

# NEVADA LEGISLATURE

Eighty-Second Session, 2023

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## ASSEMBLY DAILY JOURNAL

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### THE FIFTY-SECOND DAY

CARSON CITY (Wednesday), March 29, 2023

Assembly called to order at 12 noon.

Mr. Speaker presiding.

Roll called.

All present except Assemblywoman Bilbray-Axelrod, who was excused.

Prayer by the Chaplain, Pastor Kathy Morris.

God of many Names, make us channels of Your disturbance. Where there is apathy, let us provoke. Where there is silence, may we be a voice. Where there is too much comfort and too little action, grant disruption. Where there are doors closed and hearts locked, grant us the willingness to listen. When laws dictate and pain is overlooked, grant us the willingness to shine a light on human suffering. When tradition speaks louder than need, grant us the willingness to discern.

Disturb us, O God, teach us to persevere. Grant that we may seek rather to do justice than to talk about it; to be with the poor as well as the wealthy; to love the unlovable as well as the lovely; to accept the responsibility to be agents of mercy and compassion. God, make us channels of Your disturbance. It is in the many Names of the Holy that we pray.

AMEN.

Pledge of Allegiance to the Flag.

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

Motion carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

Assembly Joint Resolution No. 1 of the 81st Session.

Resolution read.

Remarks by Assemblywoman Dickman.

ASSEMBLYWOMAN DICKMAN:

Assembly Joint Resolution 1 of the 81st Session proposes to amend Section 1 of Article 13 of the *Nevada Constitution* by replacing the description of persons who benefit from institutions fostered and supported by the state from “insane” to “persons with significant mental illness,” “blind” to “persons who are blind or visually impaired,” and “deaf and dumb” to “persons who are deaf or hard of hearing.” The resolution also replaces the term “institutions” with “entities”

and adds entities for the benefit of persons with intellectual or developmental disabilities to the types of entities that shall be fostered and supported by the state.

This resolution was approved by the 81st Session of the Legislature in 2021. If approved in identical form during this legislative session, the proposal will be submitted to the voters for final approval at the 2024 General Election.

Roll call on Assembly Joint Resolution No. 1 of the 81st Session:

YEAS—41.

NAYS—None.

EXCUSED—Bilbray-Axelrod.

Assembly Joint Resolution No. 1 of the 81st Session having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

NOTICE OF EXEMPTION

March 27, 2023

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the exemption of Assembly Bills Nos. 62, 396, 400, 451, 458.

Also, the Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of Assembly Bills Nos. 255, 266, 292, 304, 320, 327, 329, 331, 358, 388, 393.

SARAH COFFMAN  
*Fiscal Analysis Division*

Assemblywoman Jauregui moved that the person as set forth on the Nevada Legislature's Press Accreditation List of March 29, 2023, be accepted as an accredited press representative, assigned space at the press table in the Assembly Chamber, allowed the use of appropriate broadcasting facilities, and that the list be included in this day's journal.

KUNR: Zoe Malen.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 136.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 98.

Bill read third time.

Remarks by Assemblyman Nguyen.

ASSEMBLYMAN NGUYEN:

Assembly Bill 98 makes various changes to the Governor's Workforce Investment Board, including changing the name of the Board to the Governor's Workforce Development Board, expanding the representation of the Board to include members of local workforce development boards and other business representatives from industry sectors, and requiring the Board to collaborate with local workforce development boards and regional development authorities on various economic and workforce development activities.

The bill additionally requires each regional industry or sector partnership working with a local workforce development board to submit certain reports to the Governor's Workforce Development Board.

Roll call on Assembly Bill No. 98:

YEAS—41.

NAYS—None.

EXCUSED—Bilbray-Axelrod.

Assembly Bill No. 98 having received a constitutional majority,  
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 291.

Bill read third time.

Remarks by Assemblywoman Jauregui.

ASSEMBLYWOMAN JAUREGUI:

Assembly Bill 291 revises provisions relating to the crime of swindling. The state is not required to establish that all the acts constituting this crime occurred in this state or within a single city, county, or local jurisdiction of this state. This bill further provides that it is no defense that a person did not commit all the acts constituting the crime within this state or within a single city, county, or local jurisdiction of this state.

