THE SEVENTY-FIRST DAY

CARSON CITY (Monday), April 17, 2017

Assembly called to order at 2:26 p.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Ohrenschall and Woodbury, who were excused.

Prayer by the Chaplain, Captain Leslie Cyr.

Father God, we thank You for today and for all the blessings this day may hold. We thank You for the opportunities You place before us, and we ask today for Your Divine Spirit and wisdom to be our guide.

I ask for a blessing on these Assemblymen and women as they make decisions for our state so that the laws that come about will be a benefit and not a burden and that they will bring the most good for all concerned. This is a tremendous task that calls for supernatural awareness and understanding; and so, Lord, let us all rest in Your grace. I also ask for a blessing on their supporting staff who work so diligently behind the scenes. We recognize You and are grateful for You. Lord bless this day in Jesus Name.

AMEN.

Pledge of allegiance to the Flag.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Corrections, Parole, and Probation, to which was referred Assembly Bill No. 336, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

STEVE YEAGER, Vice Chair

Mr. Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 78, 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 Education, to which was referred Assembly Bill No. 484, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

TYRONE THOMPSON. Chair

Mr. Speaker

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 395, 444, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

STEVE YEAGER, Chair

MOTIONS, RESOLUTIONS AND NOTICES

NOTICE OF EXEMPTION

April 14, 2017

Pursuant to paragraph (a) of subsection 4 of Joint Standing Rule No. 14.6, the following measures are not subject to the provisions of subsection 1 of Joint Standing Rule No. 14.1, Joint Standing Rule No. 14.1, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3: Assembly Bills Nos. 189 and 296.

RICHARD S. COMBS Director

April 17, 2017

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Assembly Bills Nos. 186 and 325.

CINDY JONES Fiscal Analysis Division

WAIVER OF JOINT STANDING RULES

A Waiver requested by Senator Ford.

For: Senate Bill No. 488.

To Waive:

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

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

Subsection 3 of Joint Standing Rule No. 14.3 (out of final committee of 2nd house by $103^{\rm rd}$ day).

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

Has been granted effective: April 17, 2017.

SENATOR AARON D. FORD Senate Majority Leader ASSEMBLYMAN JASON FRIERSON Speaker of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Assembly Bills Nos. 155 and 364 be taken from the General File and placed on the Chief Clerk's desk. Motion carried.

Assemblywoman Benitez-Thompson moved that Assembly Bill No. 79 be taken from the Chief Clerk's desk and placed on the Second Reading File. Motion carried.

Assemblyman Flores withdrew Amendment No. 70 to Assembly Bill No. 79.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 492—AN ACT relating to taxation; revising provisions governing the total amount of transferable tax credits that may be approved by the Office of Economic Development pursuant to applications submitted to the Office by a production company that produces film, television or other media productions in this State; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 111.

Bill read second time.

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

Amendment No. 40.

[Assemblyman] Assemblymen Thompson; Araujo, Carrillo, Daly, Fumo, Miller and Neal.

Joint Sponsors: Senators Cancela and Segerblom.

AN ACT relating to energy assistance; authorizing the Division of Welfare and Supportive Services of the Department of Health and Human Services to use money in the Fund for Energy Assistance and Conservation to assist certain low-income households in paying for Internet service; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires certain customers of an electric or gas utility to pay a universal energy charge of 3.30 mills on each therm of natural gas purchased for consumption in this State and 0.39 mills on each kilowatt-hour of electricity purchased for consumption in this State. (NRS 702.160) Under existing law, the Public Utilities Commission of Nevada collects the universal energy charge and, after deducting its administrative charge, deposits the remaining money collected for the universal energy charge in the Fund for Energy Assistance and Conservation. (NRS 702.160, 702.170, 702.250) Existing law requires 75 percent of the money in the Fund to be distributed to the Division of Welfare and Supportive Services of the Department of Health and Human Services for programs to assist certain low-income households in paying for natural gas and electricity. (NRS 702.260) The remaining 25 percent of the money in the Fund must be distributed to the Housing Division of the Department of Business and Industry for programs of energy conservation, weatherization and energy efficiency for certain low-income households. (NRS 702.270) Section 2 of this bill authorizes the Division of Welfare and Supportive Services to use money from the Fund distributed to the Division to pay for programs to assist certain low-income households in paying for Internet service. Section 2 also provides that the amount of assistance received by a household to pay for Internet service must: (1) equal the lowest cost available for Internet service in the area that the Internet service is being provided; and (2) exclude any costs for cable or satellite television service, including, without limitation, joint packages that provide Internet service with cable or satellite television service.

Existing law provides that certain persons who are exempt from paying the universal energy charge are not eligible to receive assistance from the Division of Welfare and Supportive Services for utility service or from the Housing Division for energy conservation, weatherization or energy efficiency. **Section 1** of this bill specifies that a person who is exempt from paying the universal energy charge is not eligible to receive assistance from the Division of Welfare and Supportive Services in paying for Internet service.

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

Section 1. NRS 702.150 is hereby amended to read as follows:

- 702.150 1. The provisions of NRS 702.160 do not apply to any therm of natural gas or any kilowatt-hour of electricity that a retail customer purchases from:
 - (a) A rural electric cooperative established pursuant to chapter 81 of NRS.
- (b) A general improvement district established pursuant to chapter 318 of NRS.
- (c) A cooperative association, nonprofit corporation, nonprofit association or provider of service which is declared to be a public utility pursuant to NRS 704.673 and which provides service only to its members.
- 2. If a retail customer is exempted from paying the universal energy charge pursuant to subsection 1, the retail customer may not receive money or other assistance from:
- (a) The Division of Welfare and Supportive Services pursuant to NRS 702.260 for [any]:
- (1) Any utility service for which the retail customer is exempted from paying the universal energy charge; or
 - (2) Internet service; or
 - (b) The Housing Division pursuant to NRS 702.270.
 - **Sec. 2.** NRS 702.260 is hereby amended to read as follows:
- 702.260 1. Seventy-five percent of the money in the Fund must be distributed to the Division of Welfare and Supportive Services for programs to assist eligible households in paying for natural gas, [and] electricity [.] and Internet service. The Division may use not more than 5 percent of the money distributed to it pursuant to this section for its administrative expenses.
- 2. Except as otherwise provided in NRS 702.150, after deduction for its administrative expenses, the Division may use the money distributed to it pursuant to this section only to:
- (a) Assist eligible households in paying for natural gas, [and] electricity [-] and Internet service.
 - (b) Carry out activities related to consumer outreach.
 - (c) Pay for program design.
 - (d) Pay for the annual evaluations conducted pursuant to NRS 702.280.

- 3. Except as otherwise provided in subsection 4, to be eligible to receive assistance from the Division pursuant to this section, a household must have a household income that is not more than 150 percent of the federally designated level signifying poverty, as determined by the Division.
- 4. The Division is authorized to render emergency assistance to a household if an emergency related to the cost or availability of natural gas, <code>[or]</code> electricity *or Internet service* threatens the health or safety of one or more of the members of the household. Such emergency assistance may be rendered upon the good faith belief

that the household is otherwise eligible to receive assistance pursuant to this section.

