

**THE FORTY-THIRD DAY**


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CARSON CITY (Monday), March 19, 2007

Senate called to order at 11:32 a.m.

President Krolicki presiding.

Roll called.

All present.

Prayer by the Chaplain, Dr. Ken Haskins.

Our heavenly Father, our Nation's greatest leaders have sought Your guidance and have walked in Your ways; therefore, You have richly blessed America. We also seek Your guidance that blessings and prosperity might continue to increase for those whom we serve. I pray in the Name of the One who is the way.

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

*Mr. President:*

Your Committee on Finance, to which were referred Senate Bill No. 183; Assembly Bill No. 199, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

WILLIAM J. RAGGIO, *Chair*

*Mr. President:*

Your Committee on Transportation and Homeland Security, to which was referred Senate Bill No. 180, has had the same under consideration, and begs leave to report the same back with the recommendation: Without recommendation and rerefer to the Committee on Finance.

Also, your Committee on Transportation and Homeland Security, to which was referred Assembly Bill No. 66, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DENNIS NOLAN, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 15, 2007

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bills Nos. 42, 135.

Also, I have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolutions Nos. 12, 13; Assembly Concurrent Resolution No. 12.

LUCINDA BENJAMIN

*Assistant Chief Clerk of the Assembly*

MOTIONS, RESOLUTIONS AND NOTICES

By Senator Horsford and Assemblyman Hardy:

Senate Joint Resolution No. 6—Urging Congress to reauthorize the State Children's Health Insurance Program to assure federal funding for the Nevada Check Up program.

Senator Horsford moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

Assembly Concurrent Resolution No. 12.

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

Motion carried.

Senator Horsford has approved the addition of Senator Schneider as a sponsor to Senate Bill No. 304.

Senator Nolan moved that Senate Bill No. 180 be rereferred to the Committee on Finance.

Remarks by Senator Nolan.

Motion carried.

Senator Raggio moved that Senate Bill No. 42 be taken from the General File and placed on the General File for the next legislative day.

Remarks by Senator Raggio.

Motion carried.

#### INTRODUCTION, FIRST READING AND REFERENCE

By Senator Washington:

Senate Bill No. 305—AN ACT relating to education; establishing the Program of Voucher Schools to be administered by the Department of Education; revising provisions governing the apportionments of money from the State Distributive School Account for payments to voucher schools; requiring that the appointment of the Superintendent of Public Instruction by the State Board of Education be confirmed or rejected by the Senate; authorizing the parents and guardians of certain pupils to choose which public schools the pupils will attend; authorizing certain local governments to veto matters passed by the boards of trustees of school districts within their jurisdiction; 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 Senator Washington (by request):

Senate Bill No. 306—AN ACT relating to watercraft; prohibiting the operation of a motorboat that is equipped with an engine cut-off switch if the engine cut-off switch or engine cut-off switch link is missing, disconnected or not operating properly; prohibiting the operation of such a motorboat unless the engine cut-off switch link is attached to the body, clothing or personal flotation device of the operator; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Titus:

Senate Bill No. 307—AN ACT relating to purchasing; prohibiting the solicitation or provision of certain information before the award of purchasing contracts; imposing certain requirements relating to inducements offered by bidders on such contracts; prohibiting the hiring of certain contracting officials within a certain period after their employment or service is terminated; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Carlton:

Senate Bill No. 308—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 authorize the Legislature to prescribe temporary exemptions from sales and use taxes to effect sales tax holidays; contingently authorizing the Legislature to prescribe temporary exemptions from the Local School Support Tax Law and certain analogous taxes; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Cegavske:

Senate Bill No. 309—AN ACT relating to contractors; amending limitations on the authority of a real estate owner or a contractor to withhold certain payments from a contractor or a subcontractor; amending provisions requiring written notice needed before a contractor or subcontractor may stop work on an improvement to real estate; declaring void and unenforceable certain agreements between real estate owners and contractors or between contractors and subcontractors that limit liability; prohibiting a real estate owner or a contractor from impairing or obtaining a waiver of certain statutory rights granted to contractors and subcontractors; 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 Senator Carlton:

Senate Bill No. 310—AN ACT relating to professions; revising provisions governing the grading of certain examinations; requiring the electronic filing of certain information and reports by certain regulatory bodies; revising

provisions governing the licensure of social workers without examination; revising provisions governing the expiration of the licenses of cosmetological establishments and certain licensees; 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 Senator Horsford:

Senate Bill No. 311—AN ACT relating to public welfare; requiring the Department of Health and Human Services to establish a system that allows applications for Medicaid and the Children's Health Insurance Program to be submitted electronically; requiring agencies that receive applications or determine eligibility for these programs to use the system to forward applications; 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 Senators Horsford, Care, Mathews, Schneider, Wiener, Woodhouse; Assemblymen Hardy, Atkinson, Bobzien, Denis, Horne and Ocegüera:

Senate Bill No. 312—AN ACT relating to education; revising provisions relating to the annual reports of accountability information relating to public schools; requiring the State Board of Education to establish alternative criteria for high school pupils to receive a standard high school diploma; establishing a process by which a high school pupil may take an examination to demonstrate competency in lieu of attending a course of study; expanding the age of compulsory school attendance from 17 years to 18 years; authorizing certain pupils to earn credit for high school courses before completion of certain requirements for promotion to high school; 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 Senators Horsford, Wiener, Titus, Care, Mathews, Schneider; Assemblymen Parnell, Hardy, Ocegüera, Atkinson, Bobzien, Denis, Horne and Smith:

Senate Bill No. 313—AN ACT relating to education; authorizing admission to kindergarten of certain pupils who are not the required minimum age at the beginning of a school year; 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 Senators Woodhouse, Horsford, Titus, Amodei, Beers, Coffin, Heck, Lee, Schneider, Wiener; Assemblymen Parnell, Parks, Gerhardt, McClain, Bobzien, Denis, Manendo, Segerblom, Smith and Womack:

Senate Bill No. 314—AN ACT relating to residential facilities; requiring that certain facilities for independent living for older persons provide notice of the limitations on the services provided at the facility and certain other information; requiring the Department of Health and Human Services to develop the required notice; requiring the Department of Health and Human Services to develop a brochure and website to assist older persons in determining the appropriate level of care and type of facility they require to meet their needs; 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 Transportation and Homeland Security:

Senate Bill No. 315—AN ACT relating to motor vehicles; imposing certain conditions before a special license plate may be created and issued if it is intended to generate financial support for an organization which is not a governmental entity; 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. 316—AN ACT relating to Legislators; requiring that Legislators who serve on the Commission on Special License Plates be paid a salary and that all members of the Commission, both Legislators and nonvoting members, be compensated for their travel expenses and per diem; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Care:

Senate Bill No. 317—AN ACT relating to agents for service of process; providing in skeleton form for the certification and regulation of agents for service of process and for the elimination of the formation of new corporations sole; 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 Senator Coffin:

Senate Bill No. 318—AN ACT relating to mortgage lending; exempting mortgage loan servicers from chapter 645A of NRS; creating a new "mortgage banking agent" license; creating a new "mortgage loan servicer" license; allowing the Division of Mortgage Lending of the Department of Business and Industry to enforce the relevant provisions of chapter 107 of NRS; allowing the Division to seek records and conduct examinations of mortgage loan servicers; allowing the Division to enforce the relevant provisions of federal and state law relating to mortgage loan servicing to the extent authorized by federal law, exempting mortgage loan servicers from chapter 692A of NRS; 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 Senators Townsend, Schneider, Washington, Cegavske and Raggio:

Senate Bill No. 319—AN ACT relating to motor vehicles; requiring the Department of Motor Vehicles to issue special license plates to a nonprofit organization which operates a museum for the exhibition and display of motor vehicles for use on certain motor vehicles; prohibiting the Department from charging or collecting any fees for the transfer of a motor vehicle from certain governmental entities to certain nonprofit organizations; 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 Senator Beers:

Senate Bill No. 320—AN ACT relating to airports; exempting the rental or lease of certain space at certain local governmental airports from requirements relating to appraisals and public auctions; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Coffin:

Senate Bill No. 321—AN ACT relating to economic development; providing that certain fees relating to the operation of motor vehicles do not apply to a registered motion picture company; clarifying that certain sales to a registered motion picture company are not taxable; and providing other matters properly relating thereto.

