

**THE FIFTIETH DAY**

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CARSON CITY (Monday), March 26, 2007

Senate called to order at 11:27 a.m.

President Krolicki presiding.

Roll called.

All present except Senators Care and Rhoads, who were excused.

Prayer by the Chaplain, Dr. Marvin Dennis.

Heavenly Father, thank you for another weekend and the opportunity to worship You.

Please give to these Senators and their staff strength and encouragement for another week as they serve others in this great State of Nevada.

In the name of my Saviour, I pray.

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 Commerce and Labor, to which was referred Senate Bill No. 384, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

RANDOLPH J. TOWNSEND, *Chair*

*Mr. President:*

Your Committee on Finance, to which was referred Assembly Concurrent Resolution No. 12, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

WILLIAM J. RAGGIO, *Chair*

*Mr. President:*

Your Committee on Human Resources and Education, to which was referred Senate Bill No. 195, has had the same under consideration, and begs leave to report the same back with the recommendation: Without recommendation and refer to the Committee on Judiciary.

MAURICE E. WASHINGTON, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 3.

Resolution read.

Senator McGinness moved the adoption of the resolution.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

By the Committee on Judiciary:

Senate Joint Resolution No. 9—Proposing to amend the Nevada Constitution to allow the Legislature to establish an intermediate appellate court.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That a new section, designated Section 3A, be added to Article 6 of the Nevada Constitution to read as follows:

*Sec. 3A. 1. The Legislature may provide by law for the creation of a court of appeals.*

*2. If the Legislature creates a court of appeals pursuant to subsection 1, then:*

*(a) The court of appeals must consist of three judges or such greater number as the Legislature may provide by law. If the number of judges is so increased, the Supreme Court may provide by rule for the assignment of any appeal to a panel of three judges for decision.*

*(b) Except as otherwise provided in paragraph (c) and unless the Legislature provides for a term of fewer years pursuant to paragraph (d), each judge of the court of appeals must be elected by the qualified electors of this State at the general election for a term of 6 years beginning on the first Monday of January next after the election. The initial judges of the court of appeals must be elected by the qualified electors of this State at the first general election following the creation of the court of appeals.*

*(c) Notwithstanding the provisions of paragraph (b), if, at the time that the Legislature establishes a court of appeals, this Article provides for the appointment of each justice of the Supreme Court and judge of the district court by the Governor, each judge of the court of appeals must be appointed by the Governor in the manner and for the term provided in Section 20 of this Article.*

*(d) Except as otherwise provided in paragraph (e), if there is an increase in the number of judges of the court of appeals, each additional judge must be elected by the qualified electors of this State at the first general election following the increase for a term beginning on the first Monday of January next after the election. The Legislature shall provide for an initial term of 6 or fewer years for each additional judge so that the terms of all judges of the court of appeals expire at the same time.*

*(e) Notwithstanding the provisions of paragraph (d), if, at the time that there is an increase in the number of judges of the court of appeals, this Article provides for the appointment of each justice of the Supreme Court and judge of the district court by the Governor, each additional judge must be appointed by the Governor in the manner and for the term provided in Section 20 of this Article.*

*(f) The Supreme Court shall appoint one of the judges of the court of appeals to be chief judge. The chief judge serves a term of 4 years and may succeed himself. The chief judge may resign his position as chief judge without resigning from the court of appeals.*

And be it further

RESOLVED, That Section 1 of Article 6 of the Nevada Constitution be amended to read as follows:

Section 1. The judicial power of this State ~~shall be~~ is vested in a court system, comprising a Supreme Court, *a court of appeals, if established by the Legislature*, district courts ~~and~~ and justices of the peace. The Legislature may also establish, as part of the system, courts for municipal purposes only in incorporated cities and towns.

And be it further

RESOLVED, That Section 4 of Article 6 of the Nevada Constitution be amended to read as follows:

*Sec. 4. 1. The Supreme Court ~~shall~~ and the court of appeals, if established by the Legislature, have appellate jurisdiction in all civil cases arising in district courts, and also on questions of law alone in all criminal cases in which the offense charged is within the original jurisdiction of the district courts. If the Legislature establishes a court of appeals, the Supreme Court shall fix the jurisdiction of the court of appeals and provide for the review, where appropriate, of appeals decided by the court of appeals. The ~~court shall~~ Supreme Court and the court of appeals also have power to issue writs of mandamus, certiorari, prohibition, quo warranto ~~and~~ and habeas corpus and also all writs necessary or proper to the complete exercise of ~~its appellate~~ their jurisdiction. Each ~~of the justices shall have power to~~ justice of the Supreme Court and judge of the court of appeals may issue writs of habeas corpus to any part of the State, upon petition by, or on behalf of, any person held in actual custody ~~and~~ in this State and may make such writs returnable ~~before himself~~ before the issuing justice or judge or the ~~Supreme Court,~~ court of which the justice or judge is a*

member, or before any district court in the State or ~~before~~ any judge of ~~said courts~~ a district court.

2. In case of the disability or disqualification, for any cause, of ~~the Chief Justice or one of the associate justices~~ a justice of the Supreme Court, ~~for any two of them,~~ the Governor ~~is authorized and empowered to designate any~~ may designate a judge of the court of appeals or a district judge ~~for judges~~ to sit in the place ~~for places of such~~ of the disqualified or disabled justice. ~~for justices, and said judge or judges so designated shall receive their~~ The judge designated by the Governor is entitled to receive his actual expense of travel and otherwise while sitting in the Supreme Court.

3. In case of the disability or disqualification, for any cause, of a judge of the court of appeals, the Governor may designate a district judge to sit in the place of the disabled or disqualified judge. The judge that the Governor designates is entitled to receive his actual expense of travel and otherwise while sitting in the court of appeals.