- 5. Before July 1, 2002, if a household is eligible to receive assistance pursuant to this section, the Division shall determine the amount of assistance that the household will receive by using the existing formulas set forth in the state plan for low-income home energy assistance.
- 6. On or after July 1, 2002, if a household is eligible to receive assistance pursuant to this section, the Division:
- (a) Shall, to the extent practicable, determine the amount of assistance that the household will receive <u>for natural gas and electricity</u> by determining the amount of assistance that is sufficient to reduce the percentage of the household's income that is spent on natural gas <u>f.J. and</u> electricity <u>[and Internet service]</u> to the median percentage of household income spent on natural gas <u>f.J. and</u> electricity <u>[and Internet service]</u> statewide.
- (b) May adjust the amount of assistance that the household will receive *for natural gas and electricity* based upon such factors as:
 - (1) The income of the household:
 - (2) The size of the household:
- (3) The type of energy *[or Internet service]* that the household uses; and
- (4) Any other factor which, in the determination of the Division, may make the household particularly vulnerable to increases in the cost of natural gas [-1] or electricity. [for Internet service.]
- 7. If a household is eligible to receive assistance in paying for Internet service pursuant to this section, the Division shall determine the amount of such assistance to:
- (a) Be equal to the lowest cost available for Internet service in the area that such Internet service is being provided.
- (b) Exclude any costs for cable or satellite television service or for joint packages that provide Internet service with cable or satellite television service.
- <u>8.</u> The Division shall adopt regulations to carry out and enforce the provisions of this section and NRS 702.250.
 - [8.] 9. In carrying out the provisions of this section, the Division shall:
- (a) Solicit advice from the Housing Division and from other knowledgeable persons;

- (b) Identify and implement appropriate delivery systems to distribute money from the Fund and to provide other assistance pursuant to this section;
- (c) Coordinate with other federal, state and local agencies that provide energy assistance or conservation services to low-income persons and, to the extent allowed by federal law and to the extent practicable, use the same simplified application forms as those other agencies;
- (d) Establish a process for evaluating the programs conducted pursuant to this section:
 - (e) Develop a process for making changes to such programs; and
- (f) Engage in annual planning and evaluation processes with the Housing Division as required by NRS 702.280.
- [9.] <u>10.</u> For the purposes of this section, "eligible household" includes, without limitation:
- (a) A tenant of a manufactured home park or mobile home park subject to the provisions of NRS 704.905 to 704.960, inclusive; and
- (b) A tenant who purchases electricity from a landlord as described in paragraph (c) of subsection 2 of NRS 702.090 based on the actual usage of electricity by the tenant.
 - **Sec. 3.** This act becomes effective on July 1, 2017.

Assemblyman Sprinkle moved the adoption of the amendment.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 114.

Bill read second time and ordered to third reading.

Assembly Bill No. 252.

Bill read second time and ordered to third reading.

Assembly Bill No. 269.

Bill read second time and ordered to third reading.

Assembly Bill No. 322.

Bill read second time and ordered to third reading.

Assembly Bill No. 325.

Bill read second time and ordered to third reading.

Assembly Bill No. 396.

Bill read second time and ordered to third reading.

Assembly Bill No. 441.

Bill read second time and ordered to third reading.

Assembly Bill No. 442.

Bill read second time and ordered to third reading.

Assembly Bill No. 451.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 224.

AN ACT relating to education; requiring a member of the board of trustees of a school district to complete certain training for professional development; requiring the clerk of the board of trustees of a school district to take certain actions relating to the required training; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires each school district of this State to be governed by an elected board of trustees comprised of either five or seven members who serve 4-year terms. (NRS 386.120, 386.150, 386.160, 386.165) Existing law authorizes the board of trustees of a school district to fill a vacancy on the board by appointing a person to serve until the next general election. (NRS 386.270) **Section 1** of this bill requires a member of the board of trustees of a school district to complete not less than [4] 6 hours of training for professional development in both the first and third years of their 4-year term. Section 1 provides that this training must include instruction in: (1) laws relating to public records; (2) the Open Meeting Law; (3) laws relating to local government employee-management relations; (4) the laws governing the system of K-12 public schools in this State; (5) laws relating to local government ethics; (6) the identification and prevention of violence in schools; (7) certain financial management topics; [and] (8) the fiduciary duties of a member of the board of trustees of a school district :: and (9) laws relating to employment and contracts. Section 1 also requires a member of the board to provide written certification relating to the completion of this training.

Existing law requires the board of trustees of a school district to elect one of its members to serve as clerk of the board or to select another qualified person to serve as clerk. (NRS 386.310) **Section 1** of this bill requires the clerk of the board of trustees to: (1) assist the members of the board of trustees with the completion of the training for professional development; and (2) post notice of the failure of a member to complete this training on the Internet website of the board and provide notice of such failure to the other members of the board.

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

Section 1. Chapter 386 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Each person who is elected or appointed to serve as a member of the board of trustees of a school district shall complete training for professional development during the first and third year of the term of the

member which must include not less than [4] 6_hours of instruction covering:

- (a) Laws relating to public records, including, without limitation, the provisions of chapter 239 of NRS;
- (b) The Open Meeting Law, including, without limitation, the provisions of chapter 241 of NRS;
- (c) Local government employee-management relations, including, without limitation, the provisions of chapter 288 of NRS;
- (d) The system of K-12 public education in this State, including, without limitation, the provisions of title 34 of NRS;
- (e) Local government ethics, including, without limitation, the provisions of chapter 281A of NRS;
- (f) The manner in which to identify and prevent violence in public schools, including, without limitation, sexual violence;
- (g) Financial management, including, without limitation, information concerning oversight, accountability and audits; [and]
- (h) The fiduciary duties of a member of the board of trustees of a school district, including, without limitation, the provisions of this chapter_f-]; and
- (i) Laws relating to employment and contracts.
- 2. A member of the board of trustees of a school district shall provide written certification of completion of the training required by this section to the clerk of the board of trustees.
- 3. If a member fails to complete the training or to provide the written certification of completion which is required by this section, the clerk must post notice of such noncompliance in a conspicuous manner on the Internet website of the board of trustees. The clerk must also provide written notice of the noncompliance to the other members of the board of trustees.
- 4. The clerk of the board of trustees shall assist each member of the board as necessary to complete the training required pursuant to this section.
 - **Sec. 2.** This act becomes effective on July 1, 2017.

Assemblyman Thompson moved the adoption of the amendment.

Remarks by Assemblyman Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 463.

Bill read second time and ordered to third reading.

Assembly Bill No. 489.

Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 4.

Resolution read second time and ordered to third reading.

Assembly Joint Resolution No. 13.

Resolution read second time and ordered to third reading.

Assembly Joint Resolution No. 10 of the 78th Session.

Resolution read second time and ordered to third reading.

Assembly Bill No. 79.

Bill read second time.

The following amendment was proposed by Assemblywoman Benitez-Thompson:

Amendment No. 267.

AN ACT relating to economic development; amending the Las Vegas Valley Water District Act to remove the designation of the District and the Southern Nevada Water Authority as the exclusive providers of water service for the Garnet Valley Ground Water Basin in Clark County, Nevada; [repealing] revising a provision requiring the Legislature to review [such designation and] the implementation of certain economic development financing proposals; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

During the 29th Special Session of the Legislature, the Las Vegas Valley Water District Act was amended to designate the District and the Southern Nevada Water Authority as the exclusive providers of water service for the Garnet Valley Ground Water Basin in Clark County, Nevada. (Section 1 of chapter 4, Statutes of Nevada 2015, 29th Special Session, p. 57) **Section 1** of this bill removes the designation of the District and the Southern Nevada Water Authority as the exclusive providers of water service for the Garnet Valley Ground Water Basin in Clark County, Nevada.

[Section 3 of this bill repeals a] Another provision of existing law, also enacted during the 29th Special Session of the Legislature, [that] requires the Legislature, on or before July 1, 2021, to review: (1) the designation of the District and the Southern Nevada Water Authority as the exclusive providers of water service for the Garnet Valley Ground Water Basin; and (2) the implementation and administration of certain economic development financing proposals authorized during that special session. (Section 2 of chapter 4, Statutes of Nevada 2015, 29th Special Session, p. 58) Section 1.5 of this bill removes as moot the provision for legislative review of the designation of the District and the Southern Nevada Water Authority described above.

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

Section 1. Section 23 of the Las Vegas Valley Water District Act, being chapter 167, Statutes of Nevada 1947, as added by section 6 of chapter 130,

Statutes of Nevada 1949, at page 216, and last amended by chapter 4, Statutes of Nevada 2015, 29th Special Session, at page 57, is hereby amended to read as follows:

- Sec. 23. [1.] The Las Vegas Valley Water District is hereby declared to be a validly created and legally existing district under the provisions of chapter 167, Statutes of Nevada 1947, as amended, a governmental subdivision of the State of Nevada, a body corporate and politic, and a quasi-municipal corporation. The District is hereby authorized to carry out all of the powers imposed on it by the provisions of chapter 167, Statutes of Nevada 1947, as it now exists or as it may hereafter be amended. The District is comprised of the area of the County of Clark as set forth in NRS 243.035, except for all that real property described in section 1 of chapter 100, Statutes of Nevada 1993.
- [2. The District and the Southern Nevada Water Authority are the exclusive service providers of water for the Garnet Valley Ground Water Basin in Clark County, Nevada. Any contract or agreement for the provision of such service in the Garnet Valley Ground Water Basin that is entered into before December 19, 2015, is void.
- 3. For the purposes of this section, the geographic boundaries of the Garnet Valley Ground Water Basin are those set forth in Designation Order No. 1025 of the State Engineer, dated April 24, 1990, which is hereby incorporated by reference.]