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

Motion carried.

By Senator McGinness:

Senate Bill No. 322—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 for sales of tangible personal property to Indian tribes; contingently providing the same exemption from the Local School Support Tax Law and certain analogous taxes; and providing other matters properly relating thereto.

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

Motion carried.

By Senator McGinness:

Senate Bill No. 323—AN ACT relating to taxation; requiring the Board of County Commissioners of Churchill County to reduce the rate of a certain special governmental services tax imposed on vehicles based in the County; prospectively prohibiting the Board from imposing or levying that tax after a certain date; 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. 324—AN ACT relating to state financial administration; providing annual increases in the rates of state taxes on certain fuels for motor vehicles; revising the provisions governing the calculation of governmental services taxes due annually for used vehicles; allocating a portion of the proceeds of certain taxes to the construction and maintenance of public highways; increasing the fees for state driver's licenses and identification cards; requiring analyses of the costs and benefits of proposals for certain highway projects; requiring annual performance measurements of and various periodic reports by the Department of Transportation and the appointment of an interim legislative subcommittee to oversee the activities and performance of the Department; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Beers, Heck, Cegavske, Hardy; Assemblymen Beers, Hardy, Cobb, Goedhart, Grady and Marvel:

Senate Bill No. 325—AN ACT relating to governmental administration; designating English as the official language of the State of Nevada; requiring certain proceedings, records and publications of this State to be in English; prohibiting certain employment discrimination by governmental officers and agencies; requiring state agencies to record certain expenditures made to

provide services in a language other than English; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Townsend:

Senate Bill No. 326—AN ACT relating to public health; creating the Committee on Concurrent Disorders; providing the duties of the Committee; 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 Senators Beers, Schneider, Heck, Coffin, Cegavske, Hardy, Lee, Rhoads, Townsend; Assemblymen Beers, Goedhart, Marvel, Munford and Weber:

Senate Bill No. 327—AN ACT relating to health; requiring the Director of the Department of Health and Human Services to publish on an Internet website operated or administered by or on behalf of the Department a list of the prices and rates negotiated by the Department for goods and services it purchases from or for which it provides reimbursement to providers who participate in the State Plan for Medicaid; 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 Senator Beers:

Senate Bill No. 328—AN ACT relating to educational personnel; prohibiting the board of trustees of a school district from employing or reemploying a person as an administrator unless that person has certain experience in a classroom; making various changes regarding the evaluation and admonition of educational personnel; 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 Senators Townsend and Titus:

Senate Bill No. 329—AN ACT relating to animals; prohibiting a person from allowing a cat or dog to remain unattended in a parked or standing motor vehicle in a manner that endangers the health or safety of the cat or dog; authorizing a peace officer to use force to remove a cat or dog from a motor vehicle under certain circumstances; prohibiting an operator of a motor vehicle from allowing an animal to ride upon or within a portion of the motor

vehicle under certain circumstances; 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 Senators Coffin, Beers, Care, Cegavske, Hardy, Horsford, Lee, Mathews, Nolan, Rhoads, Schneider, Titus, Wiener and Woodhouse:

Senate Bill No. 330—AN ACT relating to correctional institutions; changing the name of the Southern Nevada Women's Correctional Facility; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Coffin (by request):

Senate Bill No. 331—AN ACT relating to natural resources; making an appropriation to the Nevada System of Higher Education for the construction and installation of a geothermal energy system, the establishment and operation of a laboratory for research concerning environmental sustainability, alternative energy and renewable resources and the support of research relating to the reduction and reclamation of solid waste; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Rhoads:

Senate Bill No. 332—AN ACT making an appropriation to Great Basin College for its agricultural program; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Rhoads:

Senate Bill No. 333—AN ACT making an appropriation to the Office of Court Administrator for construction of a new courthouse for White Pine County; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Rhoads:

Senate Bill No. 334—AN ACT making an appropriation to support the Great Basin Heritage Area Partnership; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Rhoads:

Senate Bill No. 335—AN ACT relating to the Department of Health and Human Services; authorizing the divisions of the Department to purchase retirement credits for certain employees; 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 Finance:

Senate Bill No. 336—AN ACT making supplemental appropriations to the State Department of Conservation and Natural Resources to fund fire suppression and to pay utility costs; 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. 337—AN ACT making a supplemental appropriation to the Division of Mental Health and Developmental Services of the Department of Health and Human Services for the Family Preservation 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 Finance:

Senate Bill No. 338—AN ACT making a supplemental appropriation to the Aging Services Division of the Department of Health and Human Services for relocation expenses; 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. 339—AN ACT making supplemental appropriations to the Department of Cultural Affairs for anticipated budgetary shortfalls for Fiscal Year 2006-2007; 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. 340—AN ACT making a supplemental appropriation to the Department of Taxation for outstanding Fiscal Year 2005-2006 information technology costs and an anticipated budgetary shortfall; 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. 341—AN ACT making supplemental appropriations to the Office of the Attorney General; 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. 342—AN ACT making a supplemental appropriation to the High Level Nuclear Waste Project Office to fund nuclear waste litigation; 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. 343—AN ACT making a supplemental appropriation to the Governor's Mansion Account for maintenance; 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. 344—AN ACT making an appropriation to the Lou Ruvo Brain Institute; 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. 345—AN ACT making an appropriation to the Office of the Attorney General to replenish the balance in the tort claim 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 Finance:

Senate Bill No. 346—AN ACT making an appropriation to the Office of the Governor to fund a working group to study the methamphetamine problem in Nevada; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Care:

Senate Bill No. 347—AN ACT making an appropriation to UNLV's Center for Health Disparities Research for a health education and promotion pilot program; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Care:

Senate Bill No. 348—AN ACT making an appropriation to the Division of Forestry of the State Department of Conservation and Natural Resources for support of the Urban and Community Forestry Program; 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 Senator Woodhouse:

Senate Bill No. 349—AN ACT relating to public health; requiring the free immunization of children against certain diseases within the limits of legislative appropriations; making appropriations to pay for the costs of such immunizations; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Woodhouse:

Senate Bill No. 350—AN ACT relating to regional transportation commissions; requiring regional transportation commissions to take certain actions to minimize the impacts of certain street and highway projects; and providing other matters properly relating thereto.

Senator Woodhouse moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Transportation and Homeland Security.

Motion carried.

