any mattress other than a toddler mattress, crib mattress or other sleep product for infants.*

Sec. 4. *"Carpet or rug" means a fabric product marketed or intended for use as a floor covering in a household or business.*

Sec. 5. ~~1. "Children's product" means a product designed by a manufacturer for use by an infant or child less than 12 years of age, including, without limitation, a bassinet, child restraint system for use in motor vehicles, changing pad, toddler mattress, crib mattress or other sleep product for infants, high chair, infant carrier, infant seat, polyurethane foam mat, pad or pillow, nap cot, play mat, playpen or stroller.~~

~~2. The term does not include:~~

~~(a) Electronic products, including, without limitation, any personal computer and any associated equipment, audio and video equipment, calculator, wireless phone, gaming console, handheld device incorporating a video screen or any associated peripheral device such as a mouse, keyboard, power supply unit or power cord;~~

~~(b) An internal component of a children's product that is not designed or intended to come into direct contact with the skin or mouth of a child as a result of the reasonably foreseeable use of the product; or~~

~~(c) An adult mattress.] (Deleted by amendment.)~~

Sec. 6. *"Component" means an identifiable component of a product, regardless of whether the manufacturer of the product is the manufacturer of the component.*

Sec. 7. *"Cookware" means a durable houseware product that is used in a residence or kitchen to prepare, dispense or store food or beverages, including, without limitation, any pot, pan, skillet, grill, baking sheet, baking mold, tray, bowl or cooking utensil.*

Sec. 8. 1. *"Cosmetic" means a product that is intended to be rubbed onto or introduced into, poured, sprinkled, sprayed on or otherwise applied to the human body for the purposes of cleaning, cleansing, beautifying, promoting or altering the appearance of a person, including, without limitation, any skin moisturizer, perfume, lipstick, nail polish, eye or facial makeup, shampoo, conditioner, permanent wave, hair dye or deodorant.*

2. *The term does not include:*

(a) *A product that requires a prescription for distribution or dispensation;*
or

(b) *Hydrofluoroolefins used as propellants in cosmetics.*

Sec. 9. "Fabric treatment" means a product applied to fabric to give the fabric one or more characteristics, including, without limitation, stain resistance or water resistance. The term does not include hydrofluoroolefins used as propellants in fabric treatments.

Sec. 10. "Food packaging" means a package or packaging component that is used in direct contact with food and is composed of, in substantial part, paper, paperboard or other materials originally derived from plant fibers.

Sec. 11. 1. "Intentionally added perfluoroalkyl and polyfluoroalkyl substances" means perfluoroalkyl and polyfluoroalkyl substances that a manufacturer has intentionally added to a product and that have a functional or technical effect on the product. The term includes, without limitation, perfluoroalkyl and polyfluoroalkyl substances that are intentional breakdown products of an added chemical that also have a functional or technical effect on the product.

2. The term does not include the use of recycled materials which may contain perfluoroalkyl and polyfluoroalkyl substances due to the use of perfluoroalkyl and polyfluoroalkyl substances in the original product.

Sec. 11.5. 1. "Juvenile product" means a product designed by a manufacturer for use by an infant or child less than 12 years of age, including, without limitation, a bassinet, child restraint system for use in motor vehicles, changing pad, toddler mattress, crib mattress or other sleep product for infants, high chair, infant carrier, infant seat, polyurethane foam mat, pad or pillow, nap cot, play mat, playpen or stroller.

2. The term does not include:

(a) Electronic products, including, without limitation, any personal computer and any associated equipment, audio and video equipment, calculator, wireless phone, gaming console, handheld device incorporating a video screen or any associated peripheral device such as a mouse, keyboard, power supply unit or power cord;

(b) An internal component of a juvenile product that is not designed or intended to come into direct contact with the skin or mouth of a child as a result of the reasonably foreseeable use of the product; or

~~(c) An adult mattress.~~

Sec. 12. "Manufacturer" means a person that manufactures or assembles a ~~product or whose brand name is affixed to a~~ product. The term includes, without limitation, the importer or first domestic distributor of the product if a product is imported into the United States and the manufacturer does not have a presence in the United States.

Sec. 13. "Package" means the material that is intended or used to contain, protect, handle, deliver or present a product.

Sec. 14. "Packaging component" means an individual part of a package, including, without limitation, the interior or exterior blocking, bracing, cushioning, weatherproofing, exterior strapping, coating, closure, ink or label.

Sec. 15. "Perfluoroalkyl and polyfluoroalkyl substances" has the meaning ascribed to it in NRS 459.678.