Sec. 1.5. Section 2 of chapter 4, Statutes of Nevada 2015, 29th Special Session, at page 58, is hereby amended to read as follows:

- Sec. 2. On or before July 1, 2021, the Legislature shall review the [effects of this act and the] manner in which any economic development financing proposal, as approved by the Office of Economic Development, has been implemented pursuant to Senate Bill No. 1 of this session. To determine whether any changes in administration are appropriate, the Legislature shall review:
- 1. The administration of any infrastructure project constructed pursuant to such a proposal; and
- 2. The manner in which the proceeds of any bonds issued pursuant to Senate Bill No. 1 of this session have been allocated.
- **Sec. 2.** Section 3 of chapter 4, Statutes of Nevada 2015, 29th Special Session, at page 58, is hereby amended to read as follows:
 - Sec. 3. Nothing [in this act or] in Senate Bill No. 1 of this session shall be deemed to change the geographic boundaries or jurisdiction of an existing local government or to authorize such a change.
- Sec. 3. [Section 2 of chapter 4, Statutes of Nevada 2015, 29th Special Session, at page 58, is hereby repealed.] (Deleted by amendment.)
- Sec. 4. This act becomes effective [on July 1, 2017.] upon passage and approval.

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TEXT OF REPEALED SECTION

- Section 2 of chapter 4, Statutes of Nevada 2015, 29th Special Session, a page 58:
 - Sec. 2. On or before July 1, 2021, the Legislature shall review the effects of this act and the manner in which any economic development financing proposal, as approved by the Office of Economic Development, has been implemented pursuant to Senate Bill No. 1 of this session. To determine whether any changes in administration are appropriate, the Legislature shall review:
 - 1. The administration of any infrastructure project constructed pursuant to such a proposal; and
 - 2. The manner in which the proceeds of any bonds issued pursuant to Senate Bill No. 1 of this session have been allocated.

Assemblywoman Benitez-Thompson moved the adoption of the amendment.

Remarks by Assemblywoman Benitez-Thompson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Carlton moved that upon return from the printer, Assembly Bill No. 111 be rereferred to the Committee on Ways and Means. Motion carried.

Assemblywoman Carlton moved that Assembly Bills Nos. 269, 322, 325, 441, 442, 463, and 489 be rereferred to the Committee on Ways and Means. Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 8.

Bill read third time.

Remarks by Assemblyman Kramer.

ASSEMBLYMAN KRAMER:

Assembly Bill 8 expands the authority of a governing body of a city that provides utility services to have delinquent charges for utility services collected with the county's general taxes.

Roll call on Assembly Bill No. 8:

YEAS-38.

NAYS—Bustamante Adams, Neal—2.

EXCUSED—Ohrenschall, Woodbury—2.

Assembly Bill No. 8 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 28.

Bill read third time.

Remarks by Assemblyman Watkins.

ASSEMBLYMAN WATKINS:

Assembly Bill 28 authorizes the Commission on Judicial Discipline to discipline a justice of the peace or municipal judge by ordering the justice of the peace or municipal judge to forfeit his or her office if he or she fails to attend the required instruction, unless the Commission finds that there was a reasonable excuse.

Roll call on Assembly Bill No. 28:

YEAS—40.

NAYS-None.

EXCUSED—Ohrenschall, Woodbury—2.

Assembly Bill No. 28 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 33.

Bill read third time.

Remarks by Assemblywoman Cohen.

ASSEMBLYWOMAN COHEN:

Assembly Bill 33 abolishes the State Dairy Commission, the Alfalfa Seed Advisory Board, the Garlic and Onion Growers' Advisory Board and the Advisory Council for Organic Agricultural Products, and transfers any related or necessary authorities to the State Department of Agriculture.

Roll call on Assembly Bill No. 33:

YEAS—36.

NAYS—Bustamante Adams, Ellison, McArthur, Titus—4.

EXCUSED—Ohrenschall, Woodbury—2.

Assembly Bill No. 33 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 38.

Bill read third time.

Remarks by Assemblyman Fumo.

ASSEMBLYMAN FUMO:

Assembly Bill 38 revises provisions related to bail. Every bail agent must have the ability to send and receive electronic transmissions. This measure authorizes the electronic transmission of the notice of transfer of a bond. The bill authorizes the electronic transmission of a notice of a defendant's failure to make a required appearance in court when due in court.

The measure provides that before April 1, 2018, a bail agent or insurer may elect to continue to receive notices by mail. However, after April 1, 2018, the agent or insurer may only receive notices by mail if good cause is shown.

Finally, the bill reduces from 45 days to 14 judicial days the period of time after which a court is required to issue a warrant for the arrest of a defendant who has failed to make a required appearance in court.

Roll call on Assembly Bill No. 38:

YEAS-40.

NAYS-None.

EXCUSED—Ohrenschall, Woodbury—2.

Assembly Bill No. 38 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 46.

Bill read third time.

Remarks by Assemblywoman Miller.

ASSEMBLYWOMAN MILLER:

Assembly Bill 46 imposes certain requirements for community-based living arrangement services provided to persons with a mental illness or related condition. The measure requires a person, government, or governmental agency to obtain a certificate from the Division of Public and Behavioral Health of the Department of Health and Human Services. The measure clarifies that a home in which community-based living arrangements are provided does not constitute a residential facility for groups or a home for individual residential care. Also, the entities that provide temporary respite services are not subject to regulation as agencies providing personal care services in the home.

Roll call on Assembly Bill No. 46:

YEAS-39.

NAYS—Titus.

EXCUSED—Ohrenschall, Woodbury—2.

Assembly Bill No. 46 having received a two-thirds majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 57.

Bill read third time.

Remarks by Assemblywoman Monroe-Moreno.

ASSEMBLYWOMAN MONROE-MORENO:

Assembly Bill 57 requires a coroner to make a reasonable effort to notify the next of kin who is authorized to order the burial or cremation of the human remains of a decedent upon the death of the decedent. The bill also authorizes a coroner to notify the parents, guardians, adult children, or custodians of the decedent of the decedent's death and provide a copy of the report of the coroner to the parents, guardians, adult children, or custodians, when applicable.

Roll call on Assembly Bill No. 57:

NAYS-None.

EXCUSED—Ohrenschall, Woodbury—2.

Assembly Bill No. 57 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 60.

Bill read third time.

Remarks by Assemblyman Sprinkle.

ASSEMBLYMAN SPRINKLE:

Assembly Bill 60 establishes a late fee of \$25 for the reinstatement of expired licenses and registrations that are required by the Department of Motor Vehicles for the operation of certain businesses relating to vehicles. The types of businesses to which this late fee applies include vehicle transporters, manufacturers, distributors, dealers, rebuilders, brokers, wreckers, salvage pools, body shops, and garages.

Roll call on Assembly Bill No. 60:

YEAS-38.

NAYS—Krasner, Titus—2.

EXCUSED—Ohrenschall, Woodbury—2.

Assembly Bill No. 60 having received a two-thirds majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 65.

Bill read third time.

Remarks by Assemblyman Sprinkle.

ASSEMBLYMAN SPRINKLE:

Assembly Bill 65 authorizes the boards of county commissioners in Clark and Washoe Counties to use money from the fund for medical assistance to indigent persons to provide supplemental payments to certain public hospitals in those counties. The bill also authorizes the Board of County Commissioners in Clark County to make grants from the fund to any public hospital in the county for the construction or acquisition of capital assets and the renovation of facilities.

Roll call on Assembly Bill No. 65:

YEAS-40.

NAYS-None.

EXCUSED—Ohrenschall, Woodbury—2.

Assembly Bill No. 65 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 74.

Bill read third time.

Remarks by Assemblyman Thompson.

ASSEMBLYMAN THOMPSON:

Assembly Bill 74 authorizes the Medical Director within the Department of Corrections to determine if a supplemental test is appropriate when an offender has tested positive for human immunodeficiency virus [HIV]. The bill also authorizes, rather than requires, the disclosure of the name of the offender to certain persons within the Department when the results of a supplemental HIV test are positive.

Roll call on Assembly Bill No. 74:

YEAS-39.

NAYS-Ellison.

EXCUSED—Ohrenschall, Woodbury—2.

Assembly Bill No. 74 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assemblywoman Benitez-Thompson moved that the Assembly recess until 4:45 p.m.

Motion carried.

Assembly in recess at 3:02 p.m.

ASSEMBLY IN SESSION

At 5:04 p.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Mr. Speaker appointed Assemblymen Swank and Daly as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by United States Senator Dean Heller.

The President of the Senate and members of the Senate appeared before the bar of the Assembly.

Mr. Speaker invited the President of the Senate to the Speaker's rostrum.

Mr. Speaker invited the members of the Senate to chairs in the Assembly.

IN JOINT SESSION

At 5:10 p.m.

President of the Senate presiding.

The Secretary of the Senate called the Senate roll.

All present except Senators Atkinson and Segerblom, who were excused.

The Chief Clerk of the Assembly called the Assembly roll.

All present except Assemblymen Ohrenschall and Woodbury, who were excused.

The President of the Senate appointed a Committee on Escort consisting of Senator Ford and Assemblyman Oscarson to wait upon United States Senator Dean Heller and escort him to the Assembly Chamber.

The Committee on Escort, in company with The Honorable Dean Heller, United States Senator from Nevada, appeared before the bar of the Assembly.

The Committee on Escort escorted the Senator to the rostrum.

The Speaker of the Assembly welcomed United States Senator Dean Heller and invited him to deliver his message.

United States Senator Dean Heller delivered his message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA SEVENTY-NINTH SESSION, 2017

Mr. Speaker, thank you. To the Lieutenant Governor, thank you for the invitation. Governor, it is always good to see you. And to the leaders here—Ford, Roberson, and Anderson—I want to thank you as well. To the constitutional officers and your guests, thank you very much. I know you guys have a busy schedule, so thank you for being here. To our members of the Court, thank you very much for taking time out of your busy schedule and being here. I really do appreciate that.

I am grateful, also, to have a few of my family members here with me. I am always grateful to have them with me, but more importantly, I want to introduce my wife Lynne who is also with us.

To start with, most of you know that Congressman Amodei and I had a town hall meeting this morning. I am here to report that it went smoothly—very productive. In fact, it was so productive that some of them have come back for more. But I did learn that the President tweeted out that the town hall was bigly, and Sean Spicer, in his White House press conference, said it was the largest town hall crowd ever.

It is great to be here and spend some time with you. Carson City, as you know, is home to me. My parents just live up Fifth Street. My father owned the automotive shop across the street. I worked with him starting when I was in middle school. I like to point out that I am probably one of the few United States Senators that can change the oil in your car, fix your transmission. But I do guarantee you one thing: I can sweep your garage floor, and he made sure of that.

Standing here with you reminds me of my days in the Nevada Legislature. Of course, a lot has changed since I served in the Nevada Assembly. Back then, Apple had just released its first laptop, the founders of Facebook were in second grade, and Jurassic Park was the box office hit.

But while a lot has changed since then, the Nevada Legislature's purpose remains the same: working hard to make Nevada better for the people they represent. I am working to do the exact same thing in the United States Senate.

I would like to begin by acknowledging the U.S. response to the horrific atrocities committed by the Assad regime in Syria. Not only is the use of chemical weapons inhumane, it is a blatant violation of international law. I am supportive of the Trump Administration's response. It sent a clear message of America's intolerance for the murder of innocent civilians. A military strike that was supported by Democrats and Republicans alike. I have been briefed by military experts, and I will continue to monitor the developments in Syria. I am hopeful that the President will work with Congress and lay out his strategy for all of the American people.

Despite many headlines highlighting divisions in Congress, I find that more unites us than divides us, and most of us work hard to find common ground. Our many bipartisan legislative accomplishments in this last year are proof of that.

Starting with the Senate Veterans Affairs Committee, I have had the opportunity to provide a strong voice for the more than 300,000 veterans living here in the Silver State. Our VA facilities service thousands of veterans in need, but there are still some serious gaps when it comes to timely delivery of care. There is a nationwide shortage of doctors and nurses, and Nevada is facing the worst of it. So I am working to establish incentives for doctors to come to work at our VA hospitals, especially in Nevada's more rural areas.

For some communities in Nevada, the veteran population has grown substantially and health care demand has increased. In Pahrump, I have worked with veterans there for years to bring a new VA clinic to the community. I was honored to be there when it finally opened its doors this past November.

We can also do a lot more to provide better care for women who have served this country. Earlier this month I reintroduced legislation with Senator Patty Murray, a Democrat from Washington, aimed at doing just that. Our bill requires the VA adapt to the specific needs of women veterans. It expands medical services at VA hospitals, it improves access to gender-specific care, it strengthens privacy and protection measures, and implements accountability standards.

A few weeks ago, I joined Chairman Johnny Isakson from Georgia and Senator Tester from Montana in introducing a bill that increases the VA's disability benefits for veterans. It was

supported by every member of the Senate Veterans' Committee. This is a perfect example of Republicans and Democrats working together to get things done for our veterans. As the cochair of the Senate VA Backlog Working Group with Senator Casey, a Democrat from Pennsylvania, I have also been holding the VA's feet to the fire on the disability claims backlog. The last time I talked here in this room, we had a backlog of 405,000 claims. Today, after the implementation of our ideas, it is less than 100,000.

But we will continue to work on it. We can and we will do a better job. I will not be satisfied until the VA delivers on its promise and provides the best possible care and services to those in Nevada who have sacrificed so much for us.

In addition to our work to improve the VA's services for Nevada's veterans, I am also particularly proud of the bipartisan work we did in the 114th Congress on infrastructure. Since I last addressed this Legislature. Congress came together to approve a five-year highway bill that provides states with additional resources and tools to advance high-priority projects, such as the new Interstate 11 connecting Phoenix to Las Vegas and then Las Vegas to Reno. These projects mean good-paying jobs for Nevadans and a significant, long-term impact on our economy for decades to come. I have worked for years to improve the mobility between Las Vegas and Reno and was proud to secure my top infrastructure priority, and that is the expansion of Interstate 11 to northern Nevada. When the full I-11 project is completed, it will increase the economic competitiveness of the entire western United States by opening up markets for tourism and interstate commerce. A strong infrastructure is critical to a stronger Nevada, and I can assure you that I will continue to advocate at the federal level to ensure Nevada has the resources it needs to succeed. Last year, Diane Feinstein and I successfully pushed through the reauthorization of the Lake Tahoe Restoration Act, an initiative that I have championed in Congress for over eight years. As one of our state's most treasured places, not to mention northern Nevada's largest tourist draw, it is critical that we make the infrastructure investments necessary in the Tahoe Basin to ensure its beauty for future generations. I give you my word to always fight for Nevada's infrastructure needs.

Although the Republican majority in Congress and a Republican in the White House present tremendous opportunities to promote and deliver on Nevada priorities, it also comes with significant responsibilities—responsibilities that I do not take lightly. Since working in Washington, my number one focus has always been the people of Nevada. Their interests and their priorities are my priorities, and that transcends party lines. When President Trump or my party is right for Nevada, I will support them. But when they are wrong for Nevada, I will try to change their minds. I will always put Nevada first.

In fact, I have been working tirelessly against the Administration's proposal to revive Yucca Mountain. Let me be clear: Yucca Mountain is dead. Nevada will not be our nation's nuclear waste dump. I conveyed that message in my meeting with Secretary Perry prior to his confirmation and again reiterated it ahead of his visit to Yucca Mountain last month. Senator Harry Reid was a powerful and outspoken opponent of Yucca Mountain. He worked hard to make sure the project did not see the light of day. Now, I am standing between this Republican Administration and Yucca, and I will lead this fight. This is a reckless proposal. Over the past 30 years, the federal government has wasted billions of taxpayer dollars to design and permit Yucca Mountain, all without any signal that Nevada would consent to it. A state without a single nuclear power plant should not have to shoulder the entire nation's nuclear waste burden. We will not be run over by the desires of East Coast states that want to move the nuclear waste they created out of their backyards and into ours. Let me say it one more time: Nevada will not be our nation's nuclear waste dump.