And be it further

RESOLVED, That Section 7 of Article 6 of the Nevada Constitution be amended to read as follows:

Sec. 7. The times of holding the Supreme Court, the court of appeals, if established by the Legislature, and the district courts ~~shall~~ must be as fixed by law. The terms of the Supreme Court ~~shall~~ must be held at the seat of government unless the Legislature otherwise provides by law, except that the Supreme Court may hear oral argument at other places in the State. The terms of the court of appeals, if established by the Legislature, must be held at the place provided by law. The terms of the district courts ~~shall~~ must be held at the county seats of their respective counties unless the Legislature otherwise provides by law.

And be it further

RESOLVED, That Section 8 of Article 6 of the Nevada Constitution be amended to read as follows:

Sec. 8. 1. The Legislature shall determine the number of justices of the peace to be elected in each city and township of the State ~~to~~ and shall fix by law their qualifications, their terms of office and the limits of their civil and criminal jurisdiction, according to the amount in controversy, the nature of the case, the penalty provided ~~to~~ or any combination of these.

2. The provisions of this section affecting the number, qualifications, terms of office and jurisdiction of justices of the peace become effective on the first Monday of January, 1979.

3. The Legislature shall also prescribe by law the manner, and determine the cases, in which appeals may be taken from justices and other courts. The Supreme Court, the court of appeals, if established by the Legislature, the district courts ~~to~~ and such other courts ~~to~~ as the Legislature shall designate ~~shall be~~ are courts of record.

And be it further

RESOLVED, That Section 11 of Article 6 of the Nevada Constitution be amended to read as follows:

Sec. 11. The justices of the Supreme Court, the judges of the court of appeals, if established by the Legislature, and the district judges ~~shall be~~ are ineligible to any office, other than a judicial office, during the term for which they ~~shall~~ have been elected or appointed. ~~to and all~~ All elections or appointments of any such judges by the people, Legislature ~~to~~ or otherwise ~~to~~ during said period ~~to~~ to any office other than judicial ~~shall be~~ are void.

And be it further

RESOLVED, That Section 15 of Article 6 of the Nevada Constitution be amended to read as follows:

~~See~~ Sec. 15. The justices of the Supreme Court, the judges of the court of appeals, if established by the Legislature, and the district judges ~~shall~~ are each entitled to receive for their services a compensation to be fixed by law and paid in the manner provided by law, which ~~shall~~ must not be increased or diminished during the term for which they ~~shall~~ have been elected, unless a vacancy occurs, in which case the successor of the former incumbent ~~shall~~ is entitled to receive only such salary as may be provided by law at the time of his election or appointment. ~~to and provision shall~~ A provision must be made by law for setting apart from each year's revenue a sufficient amount of money ~~to~~ to pay such compensation.

And be it further

RESOLVED, That Section 20 of Article 6 of the Nevada Constitution be amended to read as follows:

Sec. 20. 1. When a vacancy occurs before the expiration of any term of office in the Supreme Court *or the court of appeals, if established by the Legislature*, or among the district judges, the Governor shall appoint a justice or judge from among three nominees selected for such individual vacancy by the Commission on Judicial Selection.

2. The term of office of any justice or judge so appointed expires on the first Monday of January following the next general election.

3. Each nomination for the Supreme Court ~~shall~~ *or the court of appeals, if established by the Legislature, must* be made by the permanent Commission, composed of:

(a) The Chief Justice or an associate justice designated by him;

(b) Three members of the State Bar of Nevada, a public corporation created by statute, appointed by its Board of Governors; and

(c) Three persons, not members of the legal profession, appointed by the Governor.

4. Each nomination for the district court ~~shall~~ *must* be made by a temporary commission composed of:

(a) The permanent Commission;

(b) A member of the State Bar of Nevada resident in the judicial district in which the vacancy occurs, appointed by the Board of Governors of the State Bar of Nevada; and

(c) A resident of such judicial district, not a member of the legal profession, appointed by the Governor.

5. If at any time the State Bar of Nevada ceases to exist as a public corporation or ceases to include all attorneys admitted to practice before the courts of this State, the Legislature shall provide by law, or if it fails to do so the *Supreme* Court shall provide by rule, for the appointment of attorneys at law to the positions designated in this section to be occupied by members of the State Bar of Nevada.

6. The term of office of each appointive member of the permanent Commission, except the first members, is 4 years. Each appointing authority shall appoint one of the members first appointed for a term of 2 years. If a vacancy occurs, the appointing authority shall fill the vacancy for the unexpired term. The additional members of a temporary commission ~~shall~~ *must* be appointed when a vacancy occurs, and their terms ~~shall~~ expire when the nominations for such vacancy have been transmitted to the Governor.

7. An appointing authority shall not appoint to the permanent Commission more than:

(a) One resident of any county.

(b) Two members of the same political party.

↪ No member of the permanent Commission may be a member of ~~at~~ *the* Commission on Judicial Discipline.

8. After the expiration of 30 days from the date on which the Commission on Judicial Selection has delivered to him its list of nominees for any vacancy, if the Governor has not made the appointment required by this Section, he shall make no other appointment to any public office until he has appointed a justice or judge from the list submitted.

~~[↪ If a commission on judicial selection is established by another section of this Constitution to nominate persons to fill vacancies on the Supreme Court, such commission shall serve as the permanent Commission established by subsection 3 of this Section.]~~

And be it further

RESOLVED, That Section 21 of Article 6 of the Nevada Constitution be amended to read as follows:

Sec. 21. 1. A justice of the Supreme Court, *a judge of the court of appeals, if established by the Legislature*, a district judge, a justice of the peace or a municipal judge may, in addition to the provision of Article 7 for impeachment, be censured, retired, removed or otherwise disciplined by the Commission on Judicial Discipline. Pursuant to rules governing appeals adopted by the Supreme Court, a justice or judge may appeal from the action of the Commission to the Supreme Court, which may reverse such action or take any alternative action provided in this subsection.

2. The Commission is composed of:

- (a) Two justices or judges appointed by the Supreme Court;
- (b) Two members of the State Bar of Nevada, a public corporation created by statute, appointed by its Board of Governors; and
- (c) Three persons, not members of the legal profession, appointed by the Governor.

↪ The Commission shall elect a Chairman from among its three lay members.