By Senator Horsford:

Senate Bill No. 351—AN ACT making an appropriation to the Department of Employment, Training and Rehabilitation to promote workforce and education initiatives; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Horsford:

Senate Bill No. 352—AN ACT relating to the City of North Las Vegas; requiring the City to develop a program to make certain improvements to infrastructure in and near the Southern Nevada Enterprise Community; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Horsford:

Senate Bill No. 353—AN ACT relating to industrial insurance; authorizing an injured employee to select a new treating physician or chiropractor under certain circumstances; 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 Senator Horsford and Assemblywoman Kirkpatrick:

Senate Bill No. 354—AN ACT relating to the safety of children; increasing the penalty for the unlawful possession of a firearm while on school property; requiring children who are taken into custody for possession of a firearm while on school property to submit to an evaluation by a qualified professional and a drug test; revising provisions concerning certain sex offenders who are on lifetime supervision or released on parole, probation or a suspended sentence; authorizing school police officers to issue traffic citations 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 Senators Horsford, Titus and Assemblywoman Kirkpatrick:

Senate Bill No. 355—AN ACT relating to the public welfare; establishing and setting forth the duties of the Office of Faith-Based and Community Initiatives within the Department of Health and Human Services; setting forth the duties of the Office; 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 Senator Horsford and Assemblywoman Kirkpatrick:

Senate Bill No. 356—AN ACT relating to the protection of children; revising the standard used for determining whether a child may be placed in protective custody; 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 Senator Wiener:

Senate Bill No. 357—AN ACT relating to education; authorizing the Board of Regents of the University of Nevada to administer a loan forgiveness program for students enrolled within the Nevada System of Higher Education in certain educational programs designated as high need by the Board of Regents; 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 Senator Schneider:

Senate Bill No. 358—AN ACT relating to contractors; providing that contractors, subcontractors, laborers and suppliers of material have a fiduciary duty to their clients; 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 Senator Schneider:

Senate Bill No. 359—AN ACT relating to insurance; revising provisions governing written authorizations to receive medical reports, records and bills relating to claims under a policy of motor vehicle insurance; 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 Senator Schneider:

Senate Bill No. 360—AN ACT relating to health; creating a statement of legislative intent regarding various unlicensed practitioners of health care; limiting the scope of this act; allowing certain providers of health care to provide complementary integrative medicine under various circumstances; allowing the Attorney General to adopt regulations to enforce this act; 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 Senator Schneider:

Senate Bill No. 361—AN ACT relating to nonembryonic stem cells; allowing the Nevada Institutional Review Board to evaluate, determine and act upon research and clinical applications for such cells; allowing the Board to obtain such cells; allowing the Board to form contracts with various laboratories to evaluate such cells before use in human subjects; allowing the Board to form an umbilical cord blood bank laboratory and collection program; 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 Senator Schneider:

Senate Bill No. 362—AN ACT relating to common-interest communities; limiting the powers of an association concerning eminent domain and the imposition of fees; prohibiting the unreasonable restriction on alterations to the exteriors of units; providing for the automatic appeal to the Commission on Common-Interest Communities of certain fines and penalties; revising the provisions concerning the election and removal of members of an executive board; revising the provisions relating to political signs, drought tolerant landscaping and investigations of complaints; making various other changes to the provisions governing common-interest communities; 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 Senator Schneider:

Senate Bill No. 363—AN ACT relating to land use planning; promoting the rezoning of certain parcels of real property within Clark County and the City of Las Vegas to allow high density residential zoning; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Beers:

Senate Bill No. 364—AN ACT relating to motor carriers; prohibiting the Transportation Services Authority from regulating an owner or operator of a charter bus and an operator of a tow car who performs towing services with the consent of the owner of a vehicle; requiring that administrative costs related to the regulation of motor carriers be paid from the State Highway

Fund; transferring certain regulatory powers from the Transportation Services Authority to the Department of Motor Vehicles; repealing provisions relating to safety enforcement by the Transportation Services Authority; 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 Senator Beers:

Senate Bill No. 365—AN ACT relating to public safety; transferring the funding for the mountaintop radio site leases for the VHF Highband Radio Project from the Department of Public Safety to the Department of Transportation; requiring that the mountaintop sites and the other components of the VHF radio system not be dismantled, abandoned, sold or moved; making appropriations; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Beers:

Senate Bill No. 366—AN ACT relating to wildlife; prohibiting the Department of Wildlife from exercising jurisdiction over animal husbandry relating to animals intended to produce food for human consumption; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Wiener:

Senate Bill No. 367—AN ACT relating to administrative regulations; requiring the Legislative Commission and the subcommittee to review regulations to provide certain notice before holding meetings to review regulations; requiring the notice of intent to act upon a permanent regulation to include the approved or revised text of the regulation that is prepared by the Legislative Counsel; prohibiting an agency from holding a public hearing on a proposed regulation on the same day that the agency holds the workshop; revising the procedure for the review of temporary regulations; making various additional changes relating to administrative regulations; 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 Senators Townsend and Mathews:

Senate Bill No. 368—AN ACT relating to autism; creating the Nevada Autism Task Force; 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 Senator Townsend:

Senate Bill No. 369—AN ACT relating to county recorders; authorizing a county recorder to conform the size of a declaration of homestead that does not meet certain formatting requirements for recording; eliminating the additional fee charged by a county recorder for recording such a declaration of homestead; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Townsend and Heck:

Senate Bill No. 370—AN ACT relating to education; requiring as a condition of continued eligibility for a Governor Guinn Millennium Scholarship that a student who has completed a certain number of college-level credits be enrolled in one of certain major fields of study; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Townsend:

Senate Bill No. 371—AN ACT relating to elections; revising provisions governing the reporting of campaign contributions and expenditures; 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 Senator Beers:

Senate Bill No. 372—AN ACT relating to vehicles; exempting fully disabled veterans from the payment of any fees and governmental services taxes required to register or obtain license plates for certain vehicles; 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 vehicles when purchased by fully disabled veterans for personal use; contingently providing the same exemption from the Local School Support Tax Law and certain analogous taxes; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 373—AN ACT making an appropriation to the Legislative Fund for the creation of an oral history of the Nevada Legislature; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 374—AN ACT relating to tax increment areas; authorizing the creation of tax increment areas by cooperative agreement between a county or city and the Board of Regents of the University of Nevada in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 375—AN ACT relating to taxation; revising provisions governing agreements to locate, deliver, recover or assist in the recovery of certain property held in trust by a county treasurer or the Administrator of Unclaimed Property; providing immunity for the State or a county for any losses resulting from the approval of certain claims concerning unclaimed property; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 376—AN ACT relating to land; requiring the State Land Use Planning Agency to prepare a statewide master plan for the recreational use of land in this State; authorizing the Agency to carry out the provisions of the master plan under certain circumstances; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 377—AN ACT relating to public health; enacting provisions relating to early intervention services for infants and toddlers with disabilities; 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 Senators Hardy and Lee:

Senate Bill No. 378—AN ACT relating to civil liability; limiting the liability of certain nonprofit organizations and their agents, employees and volunteers 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 Senator Hardy:

Senate Bill No. 379—AN ACT relating to motor vehicles; requiring a manufacturer of motor vehicles to provide to an owner of a motor vehicle, a garage and the Commissioner of Consumer Affairs information that is required to diagnose, service or repair a motor vehicle manufactured after a certain date; authorizing an owner of a motor vehicle or a garage to bring an action to enjoin a violation of the bill; 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.

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

Motion carried.

Senate in recess at 11:50 a.m.

#### SENATE IN SESSION

At 11:57

President Krolicki presiding.

Quorum present.

Assembly Bill No. 42.

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

Motion carried.

Assembly Bill No. 135.

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

Motion carried.

## SECOND READING AND AMENDMENT

Senate Bill No. 150.

Bill read second time and ordered to third reading.

Senate Bill No. 151.

Bill read second time and ordered to third reading.

Senate Bill No. 208.

Bill read second time and ordered to third reading.

## GENERAL FILE AND THIRD READING

Senate Bill No. 147.

Bill read third time.

Remarks by Senators Cegavske and Amodei.

Roll call on Senate Bill No. 147:

YEAS—21.

NAYS—None.

Senate Bill No. 147 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

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

Motion carried.

Senate in recess at 12:14 p.m.

## SENATE IN SESSION

At 4:13 p.m.

President Krolicki presiding.

Quorum present.