Sec. 16. 1. "Product" means an item, and any component of such an item, that is manufactured, assembled or otherwise prepared for sale or distribution to a customer and that is sold or distributed for personal, residential, commercial or industrial use, including, without limitation, for use in making other products.

2. The term does not include:

(a) Any drug, medical device, biologic or diagnostic ~~approved or authorized~~ regulated by the United States Food and Drug Administration or the United States Department of Agriculture;

(b) Any drug, medical device, biologic, parasiticide or diagnostic administered or used to treat animals regulated by the United States Food and Drug Administration pursuant to the Federal Food, Drug and Cosmetic Act, 21 U.S.C. §§ 351 et seq., the United States Department of Agriculture pursuant to the Virus-Serum-Toxin Act, 21 U.S.C. §§ 151 et seq. or the United States Environmental Protection Agency pursuant to the Federal Insecticide, Fungicide and Rodenticide Act, 7 U.S.C. §§ 136 et seq.;

(c) A veterinary pesticide product approved by the United States Environmental Protection Agency for use in animals;

~~##~~ (d) Any packaging used for a product described in paragraph (a), ~~for~~ (b) ~~##~~ or (c); or

~~##~~ (e) A used product offered for sale or resale.

Sec. 17. "Textile" means any product made in whole or in part from a natural or synthetic fiber, yarn or fabric, including, without limitation, leather, cotton, silk, jute, hemp, wool, nylon or polyester. The term does not include any textile used in a medical, professional or industrial setting.

Sec. 18. "Textile furnishing" means a type of textile intended for use in households and businesses, including, without limitation, any drapery, floor covering, furnishing, bedding, towel or tablecloth. The term does not include a textile furnishing intended for use in a medical, professional or industrial setting.

Sec. 19. "Upholstered furniture" means any article of furniture that is:

1. Designed for sitting, resting or reclining; and
2. Wholly or partially stuffed with filling material.

Sec. 20. The provisions of sections 2 to 23, inclusive, of this act do not apply to the extent that those provisions are preempted by or conflict with federal law, including, without limitation, any provision of federal law requiring the use of products that contain intentionally added perfluoroalkyl and polyfluoroalkyl substances.

Sec. 21. 1. A manufacturer shall not sell, offer for sale, distribute for sale or distribute for use in this State any ~~product in~~ of the following ~~categories~~ types of products if the product contains intentionally added perfluoroalkyl and polyfluoroalkyl substances:

~~##~~ (a) Carpets or rugs;

- ~~2.~~ (b) Fabric treatments;
~~3.~~ (c) Food packaging; or
~~4. Children's~~
 (d) Juvenile products.

2. A manufacturer of the products described in subsection 1 shall include on the product label a statement that is clearly visible and legible in both English and Spanish that reads: "NO PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES WERE INTENTIONALLY ADDED OR USED TO MAKE THIS PRODUCT."

3. The provisions of this section do not apply to:

(a) A product which contains perfluoroalkyl and polyfluoroalkyl substances due to the use of recycled materials containing perfluoroalkyl and polyfluoroalkyl substances in the original product; or

(b) A carpet or rug that was manufactured or imported before January 1, 2024.

Sec. 22. 1. A manufacturer of cookware sold in this State that contains intentionally added perfluoroalkyl and polyfluoroalkyl substances in the handle of the product or in any product surface that comes into contact with any food or beverages shall:

(a) Except as otherwise provided in subsection 3, include on the product label:

(1) That the product contains intentionally added perfluoroalkyl and polyfluoroalkyl substances; and

(2) A statement, in both English and Spanish, that reads: "For more information about the perfluoroalkyl and polyfluoroalkyl substances in the product, visit" followed by:

(I) An Internet address for a website that provides information about why the perfluoroalkyl and polyfluoroalkyl substances are intentionally added; and

(II) A quick response (QR) code or other machine-readable code used for storing an Internet address for the website that provides information about why the perfluoroalkyl and polyfluoroalkyl substances are intentionally added;

(b) Include in any product listing for online sales in this State, the information required to be included on the product label pursuant to paragraph (a); and

(c) Ensure that the information required pursuant to paragraphs (a) and (b) is clearly visible and legible to the customer on the label and on the product listing for online sales.

2. A manufacturer shall not claim on the packaging for cookware that the cookware is free of perfluoroalkyl and polyfluoroalkyl substances, unless no individual perfluoroalkyl or polyfluoroalkyl compound has been intentionally added to the cookware.

