

**THE FIFTY-FIRST DAY**

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CARSON CITY (Tuesday), March 29, 2005

Senate called to order at 11:06 a.m.

President Hunt presiding.

Roll called.

All present.

Prayer by the Chaplain, Dr. John Jackson.

Heavenly Father, we thank You today for the privilege of life. We give thanks to You for the opportunity to serve the people of Nevada through the work of this legislative body.

God, in the midst of our deliberations, we ask for Your wisdom and Your grace. Help us to see solutions that are not clearly visible from the surface but in the end reflect the best that You have to offer us and the people of this State.

We are grateful for the opportunity to serve and look forward to seeing what You will do among us today. All these things we ask in the Name of Your Son, Jesus Christ.

AMEN.

Pledge of allegiance to the Flag.

Senator Raggio moved that further reading of the Journal be dispensed with, and the President and Secretary be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

*Madam President:*

Your Committee on Finance, to which was referred Assembly Bill No. 107, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

WILLIAM J. RAGGIO, *Chair*

*Madam President:*

Your Committee on Judiciary, to which was referred Senate Bill No. 323, has had the same under consideration, and begs leave to report the same back with the recommendation: Rerefer to the Committee on Commerce and Labor.

MARK E. AMODEI, *Chair*

*Madam President:*

Your Committee on Natural Resources, to which were referred Senate Bills Nos. 35, 192, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DEAN A. RHOADS, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 28, 2005

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 219.

DIANE KEETCH

*Assistant Chief Clerk of the Assembly*

## MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Human Resources and Education:

Senate Joint Resolution No. 13—Urging Congress to preserve the Community Services Block Grant program as an independent federal program.

Senator Washington moved that the resolution be referred to the Committee on Human Resources and Education.

Motion carried.

By the Committee on Finance:

Senate Joint Resolution No. 14—Proposing to amend the Nevada Constitution to allow the use of revenue generated from fees and other charges related to the operation of a motor vehicle upon a public highway of this State and gasoline taxes for other transportation needs.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That Section 5 of Article 9 of the Nevada Constitution be amended to read as follows:

~~Section~~ Sec. 5. The proceeds from the imposition of any license or registration fee and other charge with respect to the operation of any motor vehicle upon any public highway in this State and the proceeds from the imposition of any excise tax on gasoline or other motor vehicle fuel shall, except costs of administration, be used exclusively for the construction, maintenance, and repair of the public highways of this State ~~and~~ *and other needs relating to transportation*. The provisions of this section do not apply to the proceeds of any tax imposed upon motor vehicles by the Legislature in lieu of an ad valorem property tax.

Senator Raggio moved that the resolution be referred to the Committee on Finance.

Motion carried.

By Senators Raggio, Amodei, Beers, Care, Carlton, Cegavske, Coffin, Hardy, Heck, Horsford, Lee, Mathews, McGinness, Nolan, Rhoads, Schneider, Tiffany, Titus, Townsend, Washington, Wiener; Assemblymen Gansert, Allen, Anderson, Angle, Arberry Jr., Atkinson, Buckley, Carpenter, Christensen, Claborn, Conklin, Denis, Gerhardt, Giunchigliani, Goicoechea, Grady, Hardy, Hettrick, Hogan, Holcomb, Horne, Kirkpatrick, Koivisto, Leslie, Mabey, Manendo, Marvel, McClain, McCleary, Mortenson, Munford, Ocegüera, Ohrenschall, Parks, Parnell, Perkins, Pierce, Seale, Sherer, Sibley, Smith and Weber:

Senate Concurrent Resolution No. 14—Proclaiming March 29, 2005, as Boys & Girls Club Day in Nevada.

WHEREAS, The future of the State of Nevada and its communities lies in its young people; and

WHEREAS, Today, in every community, many boys and girls are left to find their own recreation and companionship in the streets, and an increasing number of children are at home with no adult care or supervision; and

WHEREAS, With its humble beginnings in Hartford, Connecticut, in 1860, the Boys & Girls Clubs of America has grown to include a staff of 42,000 trained professionals and 168,000 adult volunteers who serve more than 4 million youth in approximately 3,400 locations in all 50 states, Puerto Rico and the Virgin Islands, plus domestic and international military bases; and

WHEREAS, The mission of the Boys & Girls Clubs of America is to inspire and enable all young people, especially those from disadvantaged circumstances, to realize their full potential as productive, responsible and caring citizens by instilling in them a sense of competence, usefulness and belonging; and

WHEREAS, By providing an opportunity to learn and grow, to establish and maintain ongoing relationships with caring, adult professionals, and to participate in life-enhancing programs and experiences that promote character development, the Boys & Girls Clubs offer the important gifts of hope and opportunity to young people; and

WHEREAS, Through programs that emphasize character, leadership, education, career, health and life skills, the arts, sports, fitness and recreation, community mobilization and family involvement, the Boys & Girls Clubs of America have exposed members to new experiences, nurtured their undeveloped talents and inspired them to great achievements; and

WHEREAS, Although not all the members of Boys & Girls Clubs enjoy the celebrity status of alumni such as President Bill Clinton, Alex Rodriguez, Jackie Joyner-Kersey, Bill Cosby, Michael Jordan, Martin Sheen, Neil Diamond and Denzel Washington, many of the alumni of the Clubs have achieved the important successes in life, including gaining an education, raising a family, serving their country, pursuing a career and supporting the community; and

