

THE TWENTY-NINTH DAY

CARSON CITY (Monday), March 4, 2013

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

President Krolicki presiding.

Roll called.

All present.

Prayer by Bishop Joseph A. Pepe, D.D., J.C.D., Roman Catholic Church, Las Vegas.

Let us pray. Almighty God, Benevolent Creator, in Your loving plan, You created the world and all in it. With your care, You protect and guide all life in its journey through history and to its fullness. We graciously pray that those who have the responsibility in governing and protecting with just and prudent laws, foster a sense of well-being among the people in Nevada.

May this Body legislate with sensitivity for the welfare and true needs of our people. Always influenced by a keen thirst for justice and rightness, may they appreciate the dignity and uniqueness of every person. May they have confidence in what is good and fitting, an eagerness and ability to work together in harmony even through honest disagreement. Strengthened by their collaboration and bonded by their camaraderie, may they support one another in the arduous and challenging moments of decision.

Through Your gift of love, may they gain personal peace in their lives and joy in their tasks. We ask this in His Name.

AMEN.

Pledge of Allegiance to the Flag led by Bishop Randolph R. Calvo, Roman Catholic Church, Reno Diocese.

The President announced that under previous order, the reading of the Journal is waived for the remainder of the 77th Legislative Session and the President and Secretary are authorized to make any necessary corrections and additions.

WAIVERS AND EXEMPTIONS**NOTICE OF EXEMPTION**

March 4, 2013

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: [Senate Bills Nos. 113, 132, 142, 147, 149, 150, 151, 156, 165, 171, 172, 182 and 183.](#)

MARK KRMPOTIC
Fiscal Analysis Division

MOTIONS, RESOLUTIONS AND NOTICES

Senator Denis moved that the following persons be accepted as accredited press representatives, and that they be assigned space at the press table and allowed the use of appropriate media facilities: KOLO-TV: Chris Buckley; RENO GAZETTE-JOURNAL: Marilyn Newton; UNIVISION TELEVISION: Jose Gonzalez.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Education:

[Senate Bill No. 207](#)—AN ACT relating to education; eliminating and revising requirements for certain reports, summaries and compilations of reports, reviews and evaluations; eliminating certain provisions relating to the analysis and reporting of information relating to certain national examinations; reorganizing various provisions relating to the high school proficiency examination and criterion-referenced examinations; eliminating the Program of Empowerment Schools; requiring the Department of Education to compile and analyze certain reports regarding the number of incidents resulting in the suspension or expulsion of a pupil for bullying, cyber-bullying, harassment or intimidation; requiring the Commission on Educational Technology to include certain assessments in the assessment of needs of each school district relating to educational technology that is conducted by the Commission in the spring semester of 2014; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kihuen:

[Senate Bill No. 208](#)—AN ACT relating to police officers; revising the definition of “police officer” to include court bailiffs and deputy marshals in district courts and justice courts primarily for purposes of certain provisions relating to occupational diseases; and providing other matters properly relating thereto.

Senator Kihuen moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By Senators Hutchison, Roberson, Gustavson, Hammond, Spearman, Goicoechea, Hardy, Segerblom and Settlemeyer:

[Senate Bill No. 209](#)—AN ACT relating to economic development; requiring the Board of Economic Development to develop and carry out a recruiting and marketing effort to attract professionals and businesses to this State; and providing other matters properly relating thereto.

Senator Hutchison moved that the bill be referred to the Committee on Revenue and Economic Development.

Motion carried.

By Senator Cegavske:

[Senate Bill No. 210](#)—AN ACT relating to motor carriers; requiring persons who wish to be employed as drivers for certain motor carriers subject to the jurisdiction of the Nevada Transportation Authority to obtain a driver’s permit issued by the Authority; imposing a fee for such a permit; providing a penalty; and providing other matters properly relating thereto.

Senator Cegavske moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Senator Cegavske:

[Senate Bill No. 211](#)—AN ACT relating to health care; requiring that advertisements for health care services include certain information; requiring certain health care practitioners to communicate certain information to the public; limiting the use of the term “board certified” by certain health care practitioners; providing for the professional discipline of health care practitioners under certain circumstances; and providing other matters properly relating thereto.

Senator Cegavske moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By Senators Settlemeyer, Cegavske, Hardy; Assemblymen Wheeler and Livermore:

[Senate Bill No. 212](#)—AN ACT relating to elections; providing in certain circumstances for a presidential preference primary election to be held in conjunction with the statewide primary election; revising the date of the statewide primary election to the Tuesday immediately preceding the last Tuesday in January of each even-numbered year; requiring the Secretary of State, under certain circumstances and with the approval of the Legislative Commission, to select an earlier date for the statewide primary election; making corresponding changes to various pre-election deadlines; revising requirements for the reporting of campaign contributions and expenditures; establishing requirements for participation by major political parties and candidates in a presidential preference primary election; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks, Manendo, Spearman, Segerblom, Woodhouse; Assemblymen Carlton, Ohrenschaal, Martin, Munford and Pierce (by request):

[Senate Bill No. 213](#)—AN ACT relating to trapping; requiring the registration of each trap, snare, poisoning device or similar device used in the taking of wild mammals; authorizing the removal or disturbance of a trap, snare, poisoning device or similar device under certain circumstances; requiring the marking of a trap, snare, poisoning device or similar device with a warning flag; increasing the frequency of required visits for a trap, snare, poisoning device or similar device; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

[Senate Bill No. 175.](#)

Bill read second time and ordered to third reading.