3. Cookware that meets the following requirements is exempt from the requirements of paragraph (a) of subsection 1:

(a) The surface area of the cookware cannot fit a product label of at least 2 square inches; and

(b) The cookware does not have:

(1) An exterior or wrapper on which a product label can appear or be affixed; or

(2) A tag or other attachment with information about the product attached to the cookware.

4. Except as otherwise provided in subsection 3, a manufacturer shall not sell, offer for sale, distribute for sale or distribute for use any cookware that contains one or more intentionally added perfluoroalkyl and polyfluoroalkyl substances in the handle of the product or in any product surface that comes into contact with food or beverages, unless the manufacturer and the cookware comply with the requirements of this section.

Sec. 23. A person who willfully and knowingly violates the provisions of section 21 or 22 of this act is subject to a civil penalty not to exceed \$1,000.

Sec. 24. Section 21 of this act is hereby amended to read as follows:

Sec. 21. 1. A manufacturer shall not sell, offer for sale, distribute for sale or distribute for use in this State any of the following types of products if the product contains intentionally added perfluoroalkyl and polyfluoroalkyl substances: ~~in the following categories:~~

(a) Carpets or rugs;

(b) Fabric treatments;

(c) Food packaging; ~~for~~

(d) Juvenile products ~~for~~;

(e) Cosmetics;

(f) Indoor textile furnishings; or

(g) Indoor upholstered furniture.

2. A manufacturer of the products described in subsection 1 shall include on the product label a statement that is clearly visible and legible in both English and Spanish that reads: "NO PERFLUOROALKYL OR POLYFLUOROALKYL SUBSTANCES WERE INTENTIONALLY ADDED OR USED TO MAKE THIS PRODUCT."

3. The provisions of this section do not apply to:

(a) A product which contains perfluoroalkyl and polyfluoroalkyl substances due to the use of recycled materials containing perfluoroalkyl and polyfluoroalkyl substances in the original product; ~~for~~

(b) A carpet or rug that was manufactured or imported before January 1, 2024 ~~for~~; or

1 Any other textile product, other than a carpet or rug, that was manufactured or imported before July 1, 2024.

Sec. 25. 1. This section and sections 1 to 23, inclusive, of this act become effective on January 1, 2024.

2. Section 24 of this act becomes effective on July 1, 2024.

Senator Pazina moved the adoption of the amendment.

Remarks by Senator Pazina.

Amendment No. 7 to Senate Bill No. 76 requires a manufacturer of certain products to include a statement on the product label that perfluoroalkyl and polyfluoroalkyl substances (PFAS) were not intentionally added or used to make the product. It deletes section 5 of the bill and adds a definition of "juvenile product." It provides that certain provisions do not apply to the use of recycled materials which may contain PFAS due to the use of PFAS in the original product and provides exceptions for drugs, biologics, medical devices or diagnostics administered or used to treat animals regulated by the United States Food and Drug Administration, the United States Department of Agriculture or the United States Environmental Protection Division.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 77.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 81.

SUMMARY—Revises provisions relating to the Nevada State Board on Geographic Names. (BDR 26-344)

AN ACT relating to geographic names; adding a voting member to the Nevada State Board on Geographic Names; providing that members of the Nevada State Board on Geographic Names are entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law creates the Nevada State Board on Geographic Names to coordinate and approve geographic names within the State for official recommendation to the United States Board on Geographic Names. (NRS 327.110) The Nevada State Board on Geographic Names consists of 12 voting members who serve without compensation, travel expenses or subsistence allowances except as may be provided by the members' respective agencies and organizations. (NRS 327.120, 327.130) ~~This~~ Section 1 of this bill adds a representative of the United States Fish and Wildlife Service to the membership of the Nevada State Board on Geographic Names. Section 1.5 of this bill provides that members of the Nevada State Board on Geographic Names are entitled to receive the per diem allowance and travel expenses as provided for state officers and employees generally.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 327.120 is hereby amended to read as follows:

327.120 The Board consists of:

1. ~~Twelve~~ Thirteen voting members, which include one representative of each of the following agencies or organizations:

- (a) Bureau of Mines and Geology of the State of Nevada.
- (b) Faculty of the University of Nevada, Reno.
- (c) Faculty of the University of Nevada, Las Vegas.

(d) Division of State Library, Archives and Public Records of the Department of Administration.

(e) Department of Transportation of the State.

(f) State Department of Conservation and Natural Resources.

(g) Nevada Historical Society.

(h) Nevada Indian Commission.

(i) United States Bureau of Land Management.