Roll call on Assembly Bill No. 291:

YEAS—41.

NAYS—None.

EXCUSED—Bilbray-Axelrod.

Assembly Bill No. 291 having received a constitutional majority,  
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

#### INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 459—AN ACT relating to education; revising provisions requiring the Governor to reserve certain amounts of money in the State General Fund for transfer to the State Education Fund; revising provisions requiring the Governor to include in the proposed executive budget recommendations on the statewide per pupil funding amount and the multiplier for each category of pupils; eliminating the authority of the Governor to recommend such funding for public schools in this State as the Governor determines to be appropriate if the Governor determines that preparing a proposed executive budget would be impracticable; and providing other matters properly relating thereto.

Assemblywoman Monroe-Moreno moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 460—AN ACT relating to health care; revising the entities required to be licensed as nursing pools; and providing other matters properly relating thereto.

Assemblywoman Monroe-Moreno moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 461—AN ACT relating to the Public Employees' Retirement System; creating the position of Chief Administrative Analyst as a member of the executive staff of the System; and providing other matters properly relating thereto.

Assemblywoman Monroe-Moreno moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

#### MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 29, 2023

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 268, Amendment No. 53, and respectfully requests your honorable body to concur in said amendment.

SHERRY L. RODRIGUEZ  
*Assistant Secretary of the Senate*

#### UNFINISHED BUSINESS

##### CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 268.

The following Senate amendment was read:

Amendment No. 53.

AN ACT making appropriations for the payment of retention incentives to certain employees of the State Government; and providing other matters properly relating thereto.

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

**Section 1.** 1. There is hereby appropriated from the State General Fund to the Office of Finance in the Office of the Governor the sum of \$20,970,000 for the payment of retention incentives in accordance with subsection 2 to each person who is an employee in:

(a) The Executive Department of the State Government, except:

(1) Employees of the Nevada System of Higher Education other than the employees of the System in the classified service, as described in subsection 4 of NRS 284.140.

(2) Persons whose compensation is paid from a budget account that is not subject to NRS 353.150 to 353.246, inclusive, except as otherwise provided in section 3 of this act.

(3) Persons whose positions are temporary, intermittent or seasonal or are positions for which there is a critical labor shortage pursuant to NRS 286.523.

(b) The Judicial Department of the State Government, except persons whose positions are temporary, intermittent or seasonal or are positions for which there is a critical labor shortage pursuant to NRS 286.523.

2. A retention incentive of \$500 must be paid from the money appropriated by subsection 1 to each person who is eligible for the payment, as described in subsection 1, and who is so employed on:

(a) March 31, 2023.

(b) June 16, 2023.

3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2023, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 15, 2023, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 15, 2023.

**Sec. 2.** 1. There is hereby appropriated from the State General Fund to the Legislative Fund created by NRS 218A.150 the sum of \$325,000 for the payment of retention incentives in accordance with subsection 2 to each person who is an employee in the Legislative Department of the State Government, except persons whose positions are for a legislative session or are otherwise temporary, intermittent or seasonal.

2. A retention incentive of \$500 must be paid from the money appropriated by subsection 1 to each person who is eligible for the payment, as described in subsection 1, and who is so employed on:

(a) March 31, 2023.

(b) June 16, 2023.

3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2023, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 15, 2023, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 15, 2023.

**Sec. 3.** 1. There is hereby appropriated from the State General Fund to the Public Employees' Retirement System the sum of \$81,000 for the payment of retention incentives in accordance with subsection 2 to each person who is an employee of the Public Employees' Retirement System, except persons whose positions are temporary, intermittent or seasonal or are positions for which there is a critical labor shortage pursuant to NRS 286.523.

2. A retention incentive of \$500 must be paid from the money appropriated by subsection 1 to each person who is eligible for the payment, as described in subsection 1, and who is so employed on:

(a) March 31, 2023.

(b) June 16, 2023.

3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2023, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 15, 2023, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 15, 2023.