WHEREAS, Clubs active in Nevada include the Boys & Girls Clubs of Las Vegas, the Boys & Girls Clubs of Western Nevada, the Boys & Girls Club of Truckee Meadows, the Boys & Girls Clubs of Henderson, the Elko Boys & Girls Club, the Boys & Girls Club of Mason Valley, the Nellis Air Force Base Youth Center and the Boys & Girls Club of Fallon which recently opened on March 28, 2005; and

WHEREAS, April 3 to 9, 2005, has been proclaimed National Boys & Girls Club Week and will be celebrated by offering special events throughout the country that reach out to communities and illustrate the positive values and attitudes that the programs of the Boys & Girls Clubs deliver; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the members of the 73rd Session of the Nevada Legislature hereby proclaim March 29, 2005, as Boys & Girls Club Day in Nevada; and be it further

RESOLVED, That all Nevadans are called upon to recognize and commend the Boys & Girls Clubs in our State for providing comprehensive, effective services to the young people in our communities, and to join in any events being offered during National Boys & Girls Club Week; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Boys & Girls Clubs of Las Vegas, the Boys & Girls Clubs of Western Nevada, the Boys & Girls Club of Truckee Meadows, the Boys & Girls Clubs of Henderson, the Elko Boys & Girls Club, the Boys & Girls Club of Mason Valley, the Nellis Air Force Base Youth Center and the Boys & Girls Club of Fallon.

Senator Raggio moved the adoption of the resolution.

Remarks by Senator Raggio.

Senator Raggio requested that his remarks be entered in the Journal.

Today has been proclaimed as Boys and Girls Club Day in the State of Nevada. All of the Senators and all of the Assembly Members have joined together to recognize today as Boys and Girls Club Day.

This resolution pays tribute to the four million youth involved in the Boys and Girls Clubs across the Nation and to the many volunteers who give their time and effort toward this important cause. As a district attorney, I saw the need for these clubs.

The Boys and Girls Clubs have been in existence since 1850. In modern years, they have become uniquely important. During the last few decades, the problems youth must deal with have become more complex and sinister than they were in my day. Peer pressure, drugs, alcohol and promiscuous sex are more severe problems in the lives of young people. Because of television and movies, though I am not being critical, the peer pressure is strong. Young people, especially those who are disadvantaged, have a difficult time in resisting the pressures that are around them every day.

It is appropriate that we recognize the contributions made by the Boys and Girls Clubs to the lives of so many young people. I have seen young people who without the Boys and Girls Clubs might otherwise have been in reform school. The Boys and Girls Clubs in Nevada have achieved much. In Reno, the Boys and Girls Club has had the support of many in the community. The facility is outstanding. Washoe County District Attorney Richard Gammick was here, today. The board is a cross section of people from our community who recognize that this club is important for our youth. The facility is the envy of many other organizations throughout the Country. The fundraising was extraordinary. The last auction I attended raised over \$470,000.

We recognize the importance of the Boys and Girls Clubs in this Country, and we thank all who participate in the clubs from the children who benefit to the administrators and volunteers who give of their time.

Resolution adopted.

Senator Raggio moved that all rules be suspended and that Senate Concurrent Resolution No. 14 be immediately transmitted to the Assembly.

Motion carried unanimously.

Senator Raggio moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 11:37 a.m.

#### SENATE IN SESSION

At 11:53 a.m.

President Hunt presiding.

Quorum present.

Senator Amodei moved that Senate Bill No. 323 be rereferred to the Committee on Commerce and Labor.

Remarks by Senator Amodei.

Motion carried.

#### INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Senate Bill No. 382—AN ACT relating to trusts; authorizing a fiduciary to transfer trust property to a corporation, limited-liability company or other entity formed by the fiduciary; authorizing such an entity that acts as a fiduciary or trustee to be owned or controlled by the trust under certain circumstances; making various changes relating to spendthrift trusts; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 383—AN ACT relating to public welfare; creating within the Interim Finance Committee a Subcommittee to Address Public Housing Issues in Nevada; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 384—AN ACT relating to public safety; creating the Nevada Highway Patrol Revolving Account; expanding the authority of certain personnel of the Department of Public Safety to exercise the powers of peace officers; and providing other matters properly relating thereto.

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

Remarks by Senator Nolan.

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 385—AN ACT relating to campaign finance; defining certain terms related to regulation of campaign finance; requiring a candidate or public officer to file a report when the candidate or public officer receives a contribution in excess of \$1,000; clarifying when a candidate or public officer shall file certain reports on contributions and expenditures; requiring a candidate who loses an election to file certain reports on contributions and expenditures; requiring certain public officers who resign or are removed from office to dispose of unspent campaign contributions and to file certain reports on contributions and expenditures; providing that a filing officer may accept an amended report for certain reports on contributions or expenditures; clarifying that a committee for the recall of a public officer shall file certain reports on contributions or expenditures if a petition for the recall of a public officer is submitted without sufficient signatures to force a special election; requiring a person or group of persons advocating a question on a ballot to register with the Secretary of State; requiring reports on expenditures to include the name and address of the person to whom the expenditure was made and a brief description of the expenditure; requiring certain persons making certain expenditures to file a single report in conjunction with other persons making certain expenditures; revising the form used to report certain contributions or expenditures; revising the provisions relating to a civil penalty for a financial disclosure form filed by a public official after the deadline for filing; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 386—AN ACT relating to elections; eliminating various obsolete provisions; providing for when a candidate for the office of member of a town advisory board must be declared elected and no election held for