3. If at any time the State Bar of Nevada ceases to exist as a public corporation or ceases to include all attorneys admitted to practice before the courts of this State, the Legislature shall provide by law, or if it fails to do so the *Supreme* Court shall provide by rule, for the appointment of attorneys at law to the positions designated in this Section to be occupied by members of the State Bar of Nevada.

4. The term of office of each appointive member of the Commission, except the first members, is 4 years. Each appointing authority shall appoint one of the members first appointed for a term of 2 years. If a vacancy occurs, the appointing authority shall fill the vacancy for the unexpired term. An appointing authority shall not appoint more than one resident of any county. The Governor shall not appoint more than two members of the same political party. No member may be a member of a commission on judicial selection.

5. The Legislature shall establish:

(a) In addition to censure, retirement and removal, the other forms of disciplinary action that the Commission may impose;

(b) The grounds for censure and other disciplinary action that the Commission may impose, including, but not limited to, violations of the provisions of the Code of Judicial Conduct;

(c) The standards for the investigation of matters relating to the fitness of a justice or judge; and

(d) The confidentiality or nonconfidentiality, as appropriate, of proceedings before the Commission, except that, in any event, a decision to censure, retire or remove a justice or judge must be made public.

6. The Supreme Court shall adopt a Code of Judicial Conduct.

7. The Commission shall adopt rules of procedure for the conduct of its hearings and any other procedural rules it deems necessary to carry out its duties.

8. No justice or judge may by virtue of this section be:

(a) Removed except for willful misconduct, willful or persistent failure to perform the duties of his office or habitual intemperance; or

(b) Retired except for advanced age which interferes with the proper performance of his judicial duties, or for mental or physical disability which prevents the proper performance of his judicial duties and which is likely to be permanent in nature.

9. Any matter relating to the fitness of a justice or judge may be brought to the attention of the Commission by any person or on the motion of the Commission. The Commission shall, after preliminary investigation, dismiss the matter or order a hearing to be held before it. If a hearing is ordered, a statement of the matter ~~shall~~ *must* be served upon the justice or judge against whom the proceeding is brought. The Commission in its discretion may suspend a justice or judge from the exercise of his office pending the determination of the proceedings before the Commission. Any justice or judge whose removal is sought is liable to indictment and punishment according to law. A justice or judge retired for disability in accordance with this Section is entitled thereafter to receive such compensation as the Legislature may provide.

10. If a proceeding is brought against a justice of the Supreme Court, no justice of the Supreme Court may sit on the Commission for that proceeding. *If a proceeding is brought against a judge of the court of appeals, no judge of the court of appeals may sit on the Commission for that proceeding.* If a proceeding is brought against a district judge, no district judge from the same judicial district may sit on the Commission for that proceeding. If a proceeding is brought against a justice of the peace, no justice of the peace from the same township may sit on the Commission for that proceeding. If a proceeding is brought against a municipal judge, no municipal judge from the same city may sit on the Commission for that proceeding. If an appeal is taken from an action of the Commission to the Supreme Court, any justice who sat on the Commission for that proceeding is disqualified from participating in

the consideration or decision of the appeal. When any member of the Commission is disqualified by this subsection, the Supreme Court shall appoint a substitute from among the eligible judges.

11. The Commission may:

(a) Designate for each hearing an attorney or attorneys at law to act as counsel to conduct the proceeding;

(b) Summon witnesses to appear and testify under oath and compel the production of books, papers, documents and records;

(c) Grant immunity from prosecution or punishment when the Commission deems it necessary and proper in order to compel the giving of testimony under oath and the production of books, papers, documents and records; and

(d) Exercise such further powers as the Legislature may from time to time confer upon it.

And be it further

RESOLVED, That Section 3 of Article 7 of the Nevada Constitution be amended to read as follows:

~~Sec.~~ Sec. 3. For any reasonable cause to be entered on the journals of each House, which may ~~or~~ or may not be sufficient grounds for impeachment, the ~~Chief Justice and associate~~ justices of the Supreme Court, *the judges of the court of appeals, if established by the Legislature*, and *the judges of the district courts* ~~shall~~ must be removed from office on the vote of two thirds of the members elected to each branch of the Legislature. ~~and the~~ The justice or judge complained of ~~shall~~ must be served with a copy of the complaint against him ~~and shall~~ and have an opportunity of being heard in person or by counsel in his defense. ~~provided, that no~~ No member of either branch of the Legislature ~~shall be~~ is eligible to fill the vacancy occasioned by such removal.

And be it further

RESOLVED, That Section 8 of Article 15 of the Nevada Constitution be amended to read as follows:

~~Sec.~~ Sec. 8. The Legislature shall provide for the speedy publication of all statute laws of a general nature ~~and~~ and such decisions of the Supreme Court ~~and the court of appeals, if established by the Legislature~~, as it may deem expedient. ~~and all~~ All laws and judicial decisions ~~shall~~ must be free for publication by any person. ~~provided, that no~~ No judgment of the Supreme Court *or the court of appeals* shall take effect and be operative until the opinion of the court in such case ~~shall be~~ is filed with the clerk of said court.

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

Motion carried.

By Senator Lee:

Senate Concurrent Resolution No. 17—Urging the Governor to name the new Department of Motor Vehicles building in North Las Vegas after former Speaker of the Assembly Paul W. May, Jr.

Senator Lee moved that the resolution be referred to the Committee on Legislative Affairs and Operations.

Motion carried.

Senator Washington moved that Senate Bill No. 195 be rereferred to the Committee on Judiciary.

Remarks by Senator Washington.

Motion carried.

## INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Finance:

Senate Bill No. 439—AN ACT making an appropriation to the Center for Rural Health at Great Basin College for construction projects; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 440—AN ACT making an appropriation to the Challenger Learning Center of Northern Nevada; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 441—AN ACT making an appropriation to Ridge House, Inc., for reintegration services and counseling for persons released from the Department of Corrections; 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. 442—AN ACT making an appropriation to the Nevada Discovery Museum in Reno for capital construction and initial operating 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. 443—AN ACT making an appropriation to the Nevada Cancer Institute for research, community outreach and education, and expansion of laboratory and clinical space; 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. 444—AN ACT making a supplemental appropriation to the Office of the Governor for terminal leave and other 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. 445—AN ACT making an appropriation to the Foundation for Positively Kids to provide day care and other services for medically fragile children; 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. 446—AN ACT making an appropriation to the Chinese Workers' Museum in Carson City for costs associated with the planning and design, and the construction and operation, of the proposed Chinese Workers' Museum of America; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 447—AN ACT relating to the Charter of Carson City; revising the authority of Carson City to provide water service; increasing the number of persons employed in the Office of the Sheriff of Carson City who are exempt from the Merit Personnel System; providing that in a vacancy in the Office of Mayor that the Mayor Pro Tempore shall serve as Mayor until the next general election; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 448—AN ACT relating to taxation; revising provisions governing certain appeals to the Nevada Tax Commission; 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 Transportation and Homeland Security:

Senate Bill No. 449—AN ACT relating to motor vehicles; revising the provisions governing certain children who must be secured in a child restraint system when being transported in a motor vehicle; 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. 450—AN ACT relating to transportation; establishing a regional advisory committee in each county whose population is 400,000 or more to advise the Department of Transportation on certain issues relating to oversized and overweight vehicles; removing the authority of a city or county to issue permits to operate oversized or overweight vehicles on the highways of this State; providing that the Department may adopt regulations limiting the movement of oversized or overweight vehicles; prohibiting a local authority from enacting an ordinance requiring a permit to operate a vehicle; 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. 451—AN ACT relating to motor vehicles; requiring the preparation and filing of certain reports by certain charitable organizations in connection with certain special license plates; requiring the Commission on Special License Plates to consider applications for special license plates in chronological order; 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. 452—AN ACT relating to motor vehicles; requiring inspections for certain vehicles to ensure their roadworthiness; amending criteria which may be used to deny, revoke or refuse to renew a license; amending provisions relating to surety bonds provided by brokers, manufacturers, distributors, rebuilders and dealers; requiring a driving school to inspect its vehicles annually; increasing penalties for a violation of rules and regulations regarding driving schools; increasing the penalties for selling a vehicle with an altered odometer; amending provisions relating to the wrecking and salvaging of vehicles; amending the procedures for a transfer of ownership in a vehicle by a junk certificate; 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 the Committee on Finance:

Senate Bill No. 453—AN ACT relating to problem gambling; revising the provisions relating to the duties of the Advisory Committee on Problem Gambling; revising the provisions relating to the use of money in the Revolving Account to Support Programs for the Prevention and Treatment of Problem Gambling; 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. 454—AN ACT relating to state financial administration; revising the dates upon which certain uncommitted funds from prior transfers and appropriations must be reverted; 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. 455—AN ACT relating to the Nevada System of Higher Education; authorizing the Board of Regents of the University of Nevada to issue revenue bonds to finance the construction of student housing and parking facilities at Nevada State College; increasing the total authorized amount of revenue bonds that the Board of Regents may issue for certain projects and facilities within the System; expanding the authorized scope of certain such projects; 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. 456—AN ACT relating to technology; extending the date for the reversion of a portion of the appropriation made by the 2005 Legislature to the Department of Administration for the digital microwave project; 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. 457—AN ACT relating to local financial administration; authorizing the creation of a trust fund for the management of certain retirement benefits provided by a local government; providing for the administration and investment of such a trust 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. 458—AN ACT making appropriations to the Department of Health and Human Services for replacement computers; 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. 459—AN ACT making an appropriation to the Purchasing Division of the Department of Administration for costs associated with the Commodity Supplemental Food 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. 460—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 the Committee on Finance:

Senate Bill No. 461—AN ACT making an appropriation to the Legislative Fund for various projects of the Legislature and the Legislative Counsel Bureau; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 462—AN ACT making an appropriation to the Office of Veterans' Services for the Veterans' Home Account; 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. 463—AN ACT making an appropriation to the Department of Taxation for continued development and implementation of the Unified Tax System; 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. 464—AN ACT making an appropriation to the Disaster Relief Account; 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. 465—AN ACT relating to the Legislature; requiring the Fiscal Analysis Division of the Legislative Counsel Bureau to prepare a legislative proposal for the budget for the State Government; requiring the Chief of the Budget Division of the Department of Administration to provide certain information to the Fiscal Analysis Division of the Legislative Counsel Bureau; repealing the provision that creates the Budget Subcommittee of the Legislative Commission; 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. 466—AN ACT making appropriations to restore the balance in the Contingency 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. 467—AN ACT making an appropriation to the Office of the Attorney General for data storage equipment; 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. 468—AN ACT making a supplemental appropriation to the Office of Veterans' Services for unanticipated shortfalls in Fiscal

Year 2006-2007 for personnel services and 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. 469—AN ACT relating to the Abandoned Property Trust Fund; increasing the amount of the annual transfer of money from the Abandoned Property Trust Fund to the Millennium Scholarship Trust 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. 470—AN ACT relating to state financial administration; extending the reversion date of the appropriation made during the 73rd Session of the Nevada Legislature to the Interim Finance Committee for allocation to the Department of Business and Industry for the Integrated Consumer Affairs Tracking System; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 471—AN ACT relating to public safety; requiring incarcerated sex offenders and offenders convicted of a crime against a child to register with a local law enforcement agency before being released from prison; requiring sex offenders and offenders convicted of a crime against a child who have not provided a biological specimen to provide a biological specimen at the time of registration with a local law enforcement agency; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 472—AN ACT relating to employment agencies; clarifying the provisions governing the licensing requirements for employment agencies; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 473—AN ACT relating to interpreters; requiring the Office of Disability Services of the Department of Health and Human Services to regulate the practice of interpreting and the practice of realtime captioning; changing the name and membership of the Advisory Committee on Deaf and Hard of Hearing Persons; revising the provisions governing the appointment of an interpreter by a court, magistrate or other person presiding over a judicial or other proceeding; requiring that the surcharge imposed on certain telephone services be sufficient to cover the costs of the Office to regulate the practice of interpreting and the practice of realtime captioning; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 474—AN ACT relating to health care; limiting the liability of a public agency that pays for the services of a personal assistant for a person with a disability; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 475—AN ACT relating to insurance; requiring an insurance company that transacts motor vehicle insurance in this State to include in each policy of insurance certain provisions relating to reimbursement and payments for injuries arising out of the maintenance or use of a motor vehicle; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 476—AN ACT relating to business; providing for the licensing and regulation of exchange facilitators by the Division of Financial Institutions of the Department of Business and Industry; providing for the licensing and regulation of payroll service providers by the Division; authorizing the Division to charge and collect fees in certain circumstances; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 477—AN ACT relating to time shares; providing for the issuance of a provisional sales agent's license by the Real Estate Division of the Department of Business and Industry; setting forth limitations governing such a license; and providing other matters properly relating thereto.

Senator Townsend moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Commerce and Labor.

Remarks by Senator Townsend.

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 478—AN ACT relating to taxation; authorizing an appeal of the assessed valuation of property by any aggrieved property owner or by a group of persons on behalf of a class of similar property owners; revising the provisions governing actions for the recovery of property taxes paid under protest; 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 Judiciary:

Senate Bill No. 479—AN ACT relating to court masters; requiring a master appointed by a justice court to possess qualifications that are at least equal to those of the justice of the peace for the township in which the master is appointed; and providing other matters properly relating thereto.

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

Motion carried.

#### SECOND READING AND AMENDMENT

Senate Bill No. 101.

Bill read second time and ordered to third reading.

Senate Bill No. 119.

Bill read second time and ordered to third reading.

Senate Bill No. 227.

Bill read second time and ordered to third reading.

Assembly Bill No. 32.

Bill read second time and ordered to third reading.

#### MOTIONS, RESOLUTIONS AND NOTICES

Senator Raggio moved that Senate Bill No. 175; Assembly Joint Resolution No. 10 of the 73rd Session be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

Senator Raggio moved that the Senate recess until 3 p.m.  
Motion carried.

Senate in recess at 11:46 a.m.

#### SENATE IN SESSION

At 3:30 p.m.  
President Krolicki presiding.  
Quorum present.

#### MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Natural Resources:

Senate Joint Resolution No. 10—Expressing support for the designation of trails for off-highway vehicles by certain federal agencies.

Senator McGinness moved that the resolution be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Natural Resources:

Senate Joint Resolution No. 11—Encouraging the use of biomass in the production of energy in Nevada and encouraging certain activities relating to that production.

Senator McGinness moved that the resolution be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Natural Resources:

Senate Joint Resolution No. 12—Expressing disapproval of recent civil actions filed against local ranchers and the Bureau of Land Management in the management of public rangelands and the issuance of grazing permits for those public rangelands.

Senator McGinness moved that the resolution be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Natural Resources:

Senate Joint Resolution No. 13—Urging Congress to provide additional appropriations or any other form of assistance to federal agencies and the State of Nevada for the prevention and suppression of wildfires and the rehabilitation of public rangelands destroyed by wildfires in Nevada.

Senator McGinness moved that the resolution be referred to the Committee on Natural Resources.

Motion carried.

By the Committee on Human Resources and Education:

Senate Concurrent Resolution No. 18—Expressing support for vocational rehabilitation programs and services in this State.



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

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation and Homeland Security:

Senate Bill No. 480—AN ACT relating to motor vehicles; requiring the Legislative Auditor to conduct an audit to determine whether the money that is received from the additional fees that are charged for the issuance and renewal of special license plates is being used for the specific purposes intended by law; 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. 481—AN ACT relating to motor vehicles; providing that the Legislature pledges to have special license plates approved by the Commission on Special License Plates; 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. 482—AN ACT relating to public transit; requiring certain private operators of a public transit system to compile and submit certain information to the Legislature; 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 Judiciary:

Senate Bill No. 483—AN ACT relating to business; revising provisions relating to corporations; revising the provisions relating to the reinstatement, renewal or revival of certain business associations; revising provisions relating to limited-liability companies; revising the applicability of the Uniform Partnership Act (1997); revising provisions relating to professional corporations and associations; revising provisions relating to the exemption of certain property of judgment debtors from attachment or execution; requiring financing statements of a transmitting utility to be filed in the Office of the Secretary of State; revising provisions relating to a trustee's power of sale involving real property; revising provisions relating to the prohibition of certain acts by certain personnel of a common-interest community; making various other changes relating to business; 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 Natural Resources:

Senate Bill No. 484—AN ACT relating to land use; creating the position of Rural Land Use Planner within the Division of State Lands of the State Department of Conservation and Natural Resources; setting forth the powers and duties of the Rural Land Use Planner; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 485—AN ACT relating to water; requiring a county to relinquish certain water rights to the State Engineer under certain circumstances; amending the program established by the State Engineer to allow a public water system to receive credits for the addition of certain customers to the system; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 486—AN ACT relating to agriculture; makes various changes concerning brands and marks; clarifying that a person who has the legal authority to act on behalf of the deceased owner of a brand or mark may transfer the ownership of the brand or mark under certain conditions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 487—AN ACT relating to water; providing for the regional acquisition, development, management and conservation of water resources in certain portions of Washoe County; creating the Northern Nevada Water Authority; setting forth the powers and duties of the Authority; creating the Northern Nevada Water Planning Commission to advise and assist the Authority; repealing provisions relating to regional planning and management of water in certain counties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 488—AN ACT making an appropriation to the State Department of Agriculture for control or abatement of weeds in this State; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 489—AN ACT relating to elections; prohibiting a person from threatening or intimidating a person who is gathering signatures on a petition; requiring complaints to be made within 3 days after the alleged violation; requiring the Secretary of State or the First Judicial District Court to extend the period for gathering signatures on a petition upon finding a violation; providing for the payment of reasonable fees and costs to a complaining party; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 490—AN ACT relating to the Legislature; revising provisions governing the prefiling, reprinting and transmittal of bills and resolutions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 491—AN ACT relating to persons with disabilities; establishing the preferred manner of referring to such persons in Nevada Revised Statutes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 492—AN ACT relating to elections; requiring county clerks to conduct a count by hand of certain ballots in a certain number of precincts for designated races at each primary election and general election; creating a committee within the office of the Secretary of State to determine designated margins of difference that are acceptable between counts by hand

and the counts that are electronically tabulated; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 493—AN ACT relating to elections; making various changes concerning voter registration and voting procedures for certain members of the Armed Forces of the United States and their family members and certain other voters who reside outside the United States; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 494—AN ACT relating to elections; increasing the number of reports of campaign contributions and expenditures that candidates for certain offices and certain other persons must file; revising the periods of reporting that the candidates and other persons must include in each of those reports; providing that the reports shall be deemed to be filed on the dates the appropriate officer receives the reports; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 495—AN ACT relating to ethics in government; clarifying the jurisdiction of the Commission on Ethics; revising the restrictions concerning the employment of certain former public officers or employees; authorizing the Executive Director of the Commission to prescribe duties of the Commission Counsel; imposing a 3-year statute of limitations for enforcement of ethics violations; revising certain time limits associated with investigating requests for opinions and rendering opinions; revising provisions concerning the filing of disclosures of certain representation and ethics acknowledgments; revising the penalty for the acceptance or receipt of an honorarium; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 496—AN ACT relating to the Open Meeting Law; exempting the State Board of Pardons Commissioners and the State Board of

Parole Commissioners from the requirements of the Open Meeting Law in certain circumstances; allowing the State Board of Parole Commissioners to review certain reports and data relating to a prisoner without the prisoner's consent; prohibiting a cause of action for the disclosure of confidential information during a public meeting of the State Board of Parole Commissioners; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 497—AN ACT relating to public facilities; authorizing the use of the proceeds of the residential construction tax for the maintenance of neighborhood parks; authorizing the boards of county commissioners of certain larger counties to adopt procedures for the sale of the naming rights to a park or recreational facility owned by the county; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 498—AN ACT relating to water districts; revising the authority of the Virgin Valley Water District to borrow money and incur indebtedness; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 499—AN ACT relating to school facilities; revising provisions governing the approval of certain plans, designs and specifications for, and the inspection of the construction and renovation of, school buildings; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 500—AN ACT relating to insurance; authorizing legal services organizations to contract with local governmental agencies for the provision of 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 the Committee on Taxation:

Senate Bill No. 501—AN ACT relating to taxation; providing various exemptions for nonprofit entities that provide emergency medical services; 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. 502—AN ACT relating to taxes on retail sales; revising various provisions governing sales and use taxes to ensure continued compliance with the Streamlined Sales and Use Tax Agreement; providing for the submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to repeal a tax exemption for the sale of aircraft and major components of aircraft to an airline based in Nevada and to authorize the Legislature to amend or repeal a provision of that Act without additional voter approval when necessary to carry out a federal law or interstate agreement for the administration of sales and use taxes; repealing certain obsolete provisions for the administration of sales and use taxes; 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. 503—AN ACT relating to state revenue; requiring the payment of a penalty and interest for failure to pay to the Department of Taxation required licensing fees for exhibitions in a timely manner; 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. 504—AN ACT relating to state revenue; revising provisions governing the rate of interest paid on overpayments of certain taxes, fees and assessments; 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. 505—AN ACT relating to taxes; requiring a certain portion of the proceeds of the basic governmental services tax to be deposited with the State Treasurer for credit to the Trust Fund for the Control of

Weeds; increasing the basic governmental services tax; creating the Trust Fund for the Control of Weeds; providing for the administration of the Fund; creating the Board of Trustees for the Fund; providing for its membership; setting forth the duties of the Board; 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. 506—AN ACT relating to taxation; revising the manner in which moist snuff is taxed in this State; revising the rate of the tax credit for unsold moist snuff upon which the tax has been paid; 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 Government Affairs:

Senate Bill No. 507—AN ACT relating to public works; authorizing certain additional public bodies to negotiate with the lowest responsive and responsible bidder to obtain a revised bid on a contract for a public work in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 508—AN ACT relating to the Department of Information Technology; creating the Office of Information Security within the Department; requiring the Director of the Department to adopt certain regulations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 509—AN ACT relating to state financial administration; requiring state agencies to advertise for proposals before entering into certain lease-purchase and installment-purchase agreements; making various other changes to provisions relating to lease-purchase and installment-purchase agreements; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 510—AN ACT relating to local governments; clarifying that a governing body of a city or county may adopt a measure limiting the number of residential or nonresidential units that may be constructed in the city or county; imposing certain requirements relating to the adoption of such measures; making various other changes relating to such measures and local financial administration; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 511—AN ACT relating to state financial administration; revising provisions governing deposits of public money; revising provisions governing oversight by the State Treasurer of certain depositories of public money; abolishing the Account for Travel Advances; transferring certain duties relating to travel advances from the State Treasurer to the State Controller; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 512—AN ACT relating to cities; authorizing the governing bodies of incorporated cities to enter into lease-purchase agreements for the construction or remodeling of buildings or facilities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 513—AN ACT relating to information systems; creating the position of Coordinator of Geographic Information Systems for Natural Resources within the State Department of Conservation and Natural Resources; creating the Fund for Natural Resource Agencies; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 514—AN ACT relating to state parks; establishing Monte Cristo State Park in Esmeralda County, Nevada; providing for the administration of the Park; requiring the Administrator of the Division of



State Parks of the State Department of Conservation and Natural Resources to enter into negotiations to purchase, lease or otherwise acquire land for the Park; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 515—AN ACT relating to public financial administration; providing a declaration of legislative intent regarding the use of lease-purchase and installment-purchase agreements by state and local governmental entities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 516—AN ACT relating to public officers; revising the limitation on the amount at which the annual salary for county commissioners may be set; increasing the compensation of certain elected county officers; providing for a waiver from payment of those increases in certain circumstances; clarifying the eligibility of county commissioners for longevity pay; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 517—AN ACT relating to state financial administration; requiring that certain payments made to agencies of this State be made electronically; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 518—AN ACT relating to state financial administration; revising provisions relating to work programs; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 519—AN ACT relating to abandoned property; making various changes to provisions governing the annual reporting of property

presumed abandoned; renaming the Abandoned Property Trust Fund as the Abandoned Property Trust Account and creating the Account in the State General Fund; revising provisions governing transfers from the Account; 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 Government Affairs:

Senate Bill No. 520—AN ACT relating to state financial administration; requiring that certain changes in the scope of installment-purchase and lease-purchase agreements entered into by the State or one of its agencies be approved by the Legislature or Interim Finance Committee; defining what constitutes a change in the scope of such an agreement; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 521—AN ACT relating to state financial administration; authorizing the Nevada System of Higher Education to carry forward and use unexpended appropriations for need-based scholarships and financial aid for students; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 522—AN ACT making appropriations for the provision of various health care services; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 523—AN ACT making an appropriation to the Division of Health Care Financing and Policy of the Department of Health and Human Services for services to Medicaid recipients with traumatic brain injuries; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 524—AN ACT relating to health care; increasing the rate of Medicaid reimbursements for hospitals; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 525—AN ACT relating to education; making appropriations to the Western Interstate Commission for Higher Education and the Department of Education for various programs for teachers of students who are deaf or hard of hearing; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 526—AN ACT making appropriations to the Nevada System of Higher Education and the Orvis Nursing Clinic of the University of Nevada, Reno, for the expansion of nursing programs and health care services; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 527—AN ACT making appropriations to the Department of Health and Human Services for expenses relating to the annual salary of the State Dental Health Officer and for expenses relating to a grant program to enhance statewide wellness programs to reduce chronic diseases in this State; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 528—AN ACT relating to health savings accounts; providing for an incremental reduction in certain excise taxes payable by financial institutions and other employers that contribute to health savings accounts for their employees; revising certain statutory references to medical savings accounts to instead refer to health savings accounts; 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 Human Resources and Education:

Senate Bill No. 529—AN ACT relating to Medicaid; revising certain provisions concerning the recovery from recipients or third parties of certain costs for Medicaid paid by the Department of Health and Human Services; revising certain provisions concerning liability for the submission of a false claim to the State or a local government; 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. 530—AN ACT relating to public health; creating the Task Force for a Methamphetamine Free Nevada to award grants of money for the eradication of methamphetamine; creating a Technical Advisory Committee to assist the Task Force; making appropriations for certain treatment facilities, treatment programs and community triage centers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 531—AN ACT relating to mental health; requiring the Division of Mental Health and Developmental Services of the Department of Health and Human Services to provide copies of reports concerning serious incidents involving clients to certain agencies; 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. 532—AN ACT relating to public welfare; providing for the presumptive eligibility for Medicaid of certain applicants for assistance under the Supplemental Security Income Program; eliminating the county contribution to a certain program approved by a waiver for the State Plan for Medicaid; restoring former provisions concerning the use of money in the Supplemental Account for Medical Assistance to Indigent Persons; making appropriations; 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. 533—AN ACT relating to county hospitals; revising the manner of creation of the board of hospital trustees in certain larger counties; revising the powers and duties of the board of hospital trustees in such counties; requiring certain reviews of the county hospital in such counties; requiring the Legislative Auditor to conduct a performance audit of the University Medical Center of Southern Nevada; 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. 534—AN ACT relating to public schools; authorizing the superintendent of schools of a school district to extend the jurisdiction of school police officers for the purpose of issuing citations for traffic violations; 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. 535—AN ACT relating to education; revising provisions relating to alternative programs for pupils at risk of dropping out of school, programs of distance education and independent study and certain other educational programs; 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. 536—AN ACT relating to public health; exempting certain entities that comply with the provisions of federal law governing the electronic transmission of certain health information from provisions of state law that provide more stringent privacy requirements; 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.

Mr. President announced that if there were no objections, the Senate would recess subject to the call of the Chair.

Senate in recess at 3:40 p.m.

SENATE IN SESSION

At 3:51 p.m.

President Krolicki presiding.

Quorum present.

Senator Raggio moved that the Senate recess until 5 p.m.

Motion carried.

Senate in recess at 3:52 p.m.

SENATE IN SESSION

At 5:17 p.m.

President Krolicki presiding.

Quorum present.

REPORTS OF COMMITTEES

*Mr. President:*

Your Committee on Government Affairs, to which was referred Assembly Bill No. 48, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

WARREN B. HARDY II, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Human Resources and Education:

Senate Joint Resolution No. 14—Urging Congress to lower the age of eligibility for Medicare coverage.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Joint Resolution No. 15—Urging the President and Congress to continue to support the participation of the Republic of China on Taiwan in the World Health Organization.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Joint Resolution No. 16—Urging the President and Congress to support a free trade agreement between the Republic of China on Taiwan and the United States.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Joint Resolution No. 17—Urging Congress to enact the Resident Physician Shortage Reduction Act of 2007.

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

Motion carried.

By the Committee on Government Affairs:

Senate Joint Resolution No. 18—Urging Congress to support a proposed off-highway vehicle park in Clark County.

Senator Hardy moved that the resolution be referred to the Committee on Natural Resources.

Motion carried.

#### INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce and Labor:

Senate Bill No. 537—AN ACT relating to finances; increasing the minimum amount of initial equities required to organize or incorporate certain businesses; requiring a majority of the members of the board of directors of a banking corporation organized under the laws of this State to be residents of this State; authorizing a family trust to act as a fiduciary only for certain persons; revising provisions governing the regulation of financial institutions, check-cashing services and installment and other short-term lenders; providing an incremental bond schedule for persons who are licensed to issue instruments for the transmission or payment of money; prohibiting a manager of a collection agency from holding himself out as a manager under certain circumstances; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 538—AN ACT relating to trade practices; making it unlawful for suppliers of goods or services and residential mortgages to engage in unconscionable trade practices; authorizing the Attorney General to institute certain civil proceedings to enforce provisions regulating deceptive trade practices and unconscionable trade practices; providing for the sharing of information and intelligence between the Attorney General and a state or federal investigative agency under certain circumstances; authorizing certain equitable relief to be sought by the Attorney General for violations of law relating to unfair trade practices; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 539—AN ACT relating to state financial administration; revising the distribution of federal money received by the State of Nevada from mineral leases on federal lands in this State; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 540—AN ACT relating to education; renaming the State Board of Education to the State Commission on Public Education; making the Commission an advisory body; revising the duties and powers of the Superintendent of Public Instruction and the Department of Education; revising provisions relating to the appointment of the Superintendent of Public Instruction; creating a Division of Accountability for Public Schools within the Department; making the Commission on Educational Excellence an advisory body; making the Commission on Educational Technology an advisory body; making the Council to Establish Academic Standards for Public Schools an advisory body; revising provisions relating to the regional training programs for the professional development of teachers and administrators; repealing the Legislative Bureau of Educational Accountability and Program Evaluation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 541—AN ACT relating to public health; making various changes concerning the policies and procedures of the Task Force for the Fund for a Healthy Nevada for administering and distributing contracts and grants; requiring the Task Force to develop policies and procedures for any subcommittee of or advisory group to the Task Force; 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 Judiciary:

Senate Bill No. 542—AN ACT relating to property; increasing the amount of the homestead exemption; 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 Human Resources and Education:

Senate Bill No. 543—AN ACT relating to counseling; establishing the practice of behavioral health counseling; creating the Board of Examiners for Behavioral Health Counseling; abolishing the Board of Examiners for Marriage and Family Therapists and the Board of Examiners for Alcohol, Drug and Gambling Counselors and transferring their duties and powers to the Board of Examiners for Behavioral Health Counseling; establishing the practice of professional counseling; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 544—AN ACT relating to programs for public employees; revising provisions governing the eligibility of retired officers and employees of certain local governments to participate in the Public Employees' Benefits Program; revising the composition of the Board of the Program; providing additional duties and reporting requirements for the Board; providing a procedure for the Board to collect certain debts; making other various changes relating to the Program; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 545—AN ACT relating to education; repealing the Commission on Educational Excellence and the Account for Programs for Innovation and the Prevention of Remediation; making an appropriation to the Department of Education to provide certain educational programs and assistance for school districts; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 546—AN ACT relating to financial transactions; revising provisions governing duties, licensing, bonding and regulation of an escrow agent and escrow agency; revising the provisions governing the licensing and regulation of mortgage brokers, mortgage bankers and mortgage agents; providing for the Commissioner to adopt regulations related to assessments and various costs related to legal and accounting services; revising certain provisions related to various foreign corporations complying with title 55 or 56 of NRS or chapter 80, 645A, 645B or 645E of NRS; requiring certain

holders of escrow to report specified information to the Division of Mortgage Lending and to carry out specified activities related to escrow for the sale or refinance of real property; 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 Legislative Operations and Elections:

Senate Bill No. 547—AN ACT relating to programs for public employees; making various changes regarding the management of the Public Employees' Benefits 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 Legislative Operations and Elections:

Senate Bill No. 548—AN ACT relating to public office; revising the provisions governing filing of financial disclosure forms by public officers; requiring certain statements advocating the election or defeat of a candidate for state or local office and published by persons receiving compensation from the candidates, opponents of the candidates or certain political groups to contain disclosures of certain information regarding that compensation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 549—AN ACT relating to elections; providing a procedure for a petition proposing a statute, an amendment to statute or an amendment to the Constitution to be placed on a ballot; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 550—AN ACT relating to revenue bonds; authorizing the State Board of Finance to issue revenue bonds payable from unclaimed property revenues; requiring that the proceeds of the bonds be used to fund the Research and Development Fund; creating the Research and Development Fund and setting forth its purposes; authorizing the Commission on Economic Development to create a nonprofit corporation to administer the Research and Development Fund; creating the Unclaimed Property Pledged Revenues Fund; revising provisions relating to the transfer

of money from the Abandoned Property Trust Fund to the Unclaimed Property Pledged Revenues Fund; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 551—AN ACT relating to school facilities; creating the Account for the Repair, Replacement and Renovation of School Buildings and Facilities; providing for the submission of applications by boards of trustees of certain smaller school districts for grants of money from the Account; prescribing the process for the review and approval of such applications; revising provisions governing the local tax for school facilities; abolishing the Fund to Assist School Districts in Financing Capital Improvements; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Human Resources and Education:

Senate Bill No. 552—AN ACT relating to health care; requiring certain health maintenance organizations to enter into contracts with hospitals in this State that are willing to accept the rate of reimbursement offered by Medicaid; requiring the Department of Health and Human Services to establish a program to provide certain information to the general public relating to hospitals in this State; requiring the Division of Insurance of the Department of Business and Industry to establish a program to provide certain information to the general public relating to health care plans in this State; 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 Judiciary:

Senate Bill No. 553—AN ACT relating to construction; providing an inspection and dispute resolution process for claimants and contractors, subcontractors, suppliers or design professionals; abolishing the State Contractors' Board and transferring the duties of the Board to the Nevada Construction Authority; creating and establishing the duties of the Contractor Licensing Commission and the Nevada Residential Construction Commission; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 554—AN ACT relating to state financial administration; clarifying provisions governing the fees that certain state agencies may charge persons who use credit cards, debit cards and electronic transfers of money to make payments to those agencies; repealing provisions governing the provision of certain services by such a state agency in an expeditious or convenient manner; eliminating the Account for Expedited Services in the State General Fund; and providing other matters properly relating thereto.

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

Motion carried.

UNFINISHED BUSINESS  
SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Concurrent Resolution No. 16; Assembly Bills Nos. 66, 199; Assembly Concurrent Resolution No. 15.

Senator Raggio moved that the Senate adjourn until Tuesday, March 27, 2007, at 11 a.m.

Motion carried.

Senate adjourned at 5:23 p.m.

Approved:

BRIAN K. KROLICKI  
*President of the Senate*

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