Since I have served in Congress, I have been one of the most outspoken Republicans in advocating for policies that diversify our nation's energy portfolio. I believe in an all-of-the-above energy approach, and I recognize the importance of developing innovative new energy technologies that make our state and our nation's energy supply cleaner, more affordable, and more reliable. I have consistently supported the renewable energy sector and gone to great efforts to level the playing field for solar, for geothermal, and for wind energies. In fact, last month at the Italian Embassy, I received the prestigious Advanced Energy Leadership Award from a nationwide organization whose goals are to advance the alternative energy sector. They praised my efforts during the last session of Congress as the lead Republican in the fight to

renew the investment tax credits necessary for their industry to survive. Make no mistake, the expansion of the investment tax credit has and will create tens of thousands of new jobs right here in Nevada.

Recently I was pleased to be invited to attend the grand opening of the Crescent Dunes Solar Energy Facility in Tonopah and the ribbon-cutting ceremony for the Moapa Southern Paiute Solar Project at the Moapa River Indian Reservation. It is not often when a member of Congress can come home and see firsthand the results of his hard work in Washington, D.C. In addition to the Investment Tax Credit, I passed the Public Land Renewable Energy Development Act. Its goal is to promote renewable energy in all of its forms—solar power for homes, geothermal for manufacturing, or electric for cars like the Tesla batteries made in northern Nevada. I am proud to be a part of Nevada's energy diversification, and I am working to implement policies to bolster these efforts.

As some of you may know, I am a lifelong Nevada outdoorsman and a conservationist, and I also own a ranch in rural Nevada. Let there be no misconceptions—my wife runs the ranch. I just work for her. So I know firsthand how important it is that Nevadans have access to our public lands for things like grazing, economic development, and recreation. I also know how critical the Southern Nevada Public Land Management Act [SNPLM] and Payment in Lieu of Taxes [PILT] programs are to Nevada projects ranging from wildlife preservation and conservation to education and road maintenance.

Between the funding to revive Yucca Mountain and the Administration's proposal to gut these important public lands programs like SNPLM, like PILT, the Administration's budget, in my opinion, is anti-Nevada, and I am not happy about it, not one bit. So I am going to fight to defend these public lands programs and work to make sure they are fully funded.

The past three months have been busy, challenging, and too often boiled down to 140 characters. While many in Congress want to act quickly to deliver on promises to the American people, I just want to make sure they get it right. That includes our efforts to reform our broken health care system. Nevadans from Pioche to Battle Mountain to Ely have told me about the law's negative effect on their rural families: higher premiums, cancelled plans, limited options. Republicans and Democrats in Congress can agree that the status quo is unacceptable, but we disagree on what we need to do to fix it.

The late Governor Kenny Guinn, a friend of mine and also a mentor, often spoke about two types of people: those who solve problems and those who talk about them. We see that a lot in Washington, D.C.—those who run to the microphone but are never part of the discussion. I have carried Governor Guinn's advice to be a problem solver with me, and I have always been focused on finding ways to fix problems for the people of Nevada. That is particularly true when it comes to tackling health care reform and the potential impact any changes could have on Nevadans. Make no mistake—we need to have a debate about what we can agree on and how to move forward. But that debate does not come in the form of a press conference. That debate does not come in the form of a 30-second soundbite. And that debate does not come in the form of a tweet. It requires discussion.

Speaker Frierson and Leader Ford sent me a letter with questions about how the Obamacare repeal would affect Nevadans. I took that letter with me to Secretary Tom Price's confirmation hearing. I asked the man charged with leading the Obamacare repeal effort to respond to their questions. I also met with Governor Sandoval after the House's health care bill was released. We discussed how it affected the people of Nevada. Its lack of support from Governor Sandoval was a major concern of mine. I believe we need to protect coverage for those who currently receive benefits under the system that we have today, including those who are a part of Medicaid expansion. Over 200,000 Nevadans are newly eligible for Medicaid, and many of them have never had insurance before. Unfortunately, the House bill failed to address skyrocketing costs and protect coverage for those who are most vulnerable. Its lack of support was a reflection of that. It did not work for Nevada, so it did not work for me.

Another priority of mine is tax reform. Our current tax code is too costly. Our current tax code is too complex, and it is too burdensome. We need a simpler and more competitive tax code that works for all Americans and for all small businesses. I believe we need to broaden the tax base by closing loopholes and reducing marginal tax rates on both individuals and businesses. If we do that, we lay the foundation for strong economic growth for years to come.

Washington finally has an appetite to tackle this. We have a willing White House, and both Chambers of Congress stand ready to reform our nation's burdensome tax code. I believe we will be able to move forward. As a member of the Senate Finance Committee, I will have a front row seat for this and make no mistake, I will be advocating for policies that will provide economic growth and allow individuals to keep more of their hard-earned tax dollars right here in Nevada.

I also hope that Congress can work to address our nation's broken immigration system. It needs fundamental reform. Let me be the first to tell you, Nevada is a border state, and I passed legislation that says as much. We may not geographically be located on the border, but we are affected just as much as any other state that is. That is why I believe Nevada should have a seat at the table when these policies are discussed, debated, and implemented out of Washington.

In fact, in 2013, I was vocal in the comprehensive immigration reform battle and was successful in ensuring that if a border commission was created, Nevada would be part of it. And as many of you know, I was one of only 14 Republicans to support comprehensive immigration reform. This country needs to have a much broader and larger conversation about our nation's immigration policies. You can be sure Nevada will have a voice at the table as we move forward, and I am that voice.

Congress has made significant progress over the past two years, but we have a lot of work ahead of us. President Harry Truman famously said, "[But] America was not built on fear. America was built on courage, on imagination and an unbeatable determination to do the job at hand."

I believe that while the job at hand is now different, the courage, imagination, and determination that built this country still exist today. So let us let the American engine fire again. Let history show that we rose to the occasion. Let us all remind ourselves that we live in the greatest nation on earth—a place where the son of a mechanic and a school cook could have the opportunity to deliver the newspaper to then-Governor Mike O'Callaghan, and where that same boy could play basketball with a kid who now lives in the Governor's Mansion, and then that boy could grow up to represent the great state of Nevada in the United States Senate. I remain optimistic that our country's best days are ahead of us, and every day, I am fighting on behalf of Nevadans to make sure of it.

I want to thank you again for the opportunity to be here this evening. May God bless the work that you are doing and may God bless the great state of Nevada. Thank you very much.

Assemblyman Marchant moved that the Senate and Assembly in Joint Session extend a vote of thanks to Senator Heller for his timely, able, and constructive message.

Seconded by Senator Settelmeyer.

Motion carried.

The Committee on Escort escorted Senator Heller to the bar of the Assembly.

Senator Denis moved that the Joint Session be dissolved.

Seconded by Assemblywoman Krasner.

Motion carried.

Joint Session dissolved at 5:37 p.m.

ASSEMBLY IN SESSION

At 5:52 p.m. Mr. Speaker presiding. Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 76.

Bill read third time.

Remarks by Assemblywoman Cohen.

ASSEMBLYWOMAN COHEN:

Assembly Bill 76 revises provisions governing the Central Repository for Nevada Records of Criminal History. The measure clarifies the authority of the Central Repository to inspect certain sealed records in accordance with federal laws and regulations.

The measure adds a county coroner or medical examiner, as needed, to the list of persons and governmental entities to whom records of criminal history must be disseminated.

Roll call on Assembly Bill No. 76:

YEAS—36.

NAYS—Marchant, Titus—2.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 76 having received a two-thirds majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 108.

Bill read third time.

Remarks by Assemblymen Oscarson, Wheeler, and Titus.

Potential conflict of interest declared by Assemblywoman Titus.

ASSEMBLYMAN OSCARSON:

Assembly Bill 108 requires the Division of Health Care Financing and Policy within the Department of Health and Human Services to review the reimbursement rates for each service or item provided under the State Plan for Medicaid on or before January 1, 2018, and every four years thereafter, to determine whether the rates reflect the actual cost of providing the service or item. In addition, if it is found that the reimbursement rate for a service or item does not accurately reflect the actual cost, Assembly Bill 108 requires the Division to calculate the rate that reflects the actual cost and recommend that rate to the Director of the Department of Health and Human Services for possible inclusion in the State Plan for Medicaid. This act becomes effective on July 1, 2017.

ASSEMBLYMAN WHEELER:

I rise in support of Assembly Bill 108 today. This legislation will go a long way in streamlining the process for reimbursement rates. When I ran for this office, something I spoke about often was the need to have more efficient government. My constituents want regularity and fairness, and they want a government that works smart. This legislation does that and I urge my colleagues to vote yes.

ASSEMBLYWOMAN TITUS:

Assembly Bill 108 provides for the possible recommendation of changing the rate of reimbursement for services or items provided by the State Plan for Medicaid. I have to consider whether I have a conflict of interest as I am a physician and I see Medicaid patients. Since I do not receive direct Medicaid payments, I have determined that any interest I may have in this bill is no greater than any other member of the general business, profession, occupation, or group that may be affected by this piece of legislation. Further, I have determined that any possible interest that I may have in this piece of legislation does not impede my independence of judgment and is not greater than the interest of any other person similarly situated. Therefore, I am not required, pursuant to Assembly Standing Rule No. 23, to make this disclosure. However, in prompting transparency I want to put this on the record. I will be participating in this vote tonight.

Roll call on Assembly Bill No. 108:

YEAS-38.

NAYS-None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 108 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 118.

Bill read third time.

Remarks by Assemblymen Daly and Oscarson.

ASSEMBLYMAN DALY:

Assembly Bill 118 authorizes a person between the ages of 18 and 21 and who is a member of the Armed Forces of the United States, a reserve component thereof, or the National Guard, or was discharged or released from service in the Armed Forces, a reserve component thereof, or the National Guard under honorable conditions to carry a concealed weapon. A sheriff must deny an application for a permit or revoke an existing permit if the sheriff determines that the applicant or permittee has been discharged or released from service under other than honorable conditions and is less than 21 years of age.

ASSEMBLYMAN OSCARSON:

I rise in support of Assembly Bill 118. I am, and always have been, a strong advocate for the Second Amendment and its constitutional power to protect individuals' rights to keep and bear arms. Assembly Bill 118 not only protects that right, but further expands it to members of the armed forces between the ages of 18 and 21 to carry a concealed weapon. We trust these men and women to fight for our freedom and to put their lives on the line for us, so it is our obligation to trust them as law-abiding gun owners.

Roll call on Assembly Bill No. 118:

YEAS—34.

NAYS—Bilbray-Axelrod, Carlton, Diaz, Swank—4.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 118 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 134.

Bill read third time.

Remarks by Assemblyman Flores.

ASSEMBLYMAN FLORES:

Assembly Bill 134 increases from \$200,000 to \$300,000 the limit on the amount of annual total expenditures for a special district to be eligible to file with the Department of Taxation a petition for an exemption from certain filing, publishing, and auditing requirements of the Local Government Budget and Finance Act.

Roll call on Assembly Bill No. 134:

YEAS-38.

NAYS-None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 134 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 137.

Bill read third time.

Remarks by Assemblyman Paul Anderson.

ASSEMBLYMAN PAUL ANDERSON:

Assembly Bill 137, in its first reprint, makes changes to the home office credit that is allowed against the insurance premium tax for insurers who maintain a home office or regional home office in Nevada.

The bill removes the January 1, 2021, sunset of the credit, and additionally removes the \$5 million annual limit that currently applies to this credit. The bill specifies, however, that an insurer may only take this credit for ten calendar years, including any calendar years before the effective date of the bill. The act becomes effective on July 1, 2017.

Roll call on Assembly Bill No. 137:

YEAS-36.

NAYS—McArthur, Titus—2.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 137 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 138.

Bill read third time.

Remarks by Assemblywomen Carlton and Titus.

ASSEMBLYWOMAN CARLTON:

Assembly Bill 138 allows for the capture of rainwater from the roof of a single-family dwelling for nonpotable use. Provided there is no conflict with existing water rights, the measure also allows for the capture of rainwater in a guzzler no larger than 20,000 gallons for use by wildlife. De minimus collection of rainwater under these circumstances does not require a water rights permit. This act becomes effective on July 1, 2017.

ASSEMBLYWOMAN TITUS:

I rise in support of Assembly Bill 138. Assembly Bill 138 brings clarity in the law to small water collection systems and allows individuals to conserve water through their residence. This very important and commonsense piece of legislation promotes efficient conservation practices in our rural and urban communities, and I thank the sponsor for bringing it forward.

Roll call on Assembly Bill No. 138:

YEAS—38.

NAYS—None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 138 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 145.

Bill read third time.

Remarks by Assemblywoman Krasner.

ASSEMBLYWOMAN KRASNER:

Assembly Bill 145 extends the statute of limitations for filing a civil action to recover damages arising out of sexual abuse committed against a child. The time is extended from 10 years to 20 years after the person reaches 18 years of age,

In addition, the bill extends the statute of limitations for filing a civil action to recover damages arising out of the appearance in pornographic material before 16 years of age. The time is extended from 3 years to 20 years after the person reaches 18 years of age or after a court enters a verdict in a related criminal case.

Lastly, if the cause of action has not yet expired, then the statute of limitations is extended, but if cause of action has expired, it cannot be revived. This bill is effective upon passage and approval.

I rise in support of Assembly Bill 145. This bill, which extends the statute of limitations for child victims of sexual abuse, will go a long way to ensure that those victims have the recourse when they come forward to pursue justice. Mr. Speaker, for far too long these victims have hidden in the shadows because of shame or fear. With the passage of this legislation, we can show victims that those of us here in the Legislature have heard them, and we stand with them, and they have opportunities to seek redress.

Roll call on Assembly Bill No. 145:

YEAS—38.

NAYS-None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 145 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 147.

Bill read third time.

Remarks by Assemblyman Thompson.

ASSEMBLYMAN THOMPSON:

Assembly Bill 147 creates procedures governing the disposal of property in the custody of a law enforcement agency. A metropolitan police department is required to perform an annual audit of the disposition of property and present a report of that audit to the metropolitan police committee on fiscal affairs. The measure clarifies that the term "property" includes any property that is owned by another person or that another person is entitled to possess that is in the custody of a law enforcement agency; has been stolen, embezzled, lost, found, abandoned, or unclaimed; and is otherwise unrelated to an active criminal case.

In addition, the bill authorizes a board of county commissioners or its authorized representative to donate any property previously in the custody of a law enforcement agency to certain organizations.

Roll call on Assembly Bill No. 147:

YEAS—38.

NAYS-None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 147 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 160.

Bill read third time.

Remarks by Assemblywoman Swank.

ASSEMBLYWOMAN SWANK:

Assembly Bill 160 requires consideration of alternatives to window replacement in certain state buildings.

Roll call on Assembly Bill No. 160:

YEAS-32.

NAYS—Hansen, Marchant, McArthur, Pickard, Titus, Wheeler—6.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 160 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 170.

Bill read third time.

Remarks by Assemblywoman Spiegel.

ASSEMBLYWOMAN SPIEGEL:

Assembly Bill 170, in its first reprint, extends the period by which certain reports must be provided by the Governor's Office of Economic Development relating to certain programs for economic development approved by the Legislature.

It additionally provides that the Office is not required to prepare and submit these reports if, within 75 days after the end of the period covered by the report, the Office receives an audit of the participants in the project that covers the same period that would be required under the report and contains the information that is required to be submitted in the report.

Roll call on Assembly Bill No. 170:

YEAS—38.

NAYS—None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 170 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 177.

Bill read third time.

Remarks by Assemblywoman Tolles.

ASSEMBLYWOMAN TOLLES:

Assembly Bill 177 revises provisions authorizing courts to issue temporary or extended orders for protection against domestic violence. If after due diligence the adverse party has not been served and fails to appear at the first hearing, then the court is authorized to set a second hearing within 90 days after the date on which the first hearing was scheduled and a third hearing within an additional 90 days thereafter. The court is required to order a law enforcement agency to serve the adverse party an application for an extended order and the notice of any second or third hearing upon the application scheduled by the court. Finally, the temporary order remains in effect until the date when the second or third hearing is held. This bill is effective upon passage and approval.