the office; revising the requirements relating to voting systems providing a permanent paper record for the purposes of a recount; revising the provisions relating to the observation of voting by members of the general public and representatives of political parties; providing that a candidate or certain relative of a candidate shall not assist a voter in marking a ballot; providing that a voter registered to vote and eligible to vote in an election may not cast a provisional ballot in that election; providing that a voter issued an absent ballot may vote at a poll on election day in certain circumstances; providing that a voter requesting an emergency absent ballot shall provide a statement before being issued a ballot; making various changes to the provisions governing the processing of ballots in preparation of counting; requiring a county clerk to assign a unique identification number to a question placed on a ballot; revising the provisions governing persons who assist a voter in registering to vote or in voting; revising the filing requirements for reports on campaign contributions and expenditures; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Senate Bill No. 387—AN ACT relating to taxation; revising the provisions governing the appraisal of real property to exclude the use of the income capitalization method to determine the full cash value of certain kinds of property; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Senate Bill No. 388—AN ACT relating to business; revising the provisions governing the applicability of the requirements for a state business license and certain taxes on businesses; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Senate Bill No. 389—AN ACT relating to taxation; providing provisions for the creation of tax increment areas by municipalities to defray costs of certain undertakings; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Senate Bill No. 390—AN ACT relating to transfers of real property; making various changes regarding the applicability and administration of certain taxes on transfers of real property; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Senate Bill No. 391—AN ACT relating to the taxation of financial institutions; revising the provisions governing liability for the tax on financial institutions; providing additional procedures for enforcement of that tax; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Senate Bill No. 392—AN ACT relating to state financial administration; making various changes regarding the applicability and administration of the requirements for a state business license, certain taxes imposed on businesses and the tax on live entertainment; establishing annual salaries for the Chairman and other members of the Nevada Tax Commission; making various changes regarding the Taxpayers' Bill of Rights; providing a Taxpayers' Bill of Rights for Taxes on Fuels; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Senate Bill No. 393—AN ACT relating to taxation; increasing the discount or allowance provided to certain taxpayers who remit certain taxes collected under certain circumstances if the taxpayer uses a credit card, debit card or electronic transfer of money to pay the taxes and the accompanying report or return, if any, is submitted to the Department of Taxation electronically; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Senate Bill No. 394—AN ACT relating to property; revising various provisions governing the assessment, valuation and exemption of property for purposes of levying property taxes; increasing the rate of compensation

that may be established for certain members of county boards of equalization; providing additional funding for the accounts for the acquisition and improvement of technology in the office of the county assessor; establishing certain requirements to effectuate a deed that conveys an interest in real property to a grantee which becomes effective upon the death of the owner of that interest; increasing the assessed value of the home of a senior citizen for determining eligibility for a refund of a certain amount of property taxes paid by that senior citizen; providing penalties; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 395—AN ACT relating to public health; transferring responsibility for the operation of certain programs from the Health Division of the Department of Human Resources to the Division of Environmental Protection of the State Department of Conservation and Natural Resources; transferring regulatory authority for drinking water standards and community and public water systems to the State Environmental Commission; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 396—AN ACT relating to solid waste; revising provisions governing searches and inspections of solid waste disposal facilities; revising provisions concerning recycling; authorizing the Division of Environmental Protection of the State Department of Conservation and Natural Resources to award certain grants; requiring the State Environmental Commission to adopt regulations governing the administration of such grants; authorizing certain fees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 397—AN ACT relating to wildlife; authorizing the establishment of administrative roadblocks and check stations by the Department of Wildlife; increasing the number of demerit points a person is allowed to accumulate before the Department is required to notify the person; increasing the period of suspension or revocation of a license, permit or privilege for the unlawful killing of certain big game; revising the provisions governing the disposition by the Department of seized or abandoned property; revising the provisions governing the employment and use of



guides for wildlife activities; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 398—AN ACT relating to taxation; delaying the prospective expiration of the exemption from the Local School Support Tax and certain analogous taxes for certain products and systems that use renewable energy; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 399—AN ACT making an appropriation to the State Department of Agriculture to develop and provide technical assistance to farmers' markets; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 400—AN ACT relating to vehicles; providing for the issuance of certificates of operation for off-road vehicles by authorized dealers; prohibiting a person from operating an off-road vehicle without a certificate of operation under certain circumstances; establishing the Fund for Off-Road Vehicles; creating the Committee on Off-Road Vehicles; providing for the membership of the Committee; prohibiting a person from operating an off-road vehicle on a paved highway under certain circumstances; authorizing a city or county to designate any highway within the city or county as permissible for the operation of off-road vehicles for certain purposes; providing for the registration of certain off-road vehicles; requiring the collection of certain fees; providing a penalty; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Transportation and Homeland Security.

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 401—AN ACT relating to public welfare; requiring the Department of Human Resources to contract for the provision of transportation services for recipients of Medicaid traveling to and returning from providers of services under the State Plan for Medicaid; exempting common motor carriers and contract motor carries that contract with the

Department to provide such transportation services from the requirement of obtaining a certificate of public convenience and necessity to operate as a common motor carrier and the requirement of obtaining a permit to operate as a contract motor carrier; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Human Resources and Education.

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 402—AN ACT relating to protection of children; requiring an agency which provides child welfare services to train certain employees concerning the legal rights of persons who are responsible for a child's welfare; requiring the Division of Child and Family Services of the Department of Human Resources to set forth in the pamphlet it develops and distributes certain legal rights of persons who are the subject of investigations of alleged abuse or neglect of children; requiring an agency which provides child welfare services to inform persons who are responsible for a child's welfare and who are the subject of an investigation of alleged abuse or neglect of a child of the allegations against them and their legal rights at the time of initial contact by the agency; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Human Resources and Education.

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 403—AN ACT relating to educational personnel; requiring the board of trustees of a school district to report to the Department of Education certain disciplinary information regarding postprobationary and probationary licensed educational personnel; providing immunity from civil liability for reports that are made in good faith; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Human Resources and Education.

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 404—AN ACT relating to education; creating the Commission on Educational Excellence; prescribing the membership and duties of the Commission; creating the Trust Fund for Educational Excellence; authorizing school districts and charter schools to apply for participation in the Commission's program of educational excellence and to receive an allocation of money from the Trust Fund to improve the achievement of pupils in kindergarten through grade 6; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 405—AN ACT relating to health care; making various changes concerning mental health services provided pursuant to the Medicaid program; making appropriations for mental health services, community triage centers and the support of the Mental Health Court in Clark County; directing the Legislative Committee on Health Care to study certain issues concerning the provision of mental health services in this State; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 406—AN ACT relating to education; revising provisions governing the annual reports of accountability prepared by the State Board of Education and the board of trustees of each school district; changing the name of "occupational education" to "career and technical education"; requiring the State Board for Occupational Education to prescribe a program of career and technical education; requiring each school district to establish and maintain a program of career and technical education in accordance with the program prescribed by the State Board; authorizing charter schools to establish and maintain a program of career and technical education in accordance with the program prescribed by the State Board; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 407—AN ACT relating to counties; authorizing boards of county commissioners to provide civil penalties in lieu of criminal penalties for violations of ordinances in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 408—AN ACT relating to water districts; making provisions relating to the collection of a delinquent bill for water or services furnished; providing for the exemption of the Virgin Valley Water District

from certain fees and taxes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 409—AN ACT relating to public financial administration; revising the definition of "state agency" to include the University and Community College System of Nevada under certain circumstances for the purpose of entering into installment-purchase and lease-purchase agreements; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 410—AN ACT relating to state purchasing; exempting the University and Community College System of Nevada from the requirement to purchase prescription drugs, pharmaceutical services, or medical supplies and related services through the Purchasing Division of the Department of Administration; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 411—AN ACT relating to local improvements; revising the provision governing the length of time over which the payment by installment of an assessment for a local improvement may be made; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 412—AN ACT relating to local governments; requiring counties and cities to adopt ordinances prohibiting overnight parking in certain parking facilities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 413—AN ACT relating to debt management commissions; revising the date of the nonorganizational annual meeting of such a

commission; authorizing the governing bodies of counties to reimburse certain members of such commissions for certain expenses; revising the dates for the submission by municipalities of certain annual statements and capital improvement plans to such commissions; prohibiting such commissions from adjourning meetings called to consider particular proposals in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 414—AN ACT relating to economic development; creating the Nevada Economic Resource Investment Fund; providing for a credit against a certain tax imposed on insurers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 415—AN ACT relating to meetings of public bodies; authorizing public bodies to hold closed meetings to prepare, revise, administer and grade examinations, and carry out certain other related activities; providing the circumstances under which minutes of meetings closed for such purposes become public records; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 416—AN ACT relating to meetings of public bodies; authorizing the Attorney General to recover attorney's fees and court costs in certain suits concerning violations of the Open Meeting Law; providing civil penalties for repeated violations of the Open Meeting Law; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 417—AN ACT relating to traffic laws; authorizing the boards of county commissioners of certain counties to regulate the use of electric personal assistive mobility devices; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 418—AN ACT relating to public works projects; authorizing certain additional public bodies to negotiate with the lowest responsive and responsible bidder to obtain a revised bid on a contract for a public work in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 419—AN ACT relating to public officers; increasing the compensation of certain public officers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 420—AN ACT relating to meetings of public bodies; authorizing the Drug Use Review Board to hold closed meetings for certain purposes; providing that the minutes of and other materials relating to such closed meetings are confidential; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 421—AN ACT relating to meetings of public bodies; requiring all public bodies subject to the Open Meeting Law to make and retain an audio recording of each meeting, whether or not the meeting is public or closed; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 422—AN ACT relating to local governments; authorizing the governing body of a local government to adopt an ordinance requiring a person to obtain a certificate to manage certain hotels, motels and apartment complexes; authorizing the governing body of a local government to adopt an ordinance requiring that certain hotels, motels and apartment complexes be

managed by a person issued such a certificate; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 423—AN ACT relating to meetings of public bodies; providing that certain meetings and hearings concerning prisoners and persons on parole or probation are not subject to the Open Meeting Law but must be open to the public; prohibiting a prisoner from bringing a legal action in response to the release of certain information; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 424—AN ACT relating to cities; revising the provision governing the authority of a governing body of a city to abate an abandoned nuisance; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 425—AN ACT relating to road maintenance; providing in skeleton form the authorization for a board of county commissioners in a certain larger county to create a regional district for the maintenance of roads; revising provisions governing distribution of certain taxes within certain counties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 426—AN ACT relating to public works; clarifying the definition of "public work"; requiring that annual energy savings resulting from energy retrofit projects meet or exceed the total annual contract payments; requiring that annual operating cost savings resulting from state performance contracts meet or exceed the total annual contract payments; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 427—AN ACT relating to counties; abolishing Dillon's Rule concerning statutory interpretation of the powers of a county; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 428—AN ACT relating to administrative procedure; prohibiting the admission of a person as a party to an administrative proceeding in a contested case involving the grant, denial or renewal of a license if the person does not have a direct financial interest in the grant, denial or renewal of the license; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 429—AN ACT relating to elections; allowing a governmental entity to incur an expense or make an expenditure to provide information regarding a ballot question if it does not expressly advocate the approval or disapproval of that question; providing certain limitations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 430—AN ACT relating to public officers; providing that certain public officers may be removed from public office for a violation of provisions governing conduct of public officers; revising the provisions governing the removal of a trustee on the board of a consolidated library district by the board of county commissioners; repealing provision relating to removal of a public officer upon a complaint filed with a district court; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 431—AN ACT relating to financial institutions; establishing requirements relating to applications for certain licenses; establishing additional grounds for refusing to issue or for suspending or revoking certain licenses; revising the provisions governing the use of



business names by financial institutions; increasing the maximum amount of various fees and fines imposed on financial institutions; authorizing the Commissioner of Financial Institutions to establish the amount of certain fees by regulation; revising the provisions governing the licensure of agents involved in the transmission of money and financial instruments; revising the provisions governing liability for nonpayment of certain financial obligations; revising the provisions governing certain interest rates; revising the provisions governing check-cashing services and deferred deposit services; revising the provisions governing collection agencies; increasing the amount of certain required surety bonds; revising the provisions governing examination of credit unions; providing for certain administrative fines and penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 432—AN ACT relating to property; revising the exemption from execution of certain money, benefits, privileges or immunities arising or growing out of any life insurance; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 433—AN ACT relating to mortgage lending; prohibiting the Division of Mortgage Lending of the Department of Business and Industry from issuing a license as a mortgage agent to a person unless he completes certain courses of instruction; setting forth the requirements for a course of continuing education to qualify as a certified course of continuing education for mortgage brokers, mortgage agents and mortgage bankers; requiring the holder of an escrow relating to a lien on real property to prepare a written record under certain circumstances; expanding the definitions of "mortgage agent" and "mortgage broker" to include certain persons; requiring an application for a license as a mortgage broker to include certain information regarding civil or criminal proceedings brought against the applicant; revising the circumstances under which the Commissioner of Mortgage Lending must issue a license to an applicant; increasing certain fees; setting forth the circumstances under which the Commissioner is not required to conduct the annual examination for mortgage brokers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 434—AN ACT relating to contractors; revising the scope of the provisions governing contractors who perform work concerning residential swimming pools and spas; increasing the down payment that those contractors may require to perform such work; revising the provisions governing the bonding requirements for certain contractors; allowing the State Contractors' Board to relieve certain contractors from those bonding requirements under certain circumstances; revising the statute of limitations for filing certain complaints with the Board; changing the procedure for processing and investigating certain complaints filed with the Board; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 435—AN ACT relating to personal information; requiring a business to implement reasonable measures to ensure security of records containing personal information; requiring a business to take reasonable measures to destroy certain records containing personal information; requiring data collectors to provide notification of any breach of the security of the system data to persons affected by the breach; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 436—AN ACT relating to homeopathic medicine; authorizing the Board of Homeopathic Medical Examiners to grant a certificate to an advanced practitioner of homeopathy to practice without supervision under certain circumstances; clarifying the authority of the Board over the practice of homeopathic and complementary and alternative medicine; reducing the period during which a person must reside in this State before becoming a certain member of the Board; revising provisions relating to the issuance and renewal of licenses to practice homeopathic medicine; revising provisions relating to the certification of advanced practitioners of homeopathy and homeopathic assistants; increasing fees; revising provisions governing the discipline of licensees and certificate holders; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 437—AN ACT relating to industrial insurance; enacting provisions relating to the use of compromise agreements to resolve claims for industrial injuries and occupational diseases; authorizing the payment of lump-sum awards under certain circumstances to resolve claims for industrial injuries and occupational diseases; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 438—AN ACT relating to the judiciary; authorizing justices of the peace and municipal judges to participate in the Judicial Retirement Plan under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 439—AN ACT making an appropriation to the Fund for Aviation for rural airports to match federal money provided by the Federal Aviation Administration; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 440—AN ACT making a contingent appropriation to the Department of Transportation for Rural Transit Operations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 441—AN ACT relating to the Lake Tahoe Basin; authorizing the issuance of general obligation bonds to carry out the Environmental Improvement Program; extending the period for issuance of bonds to carry out the Program; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 442—AN ACT relating to the Commission on Judicial Discipline; requiring the appointment of two justices of the peace and two municipal judges for proceedings against such justices or judges; requiring that an investigation of a complaint be completed within a certain time; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 443—AN ACT relating to the Division of Parole and Probation of the Department of Public Safety; eliminating the provision requiring the principal office of the Chief Parole and Probation Officer to be in Carson City; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 444—AN ACT relating to gaming; requiring the Nevada Gaming Commission to adopt regulations authorizing a gaming licensee to charge a fee for admission to an area in which gaming is conducted under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 445—AN ACT relating to the State Board of Pardons Commissioners; revising the procedures pertaining to applications for clemency submitted to the Board; revising the provisions pertaining to the granting of pardons and restoration of civil rights by the Board; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 446—AN ACT relating to records; allowing adopted persons who are 18 years of age or older to access the files and records concerning their adoption; allowing certain persons who are 18 years of age or older to access certain records relating to their birth; eliminating the State Register for Adoptions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 447—AN ACT relating to gaming; revising the definition of "resort hotel" for the purposes of certain statutes pertaining to gaming; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 448—AN ACT relating to liens; making various changes to the provisions related to mechanics' and materialmen's liens; revising the amount of a lien that a lien claimant has upon the property and any improvements under certain circumstances; revising the requirements for a notice of lien; requiring certain lessees to establish a construction disbursement account; providing that a notice of nonresponsibility is invalid under certain circumstances; providing that a lien claimant may not bring an action or join an action that has been commenced against a principal and surety under certain circumstances; providing that a notice of lien must be given to the prime contractor of a work of improvement; revising the requirements for a waiver and release of the rights of a lien claimant; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 449—AN ACT relating to crimes against property; revising provisions governing the crime of burglary; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 450—AN ACT relating to protective orders; making various changes to provisions governing temporary and extended orders for protection against stalking, aggravated stalking, harassment and domestic violence; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 451—AN ACT relating to civil liability; providing that the State and other governmental entities are not required to indemnify certain persons in a civil action for conduct that violated a state or federal law for which a criminal penalty is provided; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 452—AN ACT relating to the Central Repository for Nevada Records of Criminal History; requiring the Director of the Department of Public Safety to establish within the Department the Advisory Committee on Nevada Criminal Justice Information Sharing; prescribing the duties of the Advisory Committee; repealing the establishment of an Advisory Committee on the Uniform Program for Reporting Crimes; making various other changes concerning the Central Repository; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 453—AN ACT relating to the Secretary of State; revising various provisions concerning the timing, form and contents of certain filings in the Office of the Secretary of State; increasing or revising fees for various filings; clarifying that certain corporations and associations which are homeowners' associations must comply with certain requirements; providing that a person who knowingly files a forged or false record is subject to civil liability under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 454—AN ACT relating to public employees' retirement; providing that investigators employed by the Office of the Attorney General are police officers for the purposes of the Public Employees' Retirement System; authorizing investigators who are currently employed by the Office of the Attorney General to elect whether to enroll as police officers in the Police and Firefighters' Retirement Fund; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 455—AN ACT relating to energy; revising provisions governing transactions between eligible customers and providers of new electric resources; authorizing eligible customers to acquire energy, capacity and ancillary services from existing electric resources under certain circumstances; granting eligible customers a temporary exemption from excise taxes on employee wages under certain circumstances; changing the requirements that certain eligible customers must satisfy before entering into transactions with providers of new electric resources; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 456—AN ACT relating to crimes; revising the provisions prohibiting a person from holding another person in involuntary servitude; revising the provisions prohibiting a person from assisting in holding another person in involuntary servitude; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 457—AN ACT relating to intoxicating liquor; revising provisions governing the storage and transfer of liquor between retail liquor stores; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senator Nolan moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 12:05 p.m.

SENATE IN SESSION

At 12:08 p.m.

President Hunt presiding.

Quorum present.

Assembly Bill No. 219.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 89.

Bill read second time.

The following amendment was proposed by the Committee on Finance:

Amendment No. 51.

Amend section 1, page 1, line 3, by deleting "\$521,620" and inserting "\$261,620".

Senator Raggio moved the adoption of the amendment.

Remarks by Senator Raggio.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 202.

Bill read second time and ordered to third reading.

Assembly Bill No. 13.

Bill read second time and ordered to third reading.

Assembly Bill No. 96.

Bill read second time and ordered to third reading.

Assembly Bill No. 130.

Bill read second time and ordered to third reading.

Assembly Bill No. 131.

Bill read second time and ordered to third reading.

Assembly Bill No. 135.

Bill read second time and ordered to third reading.

Senator Raggio moved that the Senate recess until 4 p.m.

Motion carried.

Senate in recess at 12:19 p.m.

SENATE IN SESSION

At 4:10 p.m.

President Hunt presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Human Resources and Education:

Senate Bill No. 458—AN ACT relating to health care; requiring a hospital to ensure that certain persons who are transported to the hospital are transferred to an appropriate place in the hospital to receive emergency



services and care in a timely manner; requiring the Health Division of the Department of Human Resources to conduct a study concerning the cause of excessive waiting times for a person to receive emergency services and care from a hospital after being transported to the hospital by a provider of emergency medical services; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Human Resources and Education.

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 459—AN ACT relating to education; requiring a pupil to satisfactorily complete instruction in financial responsibility as a condition to receipt of a high school diploma; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Human Resources and Education.

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 460—AN ACT relating to education; authorizing school districts to develop plans for alternative pupil-teacher ratios for grades 1 to 6, inclusive; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Human Resources and Education.

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 461—AN ACT relating to education; requiring school districts to distribute allocations from the State Distributive School Account based upon the number of pupils in each school; revising the provisions governing the qualifications required of paraprofessionals for employment with a school district or charter school; providing for the issuance of a special qualifications license to teach for persons with certain graduate degrees and work experience; providing that a school principal determines the salaries of the teachers and certain other licensed personnel of the school; revising the provisions governing disciplinary action against teachers and other licensed personnel to include the school principal in the process of discipline; prohibiting a child from being required to obtain a prescription drug as a condition of attending a public school; authorizing the parents and guardians of pupils to choose which public schools the pupils will attend; requiring the University and Community College System of Nevada to include a prescribed reading curriculum in a program to educate teachers; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Human Resources and Education.

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 462—AN ACT relating to public welfare; repealing, reenacting, reorganizing and revising certain provisions relating to the Welfare Division, the Division of Health Care Financing and Policy and the Division of Child and Family Services of the Department of Human Resources; revising certain provisions relating to property tax assistance for senior citizens; revising certain provisions relating to the Chief Research and Statistical Analyst of the Health Division of the Department of Human Resources; requiring certain appointed positions within the Department of Human Resources to be approved by the Director of the Department; changing the name of the Department of Human Resources to the Department of Health and Human Services; changing the name of the Welfare Division of the Department of Human Resources to the Division of Transitional and Supportive Services of the Department of Health and Human Services; reenacting certain penalties; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Human Resources and Education.