[Assembly Bill No. 68.](#)

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

[Senate Bill No. 76.](#)

Bill read third time.

Remarks by Senator Jones.

[Senate Bill No. 76](#) revises the definition of “concealed firearm” to mean “a loaded or unloaded handgun which is carried upon a person in such a manner as not to be discernible by ordinary observation.” In addition, the measure requires an applicant for a permit to carry a concealed firearm or a person holding a permit for renewal to demonstrate competence with handguns. I urge my colleagues to support this bill and support the law-abiding gun owners of Nevada.

Roll call on [Senate Bill No. 76](#):

YEAS—21

NAYS—None.

[Senate Bill No. 76](#) having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

[Senate Bill No. 81.](#)

Bill read third time.

Remarks by Senator Hardy.

Thank you, Mr. President. [Senate Bill No. 81](#) revises the Cancer Drug Donation Program by authorizing physicians to dispense a cancer drug donated for use in the program. Heretofore, it has only been a registered pharmacist that has been allowed to dispense a cancer drug donated for use in the program. Only three independent pharmacies located in southern Nevada are presently participating in the program.

Roll call on [Senate Bill No. 81](#):

YEAS—21

NAYS—None.

[Senate Bill No. 81](#) having received constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

[Senate Bill No. 86.](#)

Bill read third time.

The following amendment was proposed by Senator Smith:

[Amendment No. 9.](#)

Senator Smith moved the adoption of the amendment.

Remarks by Senator Smith.

Thank you, Mr. President. This amendment changes the effective date from July 1, 2013, to upon passage and approval. In general, the bill allows for care to those who are suffering with dementia regardless of age. The amendment will allow those in tragic situations to have respite care.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

[Senate Bill No. 121.](#)

Bill read third time.

Remarks by Senator Goicoechea.

[Senate Bill No. 121](#) authorizes the transfer of the Belmont Courthouse from state ownership to Nye County. The measure sets forth a number of conditions relating to this transfer, including the requirements that Nye County protect all historical and recreational value of the property and guarantee public access to the property. In addition, the county or any successor in title shall not sell, lease, encumber or dispose of the property without authorization by a concurrent resolution of the Nevada Legislature. Any violation of these conditions will result in the reversion of the title to the property back to the State of Nevada.

Roll call on [Senate Bill No. 121](#):

YEAS—21

NAYS—None.

[Senate Bill No. 121](#) having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to Assembly.

REMARKS FROM THE FLOOR

SENATOR SMITH:

Thank you, Mr. President. During each Nevada Legislative Session since 1991, hundreds of individuals from the state have gathered in Carson City for two days of training, networking, lobbying, discussion and inspiration. Participants learn the ins and outs of being grassroots lobbyists so they can successfully raise their voices on behalf of Nevada's women and children. Sponsored by the Nevada Women's Lobby in conjunction with their partners, each Grassroots Lobby Day includes the opportunity to unite with like-minded people, gain in-depth insights on timely issues and meet with Legislators. This year there are nearly 100 participants from across the State. I had the privilege of speaking with them yesterday while they were working at The Plaza in Carson City. Some traveled all night by bus to be here today and talk with their representatives. We appreciate their efforts.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Brower, the privilege of the Floor of the Senate Chamber for this day was extended to Catana Barnes, Ashley Van Brocklin and Amanda Mathes.

On request of Senator Cegavske, the privilege of the Floor of the Senate Chamber for this day was extended to Laura Deitsch, Jordan Eglet, Sally Jordan and Jennifer McGrath.

On request of Senator Denis, the privilege of the Floor of the Senate Chamber for this day was extended to Vicki Cowart and Christopher Preciado.

On request of Senator Hammond, the privilege of the Floor of the Senate Chamber for this day was extended to Leah Brooks and Amris Henry.

On request of Senator Hardy, the privilege of the Floor of the Senate Chamber for this day was extended to Valerie McNay and Erica Ramos.

On request of Senator Jones, the privilege of the Floor of the Senate Chamber for this day was extended to Alexandria Bradford and Annette Magnus-Marquart.

On request of Senator Kieckhefer, the privilege of the Floor of the Senate Chamber for this day was extended to Cecilia Colling and Sandy Young.

On request of Senator Kihuen, the privilege of the Floor of the Senate Chamber for this day was extended to Brian Fadie, Marco Flores and Adriana Hernandez.

On request of Senator Segerblom, the privilege of the Floor of the Senate Chamber for this day was extended to MacKenzie Howie.

On request of Senator Settelmeyer, the privilege of the Floor of the Senate Chamber for this day was extended to Kimi Cole, Graham Hollister, Melanie Meehan Crossley and Nancy Stiles.

On request of Senator Smith, the privilege of the Floor of the Senate Chamber for this day was extended to Elisa Cafferata and Martha Gould.

On request of Senator Spearman, the privilege of the Floor of the Senate Chamber for this day was extended to Elisha Morgan-Lange and Mellanie Tanada.

On request of Senator Woodhouse, the privilege of the Floor of the Senate Chamber for this day was extended to Janice Flanagan.

Senator Denis moved that the Senate adjourn until Tuesday, March 5, 2013, at 11:00 a.m.

Motion carried.

Senate adjourned at 11:52 a.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: DAVID A. BYERMAN
Secretary of the Senate