Roll call on Assembly Bill No. 177:

YEAS—38.

NAYS-None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 177 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 192.

Bill read third time.

Remarks by Assemblywoman Monroe-Moreno.

ASSEMBLYWOMAN MONROE-MORENO:

Assembly Bill 192 requires, with limited exceptions, appointing authorities for positions in the state service to make temporary limited appointments of certified persons with disabilities to positions not to exceed 700 hours. The bill further requires each appointing authority to ensure that at least one person on the staff of the appointing authority satisfies certain training requirements related to: (1) making a temporary limited appointment of a certified person with a disability; and (2) training concerning the unique challenges a person with a disability faces in the workplace.

This bill is effective upon passage and approval for the purpose of adopting regulations and performing any other preparatory administrative tasks and on January 1, 2018, for all other purposes.

Roll call on Assembly Bill No. 192:

YEAS—38.

NAYS-None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 192 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 195.

Bill read third time.

Remarks by Assemblywomen Bustamante Adams and Titus.

ASSEMBLYWOMAN BUSTAMANTE ADAMS:

Assembly Bill 195 revises provisions governing the State Board of Cosmetology and the professionals it regulates. The bill allows the Governor to remove a Board member under certain circumstances, combines the position of Board Secretary and Board Treasurer, revises provisions governing the deposit and use of fees and other money, prohibits certain expenses from being charged against the State General Fund, and eliminates the Board's revolving fund used for cash advances. It also revises certain continuing education requirements, the documentation required by certain applicants, and the circumstances under which a license as a student instructor expires. It reduces from 3,600 to 3,200 the number of hours needed to apply for a license as a cosmetologist and requires students to receive a minimum of 10 percent of the total hours of instruction for a particular profession prior to commencing work on members of the public.

ASSEMBLYWOMAN TITUS:

I rise in support of Assembly Bill 195. Even though it is a two-thirds bill, it actually lowers hours, lowers cost, and is another commonsense bill. I appreciate the sponsor of this bill fixing some much needed language in the area of cosmetology. Thank you and I am definitely in support.

Roll call on Assembly Bill No. 195:

YEAS—37.

NAYS—Wheeler.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 195 having received a two-thirds majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 205.

Bill read third time.

Remarks by Assemblyman Edwards.

ASSEMBLYMAN EDWARDS:

Assembly Bill 205 enacts provisions governing cremation using alkaline hydrolysis, which is defined as the reduction of human remains through the use of alkaline chemicals and agitation. The bill makes certain fee and penalty provisions applicable to this type of cremation. In cities and towns where existing zoning laws limit the location of a crematory, the bill authorizes a crematory using alkaline hydrolysis to apply to a local board of county commissioners or the governing body of the city or town for an exemption from zoning restrictions. The measure requires an operator to provide advance notice to the Division of Environmental Protection of the Department of Conservation and Natural Resources of its intent to use alkaline hydrolysis. The Division must ensure that the equipment to be used for alkaline hydrolysis complies with laws relating to water pollution. Finally, conforming changes are made to other sections of the law to account for differences between cremation by incineration and cremation by alkaline hydrolysis.

The bill is effective upon passage and approval for the purpose of adopting regulations and performing preparatory administrative tasks and on January 1, 2018, for all other purposes.

Roll call on Assembly Bill No. 205:

YEAS—38.

NAYS-None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 205 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 221.

Bill read third time.

Remarks by Assemblywoman Bilbray-Axelrod.

ASSEMBLYWOMAN BILBRAY-AXELROD:

Assembly Bill 221 requires that the model plan developed by Nevada's Department of Education for the management of a school emergency must include a procedure for evacuating the students and employees of a charter school to an identified district middle, junior high, or high school.

Roll call on Assembly Bill No. 221:

YEAS-38.

NAYS—None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 221 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 229.

Bill read third time.

Remarks by Assemblymen Thompson and Spiegel.

ASSEMBLYMAN THOMPSON:

Assembly Bill 229 revises state law by authorizing the marriage of two persons, regardless of gender, and makes conforming changes to the provisions. This bill is effective on July 1, 2017.

ASSEMBLYWOMAN SPIEGEL:

This bill makes our family law chapter gender neutral, which will allow all Nevada families to be treated equally and fairly under the law. I urge your support.

Roll call on Assembly Bill No. 229:

YEAS-28.

NAYS—Paul Anderson, Edwards, Hambrick, Hansen, Krasner, Marchant, McArthur, Oscarson, Titus, Wheeler—10.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 229 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 233.

Bill read third time.

Remarks by Assemblywoman Spiegel.

ASSEMBLYWOMAN SPIEGEL:

Assembly Bill 233 authorizes a lessor of a motortruck to impose additional charges to recover any costs incurred by the lessor in conducting his or her business. Any such charges must be disclosed at the time the lessor provides a price quote or estimate for the lease of the motortruck.

Roll call on Assembly Bill No. 233:

YEAS—36.

NAYS—Fumo, Watkins—2.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 233 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 234.

Bill read third time.

Remarks by Assemblyman Fumo.

ASSEMBLYMAN FUMO:

Assembly Bill 234 requires certain motor carriers of passengers that provide paratransit services to certain persons with disabilities to ensure that each vehicle used for such services is equipped with first-aid equipment and that the drivers of such vehicles receive training in first-aid and CPR [cardiopulmonary resuscitation]. The provisions of this bill do not apply during the current term of any collective bargaining agreement entered into before the effective date of this bill. This measure is effective upon passage and approval.

Roll call on Assembly Bill No. 234:

YEAS-38.

NAYS—None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 234 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 247.

Bill read third time.

Remarks by Assemblymen Tolles, Hambrick, and Yeager.

ASSEMBLYWOMAN TOLLES:

Assembly Bill 247 provides for the early termination of a rental agreement if a tenant, cotenant, or household member is a victim of harassment, sexual assault, or stalking. The measure further prohibits a landlord from taking certain retaliatory actions against a victim who terminates a rental agreement for this reason. This bill is effective on October 1, 2017.

ASSEMBLYMAN HAMBRICK:

I rise in support of Assembly Bill 247. Sexual assault is a serious problem that plagues our communities. Every 98 seconds, another American is sexually assaulted. Assembly Bill 247 gives victims of sexual assault an opportunity to escape their environment by providing early termination of rental agreements. We must do all we can do to protect these victims and to ensure that they have the tools to move past the horrible crimes committed against them. These people are asking us for solutions that help protect them, and A.B. 247 is that type of solution.

ASSEMBLYMAN YEAGER:

I would encourage the body to support this measure. The impetus behind this bill was exactly as my colleague from the south said—to make sure that folks who are victims of sexual assault, harassment, or stalking are not forced to stay in a dangerous situation simply because they do not have the financial resources to terminate a lease. That is the impetus behind the bill, and I rise in support and would encourage the body to support the bill as well.

Roll call on Assembly Bill No. 247:

YEAS—38.

NAYS-None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 247 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 251.

Bill read third time.

Remarks by Assemblyman Hambrick.

ASSEMBLYMAN HAMBRICK:

Assembly Bill 251 authorizes the State Board of Pardons Commissioners to commute a sentence of death or imprisonment in the state prison for life without the possibility of parole to a sentence that would allow parole if a person is convicted of any crime that the person committed when he or she was less than 18 years of age. This bill is effective on October 1, 2017.

Roll call on Assembly Bill No. 251:

YEAS-38.

NAYS-None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 251 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 254.

Bill read third time.

Remarks by Assemblyman Yeager.

ASSEMBLYMAN YEAGER:

Assembly Bill 254 provides that any inventory of the property of a ward that a guardian is required to file in a proceeding must include the existence of a trust of which the ward is a

beneficiary. If such an inventory includes the existence of a trust, the trustee must be served with a copy of the inventory. There is a mechanism by which the court overseeing the guardianship can take jurisdiction over the trust if there are no objections or the court finds good cause.