**Sec. 3.5. 1. There is hereby appropriated from the State General Fund to the Nevada System of Higher Education the sum of \$3,500,000 for the payment of retention incentives for Fiscal Year 2022-2023 to employees of the Nevada System of Higher Education other than the employees of the System in the classified service, as described in subsection 4 of NRS 284.140.**

**2. On or before September 1, 2023, the Nevada System of Higher Education shall submit a report to the Interim Finance Committee regarding the criteria for eligibility and amounts established for the retention incentives required to be paid pursuant to subsection 1 and the number of recipients thereof.**

**3. Any remaining balance of the appropriation made by subsection 1 must not be committed for expenditure after June 30, 2023, by the entity to which the appropriation is made or any entity to which money from the appropriation is granted or otherwise transferred in any manner, and any portion of the appropriated money remaining must not be spent for any purpose after September 15, 2023, by either the entity to which the money was appropriated or the entity to which the money was subsequently granted or transferred, and must be reverted to the State General Fund on or before September 15, 2023.**

**Sec. 4.** This act becomes effective upon passage and approval.

Assemblywoman Monroe-Moreno moved that the Assembly concur in the Senate Amendment No. 53 to Assembly Bill No. 268.

Remarks by Assemblywoman Monroe-Moreno.

ASSEMBLYWOMAN MONROE-MORENO:

The amendment makes an appropriation from the State General Fund to the Nevada System of Higher Education in the sum of \$3,500,000 for the payment of retention incentives for Fiscal Year 2022-2023 to certain employees of the Nevada System of Higher Education.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Aria Flores and Donald Heath.

On request of Assemblywoman Backus, the privilege of the floor of the Assembly Chamber for this day was extended to Cecia Alvarado, Elisa Martinez, and Norma Palma Miron.

On request of Assemblywoman Brown-May, the privilege of the floor of the Assembly Chamber for this day was extended to Ana Adkins, Angel Lazcano, and Brian Harris.

On request of Assemblyman Carter, the privilege of the floor of the Assembly Chamber for this day was extended to Austreberto Hernandez, Patricia Cuocco and Paula Luna.

On request of Assemblywoman Cohen, the privilege of the floor of the Assembly Chamber for this day was extended to Angelina Saldana, Ashley Cole, and Ernesto Lara.

On request of Assemblywoman Considine, the privilege of the floor of the Assembly Chamber for this day was extended to Cesar Carvajal, Coleen Lawrence, and Gabrielle Angle.

On request of Assemblyman D'Silva, the privilege of the floor of the Assembly Chamber for this day was extended to Blake Douglas, Diana Moreno Ramirez, and Jiromi Pena.

On request of Assemblywoman Duran, the privilege of the floor of the Assembly Chamber for this day was extended to Jonathan Bush, Rupert Ruiz, and Sylvia Lazos.

On request of Assemblywoman Gallant, the privilege of the floor of the Assembly Chamber for this day was extended to Dr. Karla Hernandez, Erika Marquez, and Imer Cespedes.

On request of Assemblywoman González, the privilege of the floor of the Assembly Chamber for this day was extended to B. Keith Rogers, Ermelinda Rodriguez, Alejandra Muneton Carrera, Rinaldo Chaidez, Shaun Navarro, and Rassiel Godinez.

On request of Assemblywoman Gorelow, the privilege of the floor of the Assembly Chamber for this day was extended to Ivete Aldaba, Priscella Gomez, and Robert Miranda.

On request of Assemblyman Gray, the privilege of the floor of the Assembly Chamber for this day was extended to Lorenzita Santos and Marilyn Morales.

On request of Assemblywoman Hansen, the privilege of the floor of the Assembly Chamber for this day was extended to Ernesto Lara Jr., Sarah Mahler, and Wilson Ramos.

On request of Assemblywoman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Alfredo Santiago, Carlos Calderon, Joi Holliday Sparrow, and Russell Kost.

On request of Assemblyman Hibbetts, the privilege of the floor of the Assembly Chamber for this day was extended to Arturo Castro, Gloria Castro, and Raquel Rascon.

On request of Assemblywoman Jauregui, the privilege of the floor of the Assembly Chamber for this day was extended to Consul de Mexico Julian Escutia Rodriguez, Adriana Eninger, and Sabastian Alcala.

On request of Assemblywoman Kasama, the privilege of the floor of the Assembly Chamber for this day was extended to Amber Cordoba, Martha Gallardo, and Teresa Miranda.

On request of Assemblywoman La Rue Hatch, the privilege of the floor of the Assembly Chamber for this day was extended to Dyana Melchor, Fernando Romero, and J. Diego Zarazua.

On request of Assemblywoman Marzola, the privilege of the floor of the Assembly Chamber for this day was extended to Darielys Rodriguez-Ortiz, Guillermo Barahona, Noe Orosco, and Yvette Machado.

On request of Assemblyman McArthur, the privilege of the floor of the Assembly Chamber for this day was extended to Beatriz Uribe Acordagoitia, Jafeth Sanchez, and Jorge Rodriguez.

On request of Assemblyman C.H. Miller, the privilege of the floor of the Assembly Chamber for this day was extended to Carlos Velis, Jorge Ardon Garcia, Reina Velis, and Wences Perez.

On request of Assemblywoman Brittney Miller, the privilege of the floor of the Assembly Chamber for this day was extended to Jiselle Alvarez-Barrera, Naomi Karapetyan, and Sarah Rojas.

On request of Assemblywoman Monroe-Moreno, the privilege of the floor of the Assembly Chamber for this day was extended to Aleida Martinez, Alexis Esparza, and Carolina Avila.

On request of Assemblywoman Mosca, the privilege of the floor of the Assembly Chamber for this day was extended to David Rowe, McKenzie Easter, and Nancy Uscher.



On request of Assemblywoman Newby, the privilege of the floor of the Assembly Chamber for this day was extended to Jacinto Alfaro Valladares, Kenia Morales, and Odilia Martinez Trujillo.

On request of Assemblyman Nguyen, the privilege of the floor of the Assembly Chamber for this day was extended to Douglas Candido, Gerardo Garrido-Cortez, and Nate Adem.

On request of Assemblyman O'Neill, the privilege of the floor of the Assembly Chamber for this day was extended to Brian Lauf, Carmella Downing, and Domonique Katona.

On request of Assemblyman Orentlicher, the privilege of the floor of the Assembly Chamber for this day was extended to Eduardo Ureta, Juan Carlos Alvarado, and Omar Carbajal.

On request of Assemblywoman Peters, the privilege of the floor of the Assembly Chamber for this day was extended to Lalo Montoya, Victoria Ruiz Marin, and Yurithya Vazquez.

On request of Assemblywoman Summers-Armstrong, the privilege of the floor of the Assembly Chamber for this day was extended to Haide Callejas Lazaro, Suzanne Lara, and Tania Gonzalez Contreras.

On request of Assemblywoman Taylor, the privilege of the floor of the Assembly Chamber for this day was extended to Frank Gallardo, Ignacio Romero, and Tyshana Giles.

On request of Assemblywoman Thomas, the privilege of the floor of the Assembly Chamber for this day was extended to Patricia Veronica Demsky, Luis Medina, and Roomy Chaidez.

On request of Assemblywoman Torres, the privilege of the floor of the Assembly Chamber for this day was extended to Gabriela Sosa Espinoza, Minya Yan, Sylvia Dominguez-Curry, and Vivian Leal.

On request of Assemblyman Watts, the privilege of the floor of the Assembly Chamber for this day was extended to Faridy Canales, Nour Benjelloun, and Rickey McCurry.

On request of Assemblyman Yeager, the privilege of the floor of the Assembly Chamber for this day was extended to John Larson and Liz Kang.

Assemblywoman Jauregui moved that the Assembly adjourn until Thursday, March 30, 2023, at 11:30 a.m., where it would reconvene in the old Assembly Chamber in the historic Capitol Building.

Motion carried.

Assembly adjourned at 12:26 p.m.

Approved:

STEVE YEAGER  
*Speaker of the Assembly*

Attest: SUSAN FURLONG  
*Chief Clerk of the Assembly*