## MOTIONS, RESOLUTIONS AND NOTICES

By Senator Beers:

Senate Joint Resolution No. 7—Proposing to amend the Nevada Constitution by adding the provisions of the Tax and Spending Control for Nevada initiative.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That a new article, designated Article 10A, be added to the Nevada Constitution to read as follows:

ARTICLE 10A. TAX AND SPENDING  
CONTROL FOR NEVADA

*Sec. 1. General.*

*WHEREAS, A Nevada Supreme Court decision, Guinn v. Legislature, 119 Nev. 277 (2003), held that the amendment twice passed by the voters of Nevada and incorporated in Section 18 of Article 4 of the Nevada Constitution requiring Legislative supermajorities for the passage of bills or resolutions increasing public taxes was a mere "procedural" requirement, to be effectively negated by a purportedly "substantive" provision of the Constitution; and*

*WHEREAS, The supermajority requirement was intended by the sovereign People of Nevada to be a fundamental governing principle of this State; and*

*WHEREAS, Limitation on the growth of Government remains the intent of the sovereign People of Nevada; and*

WHEREAS, Limitation on the amounts that may be appropriated or authorized for expenditure will restrain the growth of Government; now, therefore

BE IT RESOLVED BY THE PEOPLE OF NEVADA that this new Article, entitled Tax and Spending Control for Nevada, be added to the Nevada Constitution, reading as follows:

Sec. 2. *The People's Right to Vote.*

1. For any fiscal year that commences on or after January 1, 2011, state and local governments, excluding government enterprises and improvement districts, must receive voter approval for any new tax or rate increase above that of the prior year, or extension of an expiring tax, or a tax policy change directly causing a tax revenue gain to any such government. Voter approval is also required for the creation of any multi-fiscal year direct or indirect debt or other financial obligation after January 1, 2011, in order for the debt service payments of such debt or obligation to be exempted from Biennial Spending under Section 3, subsection 4 of this Article. Notwithstanding, debts or obligations with adequate present cash reserves, pledged irrevocably and held for payments in all future years, refinancing government bonded debt at a lower interest rate and adding new employees to existing pension plans shall not require a public vote under this Section.

2. Any election held to seek voter approval under subsection 1, must occur at an election conducted on the first Tuesday after the first Monday in November and must have been referred by at least a two-thirds affirmative vote of the members elected to each house for a state referral and two thirds of the governing board of a referring local government for a local referral. Passage of any such ballot question shall require the affirmative vote of a majority of the eligible voters casting a ballot at that election.

3. Every ballot question to determine voter approval under this Section by subsection 1 shall offer voters the options of "YES" or "NO" and shall include, in addition to normal descriptive language, the following statements in bolded capital letters:

(a) For any revenue approval question proposed to increase the amount of the State Spending Limit under Section 4 of this Article, the maximum dollar amount of the proposed increase in the State Spending Limit must be predetermined legislatively and the ballot and sample ballot must state in bold type immediately below the measure's title: "A 'YES' VOTE ON THIS MEASURE WILL AUTHORIZE THE STATE TO RAISE TAXES AND EXCEED STATE CONSTITUTIONAL LIMITS ON GOVERNMENT SPENDING BY [insert proposed spending limit increase]."

(b) For any revenue approval question proposed to increase the amount of the Local Government Spending Limit under Section 8 of this Article, the maximum dollar amount of the Local Government Spending Limit under Section 8 must be predetermined and the ballot and sample ballot must state in bold type immediately below the measure's title: "A 'YES' VOTE ON THIS MEASURE WILL AUTHORIZE [insert appropriate local government] TO RAISE TAXES AND INCREASE LOCAL GOVERNMENT SPENDING BY [insert maximum projected revenue increase]."

(c) For all multi-fiscal year debt approval questions required by this section, the maximum dollar amount of the amount borrowed and the cost of debt service must be predetermined and the ballot and sample ballot must state in bold type immediately below the measure's title: "A 'YES' VOTE ON THIS MEASURE WILL AUTHORIZE [insert 'THE STATE' or name of the appropriate local government] TO BORROW UP TO [insert maximum dollar amount financed under the measure] AT A TOTAL REPAYMENT COST OF [insert anticipated maximum total dollar amount of completed debt service]."

Sec. 3. *Definitions.*

1. "Inflation" means the change expressed as a percentage in the consumer price index for the Western States, U.S. city average, all goods, all urban consumers, as calculated by the Bureau of Labor Statistics of the United States Department of Labor, or its successor index, or a similar federal index more specific to Nevada, when established.

2. "Population" means the number of people residing in the state as determined by the annual estimates as calculated according to the procedures established as of fiscal year July 1, 2005, or substantially similar successor procedures, and such number shall be adjusted to match the Federal Decennial Census. If a court of competent jurisdiction in a final order shall adjudge

successor procedures to not be substantially similar, "Population" shall mean the number of people residing in the state as determined by the annual Federal Census estimates.

3. "Biennial budget cycle" means the two year period of consecutive state fiscal years commencing upon the first day of July during a year in which a regular session of the legislature is held.

4. "Biennial spending" means the total amount of moneys to be spent during a biennial budget cycle, whether by appropriation, authorization or other means, except:

(a) Moneys received from the federal government, or from any person or entity in the form of a gift or grant;

(b) Appropriations funded by multi-fiscal year indebtedness, or payment and interest on multi-fiscal year indebtedness if created before January 1, 2011, or otherwise established pursuant to Section 2, subsection 1 of this Article;

(c) Appropriations funded by unemployment and disability insurance funds, permanent endowment funds, trust funds including the highway trust fund of Article 9, Section 5, and the public education trust fund of Article 11, Section 3, or pension funds;

(d) Appropriations funded from proceeds from the sale of government property to non-governmental entities at full cash value;

(e) Moneys appropriated for declared emergencies pursuant to Section 5 of this Article, moneys appropriated for refunds to taxpayers pursuant to Section 6 of this Article, and appropriations funded by the voter-approved release of a Refundable Surplus pursuant to Section 6, subsection 3 of this Article; or

(f) Moneys expended by government enterprises to provide goods or services to the public where the purchase of such good or service is discretionary.

5. "Local government spending" means the total amount of moneys appropriated by a local government to be spent during a fiscal year, except:

(a) Moneys or appropriations described in this Section by subsection 4, paragraphs (a) through (f); or

(b) Moneys appropriated for refunds or credits to taxpayers pursuant to Section 8 of this Article, and appropriations funded by the voter-approved spending of a Refundable Local Tax Surplus pursuant to Section 8, subsection 4 of this Article.

6. "State" means the state government including all branches, state offices, authorities, agencies, boards, commissions, institutions, instrumentalities and any division or unit of state government which are directly supported, in whole or in part, with tax funds.

7. "Multi-year indebtedness" means any evidence of indebtedness that is entered into or establishes a debt obligation of the State or a local government for longer than one fiscal year, and includes, but is not limited to, bonds, notes, certificates, and lease-purchase agreements.

8. "Emergency" means an extraordinary event or occurrence that could not have been reasonably foreseen or prevented and that requires immediate expenditure to preserve the health and safety of the people.

9. "Total state revenue" means all moneys received by the state from any source except any of the following:

(a) Moneys received from the federal government, or from any person or entity in the form of a gift or grant;

(b) Moneys received from multi-year indebtedness;

(c) Moneys which are income earned on moneys in permanent endowment funds or segregated trust funds under Article 9, Section 2, subsection 2 of this constitution, or moneys from sources designated for public highways trust fund pursuant to Article 9, Section 5 or the public education trust fund pursuant to Article 11, Section 3 of this constitution;

(d) Proceeds from the sale of government property to non-governmental entities at full cash value;

(e) Moneys appropriated for declared emergencies pursuant to Section 5 of this Article, moneys appropriated for refunds to taxpayers pursuant to Section 6 of this Article, and appropriations funded by the voter-approved release of a Refundable Surplus pursuant to Section 6, subsection 3 of this Article; and

(f) Moneys received by government enterprises.

10. "Local Tax Revenue" as used in Section 8 of this Article, means all moneys received by a local government excluding those categories described in this Section by subsection 9, paragraphs (a) through (f), and in Section 8, subsections 3 and 4.

11. "State Spending Limit" means the State Spending Limit specified pursuant to Section 4 of this Article.

12. "Local Government Spending Limit" means the Local Government Spending Limits specified pursuant to Section 8 of this Article.

13. "Local government population" means the number of people residing within a local jurisdiction as determined by a substantially accurate system of population measurement for local governments that is uniformly administered by the state and designated for that purpose. Should no such qualifying measurement system be established, the measure of state population pursuant to subsection 2 of this Section shall be employed to determine the Local Government Spending Limit in Section 8 of this Article.

14. "Government enterprise" is a government-owned business, government board or commission that lacks authority to tax and receives less than 10 percent of its annual revenue in the form of grants, transfers or appropriations from all Nevada state and local government entities combined.

15. "Tax policy change" means any policy change directly altering the formula, method of calculation, qualifications, exemptions, terms or scope of an assessed tax.

16. "Improvement district" pursuant to Section 2, subsection 1 of this Article does not include county commissioners sitting as the ex officio board of a General Improvement District under Chapter 318 of the Nevada Revised Statutes.

#### Sec. 4. State Spending Limits.

1. For any state biennial budget cycle that commences on or after January 1, 2011, increases in biennial spending shall be subject to a State Spending Limit calculated as follows: (i) the total amount of biennial spending in the preceding biennial budget cycle increased or decreased by the percentage change in the consumer price index pursuant to Section 3, subsection 1, for the two preceding calendar years ending during the preceding state biennial budget cycle, plus the percentage change in state population during the two preceding calendar years ending during the preceding state biennial budget cycle, or (ii) the State Spending Limit for the previous biennial budget cycle, whichever amount is greater.

2. Notwithstanding subsection 1 of this Section, the State Spending Limit may be adjusted to incorporate revenue changes approved by voters pursuant to Section 2 of this Article.

3. The proposed biennial budget prepared by the executive department of the state government shall not exceed the State Spending Limit.

4. For the initial state biennial budget cycle of 2011-2013, the base biennium for the calculation of the State Spending Limit under subsection 1 shall be the 2005-2007 biennium, adjusted for the average biennial change in population and inflation occurring between January 1, 2007, and January 1, 2011.

#### Sec. 5. Emergency Reserve Fund.

1. For any state biennial budget cycle that commences after January 1, 2011, and in which total state revenue exceeds the State Spending Limit determined pursuant to Section 4 of this Article, and before making any transfers to the Budget Stabilization Fund or any refunds or credits as required by Section 6 of this Article, the state Controller shall, prior to the end of the state biennial budget cycle, transfer total state revenue collected in excess of the State Spending Limit to the Emergency Reserve Fund, which fund is hereby created in the state treasury, to the extent necessary to ensure that the balance of the fund at the end of the biennial budget cycle is an amount equal to 3 percent of the total State Spending Limit for the ensuing state biennial budget cycle. The state shall not be required to transfer to the Fund any moneys other than revenue in excess of the total State Spending Limit. Unused revenues remaining in the Emergency Reserve Fund apply to the Fund for the ensuing biennium. The Fund shall be in addition to, and shall not be used to meet, any other reserve requirement of this Constitution or of law.

2. Moneys in the Emergency Reserve Fund may be expended only for an emergency declared by law that meets the definition within this Article. "Emergency" does not mean a revenue shortfall or budget shortfall. Appropriation from the fund may occur only upon a

three-fourths approval vote of all elected members of each house of the legislature. Interest or other income earned on the Emergency Reserve Fund shall accrue to the fund. If any transfers from the Emergency Reserve Fund are determined in a legal proceeding to have been illegal, such transfers must be replaced, with interest, from total state revenue in the ensuing fiscal year and shall be included in the calculation of biennial spending under Section 3, subsection 4 of this Article.

*Sec. 6. Budget Stabilization Fund.*

1. For any state biennial budget cycle that commences on or after January 1, 2011, if total state revenue as defined in Section 3 of this Article exceeds the State Spending Limit for that biennial budget cycle the excess shall be reserved or refunded as follows:

(a) The Legislature shall provide by law for the creation, as a special revenue fund, of a fund to stabilize the operation of the state government and to be known as the Budget Stabilization Fund. After any amount required to be transferred to the Emergency Reserve Fund of the state pursuant to Section 5 of this Article has been transferred, an amount of any remaining excess amount of total state revenue shall be transferred in the manner prescribed by the legislature by law to the Budget Stabilization Fund.

(b) The amount transferred to the Budget Stabilization Fund in accordance with this subsection shall be equal to the lesser of: (i) an amount equal to 50 percent of any such remaining excess amount of total state revenue, or (ii) the amount necessary to ensure that the balance in the Fund at the end of the biennium is an amount equal to 5 percent of the total State Spending Limit for the ensuing biennial budget. Interest or other income earned on moneys in the Fund shall accrue to the Fund.

(c) In no case shall additional moneys be transferred into the Fund if the balance in the fund is equal to or more than 5 percent of the total State Spending Limit for the ensuing biennial budget cycle.

(d) This fund shall constitute constitutional protection for the State of Nevada's current Fund to Stabilize Operation of State Government and for its purpose, and shall receive any moneys currently therein, with the exception of funds in the disaster relief account, which shall be placed within the Emergency Reserve Fund.

2. The State Controller shall transfer money from the Budget Stabilization Fund to the general fund in the minimum amount necessary to offset a shortfall in total state revenue below the State Spending Limit. Under no other circumstances shall the State Controller transfer moneys from the Budget Stabilization Fund.

3. After transfers are made to the Emergency Reserve and Budget Stabilization funds pursuant to Section 5 or Section 6 of this Article, an excess amount of total state tax revenue for a biennial budget cycle may remain. In such an event:

(a) Should the excess tax revenue be a sum equal to or greater than 0.5 percent of the State Spending Limit, it shall be deemed "Refundable Tax Surplus." By a two-thirds vote of each chamber, the Legislature may ask voters for approval, pursuant to Section 2, subsection 2 of this Article, to spend all or part of a Refundable Tax Surplus. Absent approval of the voters to spend the Refundable Tax Surplus, half of that Surplus shall be refunded or credited to taxpayers during the next ensuing fiscal year in proportionate relief of all state motor vehicle taxes and fees paid during the previous biennium, and the remaining half of that Surplus shall be refunded or credited to taxpayers during the next ensuing fiscal year in proportionate relief of state excise taxes paid by employers upon employee wages during the previous biennium. If any portion of the Surplus remains after fully satisfying either tax rebate category, that portion shall be refunded or credited proportionately to taxpayers against taxes paid in a manner determined by majority action of the Legislature.

(b) Should the excess tax revenue be a sum less than 0.5 percent of the State Spending Limit, it shall be deemed a "Saved State Tax Surplus" and shall constitute an obligation of the state government to be repaid to state taxpayers at such time as a subsequent Refundable Tax Surplus, in combination with that Saved Tax Surplus, exceeds 0.5 percent of the State Spending Limit.

*Sec. 7. Mandated and Shifted Costs.*

The Nevada Legislature shall not, directly or indirectly, enact laws or authorize the adoption of regulations, requiring the counties and cities of the State to provide new services, expand

existing services or conduct new or additional governmental function without appropriating or designating state funding sources to fully support said new services, expansion of existing services and new or additional governmental functions. The proportion of state revenue paid to all local units of government, taken as a group, shall not be reduced below that proportion in effect at the adoption of this Article unless the state has relieved local governments of an obligation or expense. Where state laws or regulations directly or indirectly reduce the expenses of local governments, the proportion of state revenue paid to all local units of government may be reduced by up to the amount of the reduced expenses. Where costs are transferred from one unit of government to another unit of government, either by law, court order or agreement, the limitation imposed by Sections 4 and 8 of this Article shall be adjusted and transferred accordingly so that total costs of the transferred services are not increased as a result of such transfer.

*Sec. 8. Local Government Spending Limits.*

1. All local government spending by cities and counties chartered by the state for three or more years shall be subject to a Local Government Spending Limit. This limit shall apply to the first fiscal year for each city and county that commences on or after January 1, 2011, and shall limit city or county fiscal-year spending to the greater of:

(a) The total amount of local government spending in the preceding fiscal year increased by a percentage amount equal to the result obtained by adding the rate of inflation for the preceding calendar year, plus the percentage change in local government population during the preceding calendar year; or

(b) The Local Government Spending Limit for the previous fiscal year.

2. Notwithstanding subsection 1, the Local Government Spending Limit may be adjusted to incorporate revenue changes approved by voters pursuant to Section 2 of this Article.

3. When local tax revenue exceeds the Local Government Spending Limit, counties and cities may retain up to half of the budget surplus in any fiscal year for a Budget Reserve Fund. The purpose of the Fund shall be limited to offsetting a shortfall of revenue below the Local Government Spending Limit or addressing declared emergencies. The Budget Reserve Fund is limited to 5 percent of the Local Government Spending Limit.

4. After transfers are made to a county or city Budget Reserve Fund pursuant to subsection 3 of this section, an excess amount of local tax revenue for a fiscal year may remain. In that event:

(a) Should the excess tax revenue be equal to or greater than 1 percent of the Local Government Spending Limit, it shall be deemed "Refundable Local Tax Surplus." By a two-thirds vote of the local governing body, the local government may ask voters for approval, pursuant to Section 2, subsection 2 of this Article, to spend all or part of a Refundable Local Tax Surplus. Absent approval of the voters to spend the Refundable Local Tax Surplus, that Surplus shall be held and credited to the next year's property tax bill for each private parcel in the jurisdiction of the local government, in proportion to each parcel's contribution to total property tax proceeds. If any portion of the Surplus remains thereafter, that portion shall be refunded or credited proportionately to taxpayers against taxes paid in a manner determined by majority action of the local government's governing board.

(b) Should the excess tax revenue be less than 1 percent of the Local Government Spending Limit, it shall be deemed a "Saved Local Tax Surplus," and shall constitute an obligation of the local government to be repaid to local government taxpayers at such time as a subsequent Refundable Local Tax Surplus, in combination with that Saved Local Tax Surplus, exceeds 1 percent of the Local Government Spending Limit.

*Sec. 9. Amendment.*

Any proposed amendment to this Constitution mandating specific state appropriations for projects or services, or establishing a minimum formula for state appropriations, for any purpose, that does not also establish a specific source of additional state revenue dedicated to fully funding those appropriations, must include the following voter advisory displayed in bolded capital letters above the ballot question on the ballot and the sample ballot:

**"NOTICE TO VOTERS: THIS MEASURE REQUIRES ADDITIONAL STATE EXPENSES WITHOUT CREATING A MEANS TO PAY FOR THEM. PASSAGE MAY REDUCE FUNDING FOR OTHER IMPORTANT GOVERNMENT FUNCTIONS."**

*Sec. 10. Implementation.*

*All provisions of this Article are self-executing and severable and supersede conflicting state constitutional, state statutory, charter, or other state or local provisions. The legislature may enact such legislation as may be necessary to implement and enforce the provisions of this Article and repeal or amend all laws inconsistent with the provisions of this Article to conform to the provisions of this Article. In any circumstances where two or more reasonable interpretations of a provision of this Article exist, the correct interpretation shall be that which better restrains growth in government spending. In any circumstances where another provision of this Constitution is deemed to conflict with this Article, such other provision shall be superseded by this Article. If a court of competent jurisdiction in a final order shall adjudge any expenditure category, or revenue source, exempt from this section, the process of computing the State Spending Limit shall be adjusted accordingly and remaining provisions shall be in full force and effect.*

*Sec. 11. Enforcement.*

*Any Nevada taxpayer or class of Nevada taxpayers shall have standing to commence an action to enforce this Article. A court of record shall award successful plaintiffs costs and reasonable attorney fees in the suit. Should the Court determine that the action was frivolous, the Court may award reasonable expenses to the prevailing party.*

*Sec. 12. Effective Date.*

*This Article shall become effective on January 1, 2011.*

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

Motion carried.

By Senator Nolan:

Senate Concurrent Resolution No. 15—Directing the Legislative Commission to conduct an interim study of the establishment of a state lottery if the 74th Session of the Nevada Legislature enacts a constitutional amendment authorizing a state lottery.

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

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Judiciary:

Senate Bill No. 380—AN ACT relating to criminal procedure; authorizing a plea and verdict of guilty but mentally ill under certain circumstances; establishing the requirements for determining whether a person is insane for purposes of the plea of not guilty by reason of insanity and for the insanity defense; revising provisions governing the commitment to and the discharge and conditional release from the custody of the Administrator of the Division of Mental Health and Developmental Services of the Department of Health and Human Services of a criminal defendant following an acquittal based on the insanity defense; revising provisions governing the commitment to and conditional release from the custody of the Administrator of certain other criminal defendants who the court finds to be incompetent; 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. 381—AN ACT relating to gaming; authorizing the Chairman of the State Gaming Control Board to allow the partial abatement of certain license fees paid by certain gaming licensees; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Cegavske, Heck, Care, Horsford and Nolan:

Senate Bill No. 382—AN ACT relating to the practice of perfusion; creating the State Board of Perfusionists; prescribing the powers and duties of the Board; prohibiting a person from engaging in the practice of perfusion without a license issued by the Board; prescribing the requirements for the issuance or renewal of a license; setting forth the grounds for disciplinary action against a licensed perfusionist; providing remedies 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 Senators Cegavske, Beers and Washington:

Senate Bill No. 383—AN ACT relating to education; requiring the Department of Education to establish a program to provide payments of financial incentives to persons employed at certain public schools that demonstrate improvement in pupil achievement; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Cegavske, Beers, Raggio, Titus, Heck, Amodei, Care, Coffin, Hardy, Horsford, Lee, Mathews, McGinness, Nolan, Rhoads, Schneider, Townsend, Washington, Wiener and Woodhouse:

Senate Bill No. 384—AN ACT relating to employment; clarifying that certain relationships between persons with disabilities and training or rehabilitation centers do not constitute employment for the purposes of provisions governing the minimum wage; 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 Senators Cegavske, Beers, Heck and Raggio:

Senate Bill No. 385—AN ACT relating to elections; requiring photographic identification for voting; requiring county clerks to issue voter identification cards under certain circumstances; requiring persons applying for absent ballots to provide certain information to county and city clerks; 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 Senators Cegavske and Hardy:

Senate Bill No. 386—AN ACT relating to liens; making various changes to the provisions governing mechanics' and materialmen's liens; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Raggio, Townsend, Cegavske, Heck, Beers, Amodei, Coffin, Hardy, Horsford, Lee, Mathews, McGinness, Nolan, Rhoads, Schneider, Titus, Washington, Wiener and Woodhouse:

Senate Bill No. 387—AN ACT relating to public works; revising the membership of the State Public Works Board; revising the duties of the Manager appointed by the Board; providing for the appointment by the Board of a deputy manager for compliance and code enforcement; revising the order in which money received by the Board for a capital improvement project must be expended; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Mathews, Horsford, Schneider, Hardy, Rhoads, Amodei, Care, Carlton, Coffin, Lee, McGinness, Raggio, Titus, Townsend, Washington, Wiener and Woodhouse:

Senate Bill No. 388—AN ACT making appropriations to the Nevada Alliance of Boys and Girls Clubs, Inc., and the Nevada Public Education Foundation to support certain programs; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Nolan:

Senate Bill No. 389—AN ACT relating to public safety; revising the provisions relating to fees that may be charged by the Central Repository for

Nevada Records of Criminal History for providing certain information; directing the Legislative Commission to conduct an interim study concerning background investigations of persons and records of criminal history; 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 Senator Nolan:

Senate Bill No. 390—AN ACT relating to emergency management; revising provisions governing certain grants to local governments for disaster relief; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Nolan:

Senate Bill No. 391—AN ACT relating to the Public Employees' Benefits Program; revising provisions governing the participation of Legislators in the Program; 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 Senator Nolan:

Senate Bill No. 392—AN ACT relating to transportation; authorizing certain governmental entities to establish, construct and operate toll projects which include toll roads and toll bridges; authorizing the issuance of revenue bonds or other securities constituting special obligations to fund a toll project; authorizing the assessment and collection of tolls; prohibiting certain actions relating to the collection of tolls; providing penalties; 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 Senator Nolan:

Senate Bill No. 393—AN ACT relating to transportation; revising provisions governing the registration of certain heavy motor vehicles; abolishing the Transportation Services Authority; transferring the duties and responsibilities related to motor carriers and the storage of household goods and effects from the Transportation Services Authority to the Public Utilities Commission of Nevada; revising provisions governing sanctions for certain violations by taxicab drivers; 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 Senator Nolan:

Senate Bill No. 394—AN ACT relating to traffic laws; providing for the imposition of an additional fee for a license renewal under certain circumstances; establishing provisions relating to 911 emergency telephone calls regarding certain traffic violations; increasing the penalty for certain traffic violations; requiring certain persons to appear personally in court for traffic violations; 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 Senator Washington:

Senate Bill No. 395—AN ACT relating to health; creating a statement of legislative intent regarding various unlicensed practitioners of health care; limiting the scope of this act; allowing certain providers of health care to provide complementary integrative medicine under various circumstances; allowing the Attorney General to adopt regulations to enforce this act; 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 Human Resources and Education:

Senate Bill No. 396—AN ACT relating to subsurface installations; revising provisions relating to the notification required before beginning an excavation or demolition under certain circumstances; revising provisions governing certain complaints relating to the conduct of an excavation or demolition; 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. 397—AN ACT relating to education; revising the circumstances under which a child must be declared a habitual truant; revising the penalties imposed if a juvenile court adjudicates a child in need of supervision for habitual truancy; providing for the imposition of certain administrative sanctions against a habitual truant or the parent or guardian of a habitual truant under certain circumstances; providing that the parent or guardian of a habitual truant may not renew his vehicle registration until all administrative fines imposed against the parent or guardian are paid; 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 Senators Cegavske, Beers, Heck, Washington, Townsend, Amodei, Care, Hardy and McGinness:

Senate Bill No. 398—AN ACT relating to education; providing for a pilot program of English immersion in certain public schools selected by the Department of Education; 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 Senators Cegavske, Heck, Townsend, Beers, Hardy, Horsford, Nolan, Raggio, Titus and Washington:

Senate Bill No. 399—AN ACT relating to child welfare; requiring the Division of Child and Family Services of the Department of Health and Human Services to coordinate with and assist each agency which provides child welfare services in recruiting, training and licensing providers of family foster care; 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 Senators Cegavske, Beers, Hardy and Washington:

Senate Bill No. 400—AN ACT relating to education; establishing the Scholarship Program for Children in Foster Care to be administered by the Department of Education; authorizing the legal guardians or custodians of certain pupils who are in foster care to apply to the Department to participate in the Scholarship Program; revising provisions governing the apportionment of money from the State Distributive School Account to provide for the payment of money for the education of pupils who participate in the Scholarship Program; 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 Senators Horsford, Titus, Care, Coffin, Woodhouse; Assemblymen Segerblom, Atkinson, Leslie and Bobzien:

Senate Bill No. 401—AN ACT relating to elections; eliminating the deadline for registering to vote in an election; 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 Senators Lee, Coffin, Hardy, Rhoads and Townsend:

Senate Bill No. 402—AN ACT making an appropriation to the Division of State Parks of the State Department of Conservation and Natural Resources for the development of a new group picnic area at Spring Mountain Ranch State Park; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Washington:

Senate Bill No. 403—AN ACT relating to insurance; providing requirements relating to coverage for group health insurance to certain associations; 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 Senator Washington:

Senate Bill No. 404—AN ACT relating to education; revising provisions governing homeschooled children; 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 Senator Amodei:

Senate Bill No. 405—AN ACT relating to water; granting the State Engineer full authority with respect to the analysis, management, appropriation and diversion of public waters; providing for the preemption by decisions of the State Engineer over certain actions of agencies and political subdivisions of the State; making various other changes concerning the powers and duties of the State Engineer; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Amodei (by request):

Senate Bill No. 406—AN ACT making an appropriation to Lyon County for the construction of a regional juvenile services facility in Silver Springs; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Amodei:

Senate Bill No. 407—AN ACT making an appropriation to the Northern Nevada Development Authority for certain projects and programs; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Titus and Beers:

Senate Bill No. 408—AN ACT relating to state financial administration; directing the Commission on Tourism to transfer money from the Fund for the Promotion of Tourism to the Atomic Testing Museum; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Titus, Wiener, Woodhouse; Assemblywomen Allen, Parnell, Buckley, Smith, Gerhardt, Gansert, Kirkpatrick, Koivisto, Leslie and Pierce:

Senate Bill No. 409—AN ACT relating to insurance; requiring policies of health insurance to provide coverage for the human papillomavirus vaccine to protect against cervical cancer; requiring the Director of the Department of Health and Human Services to include coverage for the human papillomavirus vaccine in the State Plan for Medicaid; 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 Senator Carlton:

Senate Bill No. 410—AN ACT relating to computer forensics examiners; providing a definition of computer forensics examiner; requiring licensure of a computer forensics examiner; providing requirements for a license as a computer forensics examiner; 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 Senator Carlton:

Senate Bill No. 411—AN ACT making an appropriation to the Bureau of Family Health Services of the Health Division of the Department of Health and Human Services to fund diagnostic clinics for fetal alcohol syndrome; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Heck, Townsend, Hardy, Beers, Cegavske, Washington; Assemblymen Hardy, Gansert and Mabey:

Senate Bill No. 412—AN ACT relating to health care; revising the method of selecting certain professionals for various boards related to health care; creating a new type of license for practicing medicine; changing the requirements for a license by endorsement to practice medicine; providing new requirements for certain nursing instructors; enacting the Nurse Licensure Compact; requiring the State Board of Nursing to pass regulations required for implementation of the Nurse Licensure Compact; providing two new types of licenses for osteopathic medicine; providing a new type of license as a dispensing optician; providing in statute for the election of officers for the State Board of Physical Therapy Examiners; 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 Senator Schneider:

Senate Bill No. 413—AN ACT relating to health; providing that a provider of insurance shall, to the greatest extent practicable, use a new type of bill coding system relating to complementary and alternative medicine and adhere to certain requirements relating to reimbursement for certain health care services; requiring certain managed care organizations to meet certain requirements relating to contracting with homeopathic physicians; providing a statement of legislative intent regarding the encouragement, support and offering of health savings accounts as well as the duty of the State to protect the rights of persons to obtain freely any health care services not prohibited by law; prohibiting the Commissioner of Insurance from adopting rules or regulations that restrict the public's right to choose any form of health care that is not prohibited under Nevada law; providing that, notwithstanding any other provision of law, a complementary integrative medical screening practice may be created; 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 Senator Schneider:

Senate Bill No. 414—AN ACT relating to health; providing for the operation and authority of the Nevada Institutional Review Board; removing the Nevada Institutional Review Board from under the supervision of the

Board of Homeopathic Medical Examiners; 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 Senators Heck, Townsend, Hardy, Cegavske, Beers, Washington; Assemblymen Hardy, Cobb, Gansert and Mabey:

Senate Bill No. 415—AN ACT relating to higher education; providing that certain alien students are not eligible to receive certain types of financial assistance through the Nevada System of Higher Education; 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 Senator Lee:

Senate Bill No. 416—AN ACT relating to education; creating the Fund to Stabilize the Operation of Public Schools; prescribing the circumstances under which money in the Fund may be appropriated and allocated to the school districts and charter schools; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Lee:

Senate Bill No. 417—AN ACT relating to public mass transportation; enacting provisions to facilitate the construction and maintenance of benches, shelters and transit stops for passengers of public mass transportation in certain counties; and providing other matters properly relating thereto.

Senator Lee moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Transportation and Homeland Security.

Remarks by Senator Lee.

Motion carried.

By Senator Lee:

Senate Bill No. 418—AN ACT making a contingent appropriation to the Board of Regents of the University of Nevada to fund a program of agronomy, horticulture, landscape ecology, and design and plant sciences, contingent upon the Board establishing such a program; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Lee:

Senate Bill No. 419—AN ACT relating to county clerks; authorizing the board of county commissioners of larger counties to require by ordinance that certificates of marriage be filed with the county clerk of the county; authorizing such a county clerk to charge certain fees for such service; providing the requirements for the filing of certificates of marriage with such a county clerk; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Lee:

Senate Bill No. 420—AN ACT relating to property; revising the provisions relating to the transfer of supervision of trusts; revising the provisions relating to spendthrift trusts; increasing the civil liability for conversion of property before letters of administration are granted; revising the provisions relating to succession of property under certain circumstances; revising the provisions relating to the summary administration of estates and the distribution of certain estates; revising the provisions relating to a petition concerning the affairs of a trust; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Titus, Horsford and Assemblywoman Kirkpatrick:

Senate Bill No. 421—AN ACT relating to offenders; providing for the regulation of facilities for transitional living for released offenders by the Division of Parole and Probation of the Department of Public Safety; establishing specific requirements for such facilities that provide transitional housing for sex offenders; enacting certain provisions governing the residence of certain sex offenders who are on lifetime supervision or released on parole, probation or a suspended sentence; eliminating the regulation of facilities for transitional living for released offenders by the State Board of Health and the Health Division of the Department of Health and Human Services; 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 Senator Titus:

Senate Bill No. 422—AN ACT relating to pollution; requiring the State Environmental Commission to establish a program for the reduction of greenhouse gases emitted by affected units in this State; setting forth certain

required provisions that the Commission must include in the program; limiting the amount of greenhouse gases that certain affected units may emit; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Titus:

Senate Bill No. 423—AN ACT making an appropriation to the Legislative Fund for the Legislative Auditor to enter into a contract with a consultant to conduct a performance audit of the electronic voting system used 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 Senators Titus, Raggio; Assemblymen Parks and Leslie:

Senate Bill No. 424—AN ACT making an appropriation to the City of Reno for expenses related to the Intel International Science and Engineering Fair; and providing other matters properly relating thereto.

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

Motion carried.

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

Senate Bill No. 425—AN ACT relating to campaign practices; prohibiting certain officers of certain political subdivisions from soliciting or accepting contributions during certain periods; providing certain exceptions; providing that a "political purpose" includes a legal defense fund; making various other changes to provisions relating to campaign practices; 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 Senators Titus, Raggio; Assemblymen Buckley and Ocegüera:

Senate Bill No. 426—AN ACT making an appropriation to Nevada Arts Advocates for projects and programs to promote, support and foster the arts; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Titus; Assemblymen Pierce and Bobzien:

Senate Bill No. 427—AN ACT relating to energy; establishing certain incentive programs relating to renewable energy; revising various provisions

relating to net metering and the portfolio standards; 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 Senator Titus:

Senate Bill No. 428—AN ACT relating to state employees, authorizing discussions of workplace relations for certain state employees; changing the name of the Local Government Employee-Management Relations Board to the Public Employment Relations Board; expanding the duties of the Board to include discussions of workplace relations for certain state employees; providing for workplace relations units of state employees and for their representatives; establishing procedures for discussing workplace relations and for making and amending workplace relations agreements; prohibiting certain unfair labor practices; and providing other matters properly relating thereto.

Senator Titus moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Government Affairs.

Remarks by Senator Titus.

Motion carried.

By Senator Beers:

Senate Bill No. 429—AN ACT relating to public employees; setting forth the rights of the members of labor organizations that represent public employees; establishing the duties of such organizations and the officers, employees and representatives of such organizations; prohibiting certain acts; providing penalties; and providing other matters properly relating thereto.

Senator Beers moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Government Affairs.

Remarks by Senator Beers.

Motion carried.

By Senator Schneider:

Senate Bill No. 430—AN ACT relating to the Legislative Counsel Bureau; authorizing the Director to include the sale of souvenir wine with other souvenirs sold in the Legislative Gift Shop; 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 Senator Schneider and Assemblyman Segerblom:

Senate Bill No. 431—AN ACT making an appropriation to support the Nevada Arts Council; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Schneider:

Senate Bill No. 432—AN ACT relating to health; creating the Board of Complementary Integrative Medical Examiners; setting forth the powers and duties of the Board; providing for the membership of the Board; setting forth the requirements for the issuance of a license as a complementary integrative medical physician and the issuance of a certificate as an advanced practitioner of complementary integrative medicine, complementary integrative medical assistant and complementary integrative medical nutritionist; abolishing the Board of Homeopathic Medical Examiners; transferring its powers and duties to the Board of Complementary Integrative Medical Examiners; repealing and revising other provisions governing homeopathy; imposing certain requirements upon a provider of insurance; 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.

UNFINISHED BUSINESS  
SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Assembly Bill No. 47; Assembly Concurrent Resolution No. 14.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Washington, the privilege of the floor of the Senate Chamber for this day was extended to the following teachers, chaperones and students from the Alyce Taylor Elementary School: Kristina Adams, Madison Aguilar, Anthony Avelar, Cole Brokaw, Matthew Chamberlin, Jordan Coleman, Scudder-Creveling, Hunter Fralick, Robert Howard, Victor Joe, Corey Jones, Garrett Jones, Cassandra Klein, Jorge Lemus, Colin Lieske, Cobi Maehara, Sara Magana, Donovan McDonald, Hannah Meadows, Trystan Nickovich, Christina Paakkari, Gehrg Parks, Steven Peterson, Kelly Promise, Nichole Ribers, Jaesa Rogers, Gunner Scott, Dylan Stanley, Haley Tavener, J. T. Afuang, Zach Jameson Wrenn, Marcus Brown, Renisha Butcher, Tyler Casey, Armani Chavis, Brandon Clegg, Marissa Cossio, Nikisa Demestihias, Alex Dewitt, Timothy Eaton, Ashlynn Fullmer, Frank Funes, Joshua Goben, Kevin Goben, Joshua Gonzales, Chase Hauder, Hailey Hernandez, Charles Ipema, Christopher Johnson, Joei Jones, Logan Kenneson, Emily Lawrence, Richard Martinez, Elizabeth Mulcahy, Kevin Nelson, Maegan Parks, Ashley Pearman, Julian Reed, Kirsten Royce, Sarah Tarter, Nathan Thornberry, Melanie Warren, Shannon Wick; chaperones: Gloria Promise, Tracey Stanley, Denise Jones, Corinna Aguilar, Heather Creveling, Kevin Wick, Rebecca Royce, Cheryl Ipema, Troy Fullmer, Eric Dewitt; teachers: Michon Boucher and Lisa Drakulich.

On request of Senator Wiener, the privilege of the floor of the Senate Chamber for this day was extended to Jenny Ritter-Friesen.

Senator Raggio moved that the Senate adjourn until Tuesday, March 20, 2007, at 11 a.m. and that it do so in memory of legislative intern Adam Thomas.

Motion carried.

Senate adjourned at 4:28 p.m.

Approved:

BRIAN K. KROLICKI  
*President of the Senate*

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