The thought behind this bill—and it was unanimous out of committee—was that we have situations where wards have trusts and the guardianship court overseeing the guardianship does not know about the trust, does not have an ability to look at the trust and make sure it is being used appropriately for the benefit of the ward. I would encourage the house to support this measure. It is part of the comprehensive guardianship reforms that came out of the Commission.

Roll call on Assembly Bill No. 254:

YEAS-38.

NAYS-None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 254 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 271.

Bill read third time.

Remarks by Assemblymen Carrillo, Pickard, and Wheeler.

ASSEMBLYMAN CARRILLO:

Assembly Bill 271 repeals provisions regarding a panel to review the findings of a fact finder and instead provides that the findings and award of the fact finder are final and binding on the parties engaged in collective bargaining negotiations. For labor disputes involving firefighters and police officers, the bill provides that unless the parties to the dispute agree to make the findings of the fact finder final and binding: (1) the report of the fact finder must include recommendations for settlement of the dispute, in lieu of an award; and (2) the findings and recommendations of the fact finder are not binding on the parties.

The bill clarifies that leave provided by a local government employer to an employee for time spent by the employee in performing duties or providing services for an employee organization is a mandatory subject of collective bargaining. The bill also provides that unless the terms of the agreement between a local government employer and an employee organization provide otherwise, if the local government employer agrees to provide such leave, there is a rebuttable presumption that the full cost of such leave has been offset by the value of concessions made by the employee organization. The effective day of this bill is July 1, 2017.

ASSEMBLYMAN PICKARD:

Assembly Bill 271 is a solution in search of a nonexistent problem. The unintended consequences that could result from this legislation and the uncertainty that results from it will hamstring both parties. If anything, we should be encouraging positive communications that lead to mutual agreements and solid compromises. Similarly, I do not care much for the idea, nor in my view should anyone, of public employees on the taxpayer dime conducting union business, often partisan in nature. I urge my colleagues to vote no today.

ASSEMBLYMAN WHEELER:

I rise in strong opposition to Assembly Bill 271. This puts an unnecessary burden on employers, and far from creating an efficient process, it muddies the waters in binding fact-finding. I will always be opposed to public employees conducting partisan business on the state dime, as this is a bad use of our tax dollars and a poor way of showing the hardworking people of Nevada that we put them ahead of the politics.

Roll call on Assembly Bill No. 271:

YEAS-26.

NAYS—Paul Anderson, Edwards, Hambrick, Hansen, Krasner, Marchant, McArthur, Oscarson, Pickard, Titus, Tolles, Wheeler—12.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 271 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 288.

Bill read third time.

Remarks by Assemblymen Joiner and Pickard.

ASSEMBLYWOMAN JOINER:

Assembly Bill 288 provides that immunity from civil or criminal liability for certain acts does not extend to a person who abused, neglected, exploited, isolated, or abandoned an older person or vulnerable person who is the subject of a report or investigation or any person who committed certain other acts against an older person or a vulnerable person. This bill also revises the penalties for committing or conspiring with another person to commit certain acts against an older person or a vulnerable person.

Finally, this bill provides that a facility for long-term care that wishes to include as part of any contract relating to the provision of care a clause providing that the parties to the contract agree to resolve any dispute through arbitration must include the clause as an addendum to the contract. The addendum must meet certain requirements pertaining to form and content.

ASSEMBLYMAN PICKARD:

I am happy to say I rise in support of Assembly Bill 288. This bill seeks to protect our senior and vulnerable citizens from criminals by closing loopholes in existing law. Our seniors should feel safe and secure in their retirement years, and we have an obligation to do all that we can to make that happen.

Roll call on Assembly Bill No. 288:

YEAS—38.

NAYS-None.

EXCUSED—Ellison, Kramer, Ohrenschall, Woodbury—4.

Assembly Bill No. 288 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce and Labor, to which was referred Assembly Bill No. 54, 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 Commerce and Labor, to which was referred Assembly Bill No. 468, has had the same under consideration, and begs leave to report the same back with the recommendation: Without recommendation, and rerefer to the Committee on Ways and Means.

IRENE BUSTAMANTE ADAMS, Chair

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Benitez-Thompson moved that Assembly Bills Nos. 297, 337, 452, 461, 464, 465, 466, 476, 482, 488, and 490; Assembly Joint

Resolutions Nos. 10 and 11 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

REMARKS FROM THE FLOOR

Assemblywoman Cohen requested that the following remarks be entered in the Journal.

ASSEMBLYWOMAN COHEN:

I would like to introduce the body to my guests. Joe McKenna is a music director at a church in Reno, a musician, and a fourth generation Nevadan. Andrea Booth has been my friend since seventh grade. She is a public educator and counselor at San Mateo High School in northern California. We attended the University of Nevada, Reno together with the Speaker. Ms. Booth joined me over the weekend at the Race to End Domestic Violence in Reno. We walked in the 5K in honor of our friend, Kristin Batdorf. Kristin was murdered in a domestic violence altercation almost three years ago. Kristin was born in Las Vegas, she graduated from Bishop Gorman High School and also from the University of Nevada, Reno, where the three of us were roommates. She was a chiropractor and a mother. She was not murdered in Nevada, but she was a daughter of Nevada. According to Safe Embrace, in 2014—the same year she was murdered—Nevada was number three in the country in men murdering their wives and girlfriends. I would like to ask the body to welcome my guests in honor of our friend Kristen.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Paul Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Marietta Nelson, M.D., Audrey Johnson, Dianna Christensen, and Celssie Hardy.

On request of Assemblyman Araujo, the privilege of the floor of the Assembly Chamber for this day was extended to Paul Catha.

On request of Assemblywoman Carlton, the privilege of the floor of the Assembly Chamber for this day was extended to Weldon Havins, M.D., J.D.

On request of Assemblywoman Cohen, the privilege of the floor of the Assembly Chamber for this day was extended to Andrea Maria Booth and Joe McKenna.

On request of Assemblywoman Diaz, the privilege of the floor of the Assembly Chamber for this day was extended to Jack Warwick.

On request of Assemblyman Ellison, the privilege of the floor of the Assembly Chamber for this day was extended to Norman Christensen, M.D. and Keith Brill, M.D.

On request of Assemblywoman Joiner, the privilege of the floor of the Assembly Chamber for this day was extended to Eric Boyden, M.D., Peter Fenwick, M.D., and Nancy Hoffman.

On request of Assemblyman Kramer, the privilege of the floor of the Assembly Chamber for this day was extended to Timothy McFarren, M.D. and Sandra Koch, M.D.

On request of Assemblywoman Krasner, the privilege of the floor of the Assembly Chamber for this day was extended to Ronald Swanger, M.D., Andrew Pasternak, M.D., and Jerry Matsumura, M.D.

On request of Assemblyman Marchant, the privilege of the floor of the Assembly Chamber for this day was extended to Michael McDonald, Brian Hardy, and Nathan Baker.

On request of Assemblyman McArthur, the privilege of the floor of the Assembly Chamber for this day was extended to Thomas Hunt, M.D.

On request of Assemblyman McCurdy, the privilege of the floor of the Assembly Chamber for this day was extended to Michael Lee, M.D.

On request of Assemblyman Oscarson, the privilege of the floor of the Assembly Chamber for this day was extended to Rebecca Oscarson and Deb Paul.

On request of Assemblyman Pickard, the privilege of the floor of the Assembly Chamber for this day was extended to Mia Mallette.

On request of Assemblywoman Spiegel, the privilege of the floor of the Assembly Chamber for this day was extended to Howard Baron.

On request of Assemblywoman Titus, the privilege of the floor of the Assembly Chamber for this day was extended to Joseph Iser, M.D., Evan Klass, M.D., Nicole Flora, M.D., and Keith Brill, M.D.

On request of Assemblyman Wheeler, the privilege of the floor of the Assembly Chamber for this day was extended to Jennifer Baker, Pat Casale, and Thomas Hunt.

Assemblywoman Benitez-Thompson moved that the Assembly adjourn until Tuesday, April 18, 2017, at 11:30 a.m.

Motion carried.

Approved:

Assembly adjourned at 6:38 p.m.

JASON FRIERSON Speaker of the Assembly

Attest: SUSAN FURLONG

Chief Clerk of the Assembly