

THE TWENTY-FOURTH DAY

CARSON CITY (Wednesday), February 28, 2007

Senate called to order at 11:08 a.m.

President pro Tempore Amodei presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Patrick Propster.

Luke 12:22-2: "Therefore, I say to you, do not worry about your life, what you will eat, nor about the body, what you will put on. Life is more than food, and the body is more than clothing. Consider the ravens, for they neither sow nor reap, which have neither storehouse nor barn; and God feeds them. Of how much more value are you than the birds?"

Lord, I pray this day we take solace in the hand of Your provision and trust therein for Your discernment.

AMEN.

Pledge of Allegiance to the Flag.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. President pro Tempore:

Your Committee on Government Affairs, to which was referred Senate Bill No. 140, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

WARREN B. HARDY II, *Chair**Mr. President pro Tempore:*

Your Committee on Judiciary, to which were referred Senate Bills Nos. 66, 70, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARK E. AMODEI, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

Senator Raggio 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: CARSON TIMES: Sue Morrow; DAILY SPARKS TRIBUNE/NEVADA LABOR.COM: Andrew L. Barbano; KLVZ-TV/IBEX FILMS: Michael Jaymen; KREN & KAJR: Alexandra Limón; KRNV-TV: Victoria Campbell, Sarah Johns, Chuck King; NEVADA APPEAL: Chad Lundquist.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce and Labor:

Senate Bill No. 165—AN ACT relating to interpreters; allowing courts to use noncertified interpreters under certain circumstances in a legal setting for

persons who are deaf or whose hearing is impaired; allowing the use of interpreters in judicial proceedings who are not qualified as interpreters for persons with certain disabilities under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Mathews:

Senate Bill No. 166—AN ACT relating to schools; requiring school districts to pay increased salaries to certain employees who hold national certification recognized by the Commission on Professional Standards in Education; requiring related information to be included in the annual budget report of each school district; requiring the Commission to adopt certain regulations; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hardy, Cegavske, Care, Heck, Lee, Mathews, McGinness, Titus and Woodhouse:

Senate Bill No. 167—AN ACT making an appropriation to the Department of Education to support apprenticeship programs certified by the State Apprenticeship Council; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Care:

Senate Bill No. 168—AN ACT relating to real property; enacting the Uniform Assignment of Rents Act; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Care:

Senate Bill No. 169—AN ACT relating to anatomical gifts; adopting the Revised Uniform Anatomical Gift Act; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 170—AN ACT relating to legislative affairs; creating the Legislative Committee on Child Welfare and Juvenile Justice and the

Legislative Committee on Senior Citizens and Veterans; prescribing the powers and duties of the committees; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Heck, Townsend, Washington, Nolan, Hardy, Beers, Cegavske, Raggio, Rhoads; Assemblymen Gansert, Hardy, Marvel, Beers, Horne, Mabey, Manendo, Settlemeyer and Stewart:

Senate Bill No. 171—AN ACT relating to health; creating the Nevada Academy of Health; prescribing its powers and duties; creating the governing body of the Academy; prescribing its powers and duties; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Woodhouse, Coffin, Schneider, Care, Carlton, Horsford, Lee, Mathews and Titus:

Senate Bill No. 172—AN ACT relating to taxes on retail sales; providing for the submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to provide an exemption from the tax for certain mobility-enhancing equipment; providing for such an exemption from certain analogous taxes if the voters approve the amendment to the Sales and Use Tax Act of 1955; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Heck, Townsend, Washington, Nolan, Hardy, Beers, Cegavske, Raggio, Rhoads; Assemblymen Beers, Christensen, Mabey, Manendo, Marvel, Settlemeyer and Stewart:

Senate Bill No. 173—AN ACT relating to public financial administration; revising provisions relating to the expenditure of money received from the Federal Government to prevent or respond to acts of terrorism; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Heck, Townsend, Hardy, Washington, Cegavske, Amodei, Beers, Lee, Mathews, Nolan, Raggio, Rhoads, Schneider, Woodhouse; Assemblymen Hardy, Mabey, Gansert, Allen, Beers, Marvel, Settlemeyer and Stewart:

Senate Bill No. 174—AN ACT relating to evidence; providing that an expression of apology or regret made by or on behalf of a provider of health care is inadmissible in any civil or administrative proceeding brought against the provider of health care based upon alleged professional negligence; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation and Homeland Security:

Senate Bill No. 175—AN ACT relating to motor vehicle registration; authorizing the Director of the Department of Motor Vehicles to determine the combinations of letters and numbers to be used on license plates; allowing for the use of an affidavit of nonoperation for newly purchased vehicles which have not been used on the highways; 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 Finance:

Senate Bill No. 176—AN ACT making an appropriation to the Reno-Sparks Convention and Visitors Authority for the renovation of the Reno-Sparks Livestock Events Center; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 177—AN ACT relating to judgments; enacting the Uniform Foreign-Country Money Judgments Recognition Act; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Titus:

Senate Bill No. 178—AN ACT making an appropriation to the University of Nevada, Las Vegas, for special programs and fellowships sponsored by the Black Mountain Institute; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Titus, Wiener, Townsend, Schneider, Beers, Care, Carlton, Cegavske, Coffin, Hardy, Heck, Horsford, Lee, Mathews, Nolan, Raggio, Rhoads, Woodhouse; Assemblymen Buckley, Parks, Horne, Conklin,