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 463—AN ACT relating to state finance; authorizing the State Board of Finance to issue certain securities and to pledge the revenue from the sale of unclaimed property for their payment; providing for the disposition of the net proceeds from the sale of such securities; requiring the State Treasurer to transfer annually to the Millennium Scholarship Trust Fund certain revenue from the sale of unclaimed property; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 464—AN ACT relating to state financial administration; revising certain provisions relating to oversight by the State Treasurer of certain depositories; abolishing the Account for Travel Advances; transferring certain duties relating to travel advances from the State Treasurer to the State Controller; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 465—AN ACT relating to meetings of public bodies; defining the terms "consider" and "deliberate"; expanding the definition of the term "public body" to include certain nonprofit organizations; revising certain provisions relating to closed meetings of public bodies; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 466—AN ACT relating to local governments; restricting the authority of a local government to sell or lease water rights; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 467—AN ACT relating to public works; increasing the minimum estimated cost for public works which must be advertised for bidding; requiring only first tier subcontractors to be listed in the bid by the prime contractor in certain circumstances; providing an exception to the competitive bidding process in certain circumstances; requiring an arbitration clause in certain public works contracts; revising the requirements for a request for preliminary proposals for the design and construction of certain public works; decreasing the required number of proposals required before awarding a contract; requiring certain proposals and related information to be made available to the public; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation and Homeland Security:

Senate Bill No. 468—AN ACT relating to motor vehicles; revising provisions relating to mounting of flashing amber warning lights on certain vehicles; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Transportation and Homeland Security.

Motion carried.

By the Committee on Transportation and Homeland Security:

Senate Bill No. 469—AN ACT relating to transportation; authorizing the use of interest earned on money in the State Highway Fund to match federal

money for rural transit operations in certain counties; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Transportation and Homeland Security.

Motion carried.

By the Committee on Transportation and Homeland Security:

Senate Bill No. 470—AN ACT relating to airports; requiring airports to regulate the flow of pedestrian traffic within the airport; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Transportation and Homeland Security.

Motion carried.

By the Committee on Transportation and Homeland Security:

Senate Bill No. 471—AN ACT relating to motor vehicles; authorizing emergency lights to be mounted and displayed on certain privately owned vehicles under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Transportation and Homeland Security.

Motion carried.

By the Committee on Transportation and Homeland Security:

Senate Bill No. 472—AN ACT relating to motor vehicles; revising provisions concerning penalties for failure to secure a child in an approved child restraint system; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Transportation and Homeland Security.

Motion carried.

By the Committee on Transportation and Homeland Security:

Senate Bill No. 473—AN ACT relating to traffic laws; expanding the authority of a governmental entity and an agent thereof to use photographic, video or digital equipment to gather evidence to be used for the issuance of a traffic citation; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Transportation and Homeland Security.

Motion carried.

By the Committee on Transportation and Homeland Security:

Senate Bill No. 474—AN ACT relating to motor vehicles; prohibiting the Department of Motor Vehicles from renewing the registration of a motor vehicle if a court has filed with the Department a notice of nonpayment of certain criminal fines and fees; authorizing a court to file a notice of those fines and fees with the Department; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Transportation and Homeland Security.

Motion carried.

By the Committee on Transportation and Homeland Security:

Senate Bill No. 475—AN ACT relating to public transit; limiting the liability of certain private operators who contract with a regional transportation commission; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation and Homeland Security:

Senate Bill No. 476—AN ACT relating to motor vehicles; providing for a tax credit for certain taxes paid by special fuel users; providing for an exemption from the registration fee for certain new vehicles powered by electrical power or alternative fuel; providing for an exemption from the requirements for vehicle emissions testing for certain new motor vehicles powered by electrical power or alternative fuel; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 477—AN ACT relating to the Legislature; making various changes relating to the Legislature and the Legislative Counsel Bureau; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 478—AN ACT relating to elections; making various changes to the provisions governing initiative and referendum petitions; revising the date for conducting a primary election in the State; revising the provisions relating to proof of identity and residence when making a declaration of candidacy; providing for the procedure in the event of a tie vote for the determination of presidential electors; authorizing the Secretary of State to adopt regulations relating to the use of a mechanical voting system which directly records the votes electronically and which provides a record of the votes cast on that system on paper; eliminating obsolete references to mechanical voting systems that use a punch card; revising the provisions relating to restoration of the right to vote of a person convicted of a felony;

revising provisions relating to withdrawal of a candidate; providing a civil penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 479—AN ACT relating to the Public Employees' Benefits Program; revising the date after employment or taking office on which the eligibility of certain state officers and employees to participate in the Program commences; revising the provisions governing the reinstatement of insurance by a retired public officer or employee or his spouse; prohibiting state officers and employees who are members of a group that left the Program and obtained other group insurance from reinstating coverage with the Program; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Senate Bill No. 480—AN ACT relating to the City of Reno; authorizing the City Council of the City of Reno, with respect to a local improvement district created by the Council to provide money for certain capital improvement projects, to amend the ordinance creating the district to dispense with the holding of certain hearings; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Senate Bill No. 481—AN ACT relating to the Civil Air Patrol; expanding the permissible use of money by the Civil Air Patrol; eliminating the prohibition against expenditures for official missions of the United States Air Force; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Senate Bill No. 482—AN ACT relating to taxation; revising the provisions governing the allocation of certain taxes levied on motor vehicle fuel; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Senate Bill No. 483—AN ACT relating to taxation; establishing joint and severable liability for the payment of certain taxes, interest and penalties administered by the Department of Taxation; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 484—AN ACT relating to the Public Employees' Benefits Program; providing that any state officer or employee who is hired after July 1, 2006, is not entitled to receive a subsidy for coverage under the Program upon retirement; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 485—AN ACT relating to public employees' retirement; repealing the prospective expiration of the provisions governing allowances paid to certain retired employees who fill positions for which a critical labor shortage exists; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Senate Bill No. 486—AN ACT relating to taxation; authorizing the value of intangible personal property to be used to determine the full cash value of certain property for the purpose of determining its taxable value; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Taxation:

Senate Bill No. 487—AN ACT relating to the tax on the net proceeds of minerals extracted; excluding from the calculation of the gross yield of an operation extracting geothermal resources any revenue received for ensuring capacity or because the operation constitutes a renewable energy system; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 488—AN ACT relating to administrative procedure affecting businesses; making various changes concerning the adoption of certain rules and regulations affecting business; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 489—AN ACT relating to the protection of consumers; prohibiting a person from subleasing a motor vehicle under certain circumstances; expanding the private right of action for victims of consumer fraud to include victims of unlawful subleasing of a motor vehicle; establishing the civil and criminal statutes of limitations for certain deceptive trade practices; increasing the amount of the civil and criminal penalties that a court may impose for engaging in certain deceptive trade practices; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 490—AN ACT relating to criminal procedure; revising the provisions relating to bail bonds; requiring a sheriff, chief of police or town marshal to provide certain prisoners the use of a telephone to place local calls, free of charge, to certain persons; prohibiting a bail agent from loaning money or extending credit to certain persons for paying the premium or charge for a bail bond; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 491—AN ACT relating to juveniles; revising the provisions governing the funding of regional facilities for the detention of children; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 492—AN ACT relating to criminal procedure; requiring a local law enforcement agency to store the personal property of a person who



is arrested under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

Senator Hardy moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 4:18 p.m.

#### SENATE IN SESSION

At 4:30 p.m.

President Hunt presiding.

Quorum present.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 493—AN ACT relating to economic development; providing that taxes on gross receipts from the rental of transient lodging do not apply to a motion picture company; providing that certain fees relating to the operation of motor vehicles do not apply to a motion picture company; clarifying that certain sales to a motion picture company are not taxable transactions; and providing other matters properly relating thereto.

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

Motion carried.

#### UNFINISHED BUSINESS

##### SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Assembly Bill No. 204.

#### REMARKS FROM THE FLOOR

President Hunt requested that her remarks be entered in the Journal.

A single tragedy is sending waves of sadness through several communities in southern Nevada. The media community, the Hispanic community and all of southern Nevada lost a well-known friend.

KLAS TV anchorwoman, Polly Gonzalez, died in a single car crash near Baker, California, while she was driving back to Las Vegas with her two daughters. They had been visiting relatives in San Jose for the Easter weekend.

As a single mom, she devoted her life to her two daughters, Sabrina and Gabriella, five years old and eight years old. The little girls received only minor injuries in the crash that claimed Polly.

Polly Gonzalez was the first Hispanic television anchorwoman in Las Vegas history. She started at KLAS TV in 1994.

It was common to see Polly at all kinds of community events in southern Nevada. She particularly liked to emcee events for the Latin Chamber of Commerce.

Polly often encouraged young Latino boys and girls to work hard, follow their dreams and remember their heritage.

When people pass on, their contributions to the world are kept alive by our thoughts about them, our prayers for them and our memories of them.

We can all remember Polly Gonzalez as a great role model, a great journalist and a great mom.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Amodei, the privilege of the floor of the Senate Chamber for this day was extended to Diane McCoy.

On request of Senator Beers, the privilege of the floor of the Senate Chamber for this day was extended to Travis Crowder and Maria Wilson.

On request of Senator Care, the privilege of the floor of the Senate Chamber for this day was extended to Reema Menesini.

On request of Senator Cegavske, the privilege of the floor of the Senate Chamber for this day was extended to Markus White and Kevin McCartney.

On request of Senator Hardy, the privilege of the floor of the Senate Chamber for this day was extended to Tabitha McAndrews and Cindy Berg.

On request of Senator Horsford, the privilege of the floor of the Senate Chamber for this day was extended to Laura Flores, Fernando Vargas and Ricardo Bullon.

On request of Senator Lee, the privilege of the floor of the Senate Chamber for this day was extended to Stephanie Badders and Terry Trout.

On request of Senator McGinness, the privilege of the floor of the Senate Chamber for this day was extended to Vernon Hanson, Aaron Guillen and Gayle Johnson.

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to Helen Foley, Sean Gamble and Angela Quinn.

On request of Senator Rhoads, the privilege of the floor of the Senate Chamber for this day was extended to Elia Cobian and Alan Anspach.

On request of Senator Schneider, the privilege of the floor of the Senate Chamber for this day was extended to Alejandro Mentado and Jackie Valdera.

On request of Senator Titus, the privilege of the floor of the Senate Chamber for this day was extended to Renaldo Davis and Charles Irvin.

On request of Senator Townsend, the privilege of the floor of the Senate Chamber for this day was extended to Alishia Reyes and Kakini Lizares.

On request of President Hunt, the privilege of the floor of the Senate Chamber for this day was extended to Steve Smith, Erin Dobyms and Sherry Montero.

Senator Raggio moved that the Senate adjourn until Wednesday, March 30, 2005, at 11 a.m. and that it do so in memory of Polly Gonzalez as requested by Senator Titus.

Motion carried.

Senate adjourned at 4:32 p.m.

Approved:

LORRAINE T. HUNT  
*President of the Senate*

Attest: CLAIRE J. CLIFT  
*Secretary of the Senate*