(j) United States Fish and Wildlife Service.

~~(k)~~ United States Forest Service.

~~(l)~~ ~~(L)~~ United States National Park Service.

~~(m)~~ ~~(m)~~ Inter-Tribal Council of Nevada, Inc., or its successor organization.

↪ Each agency or organization shall designate a representative and one alternative representative for this purpose.

2. An Executive Secretary who is a nonvoting member of the Board. The voting members of the Board shall select the Executive Secretary.

~~Section 1.~~ *Sec. 1.5.* NRS 327.130 is hereby amended to read as follows:

327.130 1. The Board shall designate from among its voting members a Chair and a Vice Chair. The Vice Chair presides in the absence of the Chair.

2. The Board shall adopt rules for its own management.

3. A majority of the voting members of the Board constitutes a quorum for the transaction of business.

4. The Board shall meet at such times and places as are specified by the Chair, but may not hold more than four meetings in any 1 year.

5. Members of the Board shall serve without compensation ~~but are entitled to receive the per diem allowance and travel expenses for subsistence allowances except as they may be~~ provided ~~by the members' respective agencies and organizations.~~ *for state officers and employees generally.*

Sec. 2. This act becomes effective on July 1, 2023.

Senator Pazina moved the adoption of the amendment.

Remarks by Senator Pazina.

Amendment No. 81 to Senate Bill No. 77 adds a representative of the United States Fish and Wildlife Service to the membership of the Nevada State Board on Geographic Names.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 95.

Bill read second time and ordered to third reading.

Senate Bill No 103.

Bill read second time and ordered to third reading.

Senate Bill No 129.

Bill read second time and ordered to third reading.

Senate Bill No. 153.

Bill read second time and ordered to third reading.

Senate Bill No. 165.

Bill read second time and ordered to third reading.

Senate Bill No. 210.

Bill read second time and ordered to third reading.

Senate Bill No. 260.

Bill read second time and ordered to third reading.

Senate Bill No. 319.

Bill read second time and ordered to third reading.

Senate Bill No. 331.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Dondero Loop moved that Senate Bills Nos. 71, 77, 95, 103, 165 and 319 be taken from the General File and re-referred to the Committee on Finance.

Motion carried.

Senator Cannizzaro gave notice, per Senate Standing Rule No. 91, that on the next legislative day, the Senate would begin to suspend certain standing rules in order to accommodate the movement of bills and resolutions out of the Senate in a timely manner.

REMARKS FROM THE FLOOR

Remarks by Senator Cannizzaro.

As I did a few weeks ago, I would like to take a few minutes today to speak about the Nevada Senate Hall of Fame. As you may know, the Hall of Fame was created in 1989 to recognize former members of the Senate who made significant contributions to the State. Portraits of previous inductees hang on the walls outside this chamber and remind us of the impressive dedication so many of our former colleagues have shown to our great State.

Additionally, over the years, the Senate Hall of Fame has also inducted three honorary members. The last honorary inductee was inducted in 2001, so it is quite rare that the Senate bestows such an honor.

This year, I am pleased to announce that Claire J. Clift will be inducted into the Honorary Senate Hall of Fame. Claire Clift was originally hired by another Honorary Senate Hall of Fame member and her predecessor: former Secretary Jan Thomas. Claire was first hired by the Senate as a Committee Secretary for the Senate Committee on Natural Resources for both the 1987 and 1989 sessions. After a brief break in the Pacific Northwest, she returned to Carson City and served as the Senate's brand-new Media Clerk in the 1997 and 1999 sessions.

Upon the retirement of the former Secretary of the Senate, Claire was then selected Secretary of the Senate in 2000. Claire served as a most distinguished Secretary of the Senate from the 2001 session through the 2009 session. She then returned as Secretary for the 2015 session, before retiring after the 2021 legislative session. During her time, she was actively involved in the Mason's Manual Commission and the American Society of Legislative Clerks and Secretaries; however, it was her dedication to this body and helping us through our daily work that truly made Claire an integral part of this esteemed body.

Please join me in marking May 11th on your calendars as the date on which we will induct former Secretary of the Senate Claire Clift, along with Senators Richard Bryan and Joseph Hardy into the Senate Hall of Fame.

Senator Cannizzaro moved that the Senate adjourn until Monday, April 17, 2023, at 11:00 a.m.

Motion carried.

Senate adjourned at 1:13 p.m.

Approved:

PAT SPEARMAN

President pro Tempore of the Senate

Attest: BRENDAN BUCY

Secretary of the Senate