Kirkpatrick, Arberry, Atkinson, Bobzien, Claborn, Denis, Gerhardt, Hogan, Kihuen, Koivisto, Leslie, Manendo, McClain, Mortenson, Munford, Oceguera, Ohrenschall, Parnell, Pierce, Segerblom, Smith and Womack:

Senate Bill No. 179—AN ACT relating to senior citizens; increasing the maximum refund of accrued property taxes available to a senior citizen; increasing the maximum amount of liquid assets that a senior citizen and his spouse may possess to be eligible for such a refund; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Beers, Washington; Assemblymen Gansert, Cobb, Goedhart, Hardy, Settlemeyer and Stewart:

Senate Bill No. 180—AN ACT relating to the registration of vehicles; providing the registered owner of a vehicle with the opportunity to make a voluntary contribution to the State Highway Fund at the time of the renewal of the registration of the vehicle; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Carlton (by request):

Senate Bill No. 181—AN ACT relating to contractors; revising provisions governing the withholding and payment of retention amounts and the processing of change orders under certain construction contracts; providing that certain indemnification provisions in such contracts are void and unenforceable; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 10.

Bill read second time and ordered to third reading.

Senate Bill No. 57.

Bill read second time and ordered to third reading.

Senate Bill No. 64.

Bill read second time and ordered to third reading.

Senate Bill No. 65.

Bill read second time and ordered to third reading.

Senate Bill No. 88.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Townsend moved that the action whereby Senate Bill No. 165 was referred to the Committee on Judiciary be rescinded.

Remarks by Senator Townsend.

Motion carried.

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

Motion carried.

REMARKS FROM THE FLOOR

Senator Titus requested that her remarks be entered in the Journal.

It is with great sadness that I stand to inform the Senate that University of Nevada, Las Vegas, professor, Hal Rothman, has passed away after a short but valiant struggle with ALS. I request we adjourn today in his memory.

Professor Rothman was a distinguished professor in the History Department at UNLV. He is the author of 17 books including *Devil's Bargains: Tourism in the Twentieth Century American West* (1998); *Saving the Planet: The American Response to the Environment in the Twentieth Century* (2000); *The Grit Beneath the Glitter: Tales From the Real Las Vegas* (2002); *Neon Metropolis: How Las Vegas Started the Twenty-First Century* (2002); and *The Tourism of Culture, the Culture of Tourism* (2003).

Hal was a columnist for the *Las Vegas Sun* and a well-known and respected national pundit on Las Vegas life and culture. An excellent article by Joe Schoenmann appeared in the *Las Vegas Sun* just two weeks ago which pays homage to Hal and the strength and optimism with which he faced his final days.

He is survived by his wife Lauralee, daughter Talia and son Brent as well as his parents and two sisters. His legacy will live on in the minds and hearts of his many readers, students, colleagues and admirers.

Senator Wiener requested that her remarks be entered in the Journal.

I want to remind all of my colleagues today is the first registration opportunity for the Nevada 110 Challenge. You can register from 11:30 a.m. to 1:30 p.m. and from 3:00 p.m. to 6:00 p.m. in Room 3143. If you cannot register in person, you may send someone to register on your behalf. Registration is free, and all you need to provide is your e-mail address.

As I shared with you Monday, the Nevada 110 Challenge is an eight-week program for people who are engaged in the legislative process this Session. The Challenge encourages participants to engage in healthy activity, nutrition and stress management throughout Session.

In the spirit of the Nevada 110 Challenge, I would like to leave you with this interesting thought: Did you know that exercise is good for your brain because it increases the blood and oxygen flow to your brain? Exercise creates new nerve cells in the brain and increases chemicals in the brain that help cognition. We can all benefit from more brainpower, right? Is this not alone a great reason to participate in the Nevada 110 Challenge?

Remember, you can sign up today until 1:30 p.m. and from 3:00 p.m. to 6:00 p.m. in Room 3143. You can register tomorrow and Friday as well. Thank you.

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 Mary Simmons.

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

On request of Senator Hardy, the privilege of the floor of the Senate Chamber for this day was extended to Thomas J. Shoeman.

On request of Senator Heck, the privilege of the floor of the Senate Chamber for this day was extended to Valerie Clark.

On request of Senator Horsford, the privilege of the floor of the Senate Chamber for this day was extended to Cary Dyer and Judy Dyer.

On request of Senator Lee, the privilege of the floor of the Senate Chamber for this day was extended to Bruce Woodbury.

On request of Senator McGinness, the privilege of the floor of the Senate Chamber for this day was extended to Eric Grimes.

On request of Senator Nolan, the privilege of the floor of the Senate Chamber for this day was extended to Wes Henderson.

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to Ronald J. Weisinger and Fred Boyd.

On request of Senator Rhoads, the privilege of the floor of the Senate Chamber for this day was extended to Connie Fruge and Kirsten Hertz.

On request of Senator Titus, the privilege of the floor of the Senate Chamber for this day was extended to Kathy Carter.

On request of Senator Washington, the privilege of the floor of the Senate Chamber for this day was extended to Len Stevens and Elaine Alexander.

On request of Senator Woodhouse, the privilege of the floor of the Senate Chamber for this day was extended to former Senator Ray Rawson, Linda Rawson, Beverly Mason, Chanda Cook and Hilarie Robison.

Senator Raggio moved that the Senate adjourn until Thursday, March 1, 2007, at 11 a.m. and that it do so in memory of Professor Hal Rothman as requested by Senator Titus and Mae McGowan as requested by Senator Raggio.

Motion carried.

Senate adjourned at 11:43 a.m.

Approved:

MARK E. AMODEI
President pro Tempore of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate