

THE ONE HUNDRED AND ELEVENTH DAY

CARSON CITY (Saturday), May 26, 2007

Senate called to order at 10:16 a.m.

President Krolicki presiding.

Roll called.

All present except Senator Nolan, who was excused.

Prayer by the Chaplain, Pastor Jeremy Morgado.

Dear heavenly Father,

I ask You today to grant each person in this Senate Your wisdom and Your understanding. I pray that You help each to discern what is right and needed for You to continue prosperity for this great State. I ask that You bless each member today. Bless their positions, bless their homes, and bless their families. Give each member the strength to endure and the patience to complete the needed task ahead. In Your Name, we 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.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, May 25, 2007

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bills Nos. 161, 182, 187, 198, 339, 340, 345, 400, 417, 419, 420, 430, 447, 451, 453, 456, 457, 470, 477, 481, 486, 491, 495, 500, 503, 504, 508, 511, 515, 518, 519, 520, 534, 557; Senate Joint Resolutions Nos. 4, 6, 10, 11, 12, 13, 15, 16, 17; Assembly Bill No. 624.

Also, I have the honor to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 5, Amendment No. 934; Senate Bill No. 69, Amendment No. 938; Senate Bill No. 84, Amendment No. 797; Senate Bill No. 101, Amendment No. 746; Senate Bill No. 106, Amendment No. 788; Senate Bill No. 117, Amendment No. 747; Senate Bill No. 131, Amendment No. 964; Senate Bill No. 136, Amendment No. 680; Senate Bill No. 146, Amendment No. 903; Senate Bill No. 171, Amendment No. 906; Senate Bill No. 200, Amendment No. 780; Senate Bill No. 202, Amendment No. 890; Senate Bill No. 203, Amendment No. 842; Senate Bill No. 222, Amendment No. 852; Senate Bill No. 228, Amendment No. 907; Senate Bill No. 289, Amendment No. 847; Senate Bill No. 298, Amendment No. 793; Senate Bill No. 307, Amendment No. 748; Senate Bill No. 310, Amendment No. 700; Senate Bill No. 314, Amendment No. 860; Senate Bill No. 320, Amendment No. 871; Senate Bill No. 374, Amendment No. 749; Senate Bill No. 394, Amendment No. 831; Senate Bill No. 398, Amendment No. 824; Senate Bill No. 403, Amendment No. 725; Senate Bill No. 409, Amendment No. 924; Senate Bill No. 425, Amendment No. 863; Senate Bill No. 432, Amendment No. 723; Senate Bill No. 450, Amendment No. 845; Senate Bill No. 452, Amendment No. 873; Senate Bill No. 483, Amendment No. 837; Senate Bill No. 487, Amendment No. 893; Senate Bill No. 497, Amendment No. 783; Senate Bill No. 498, Amendment No. 854; Senate Bill No. 502, Amendment No. 850; Senate Bill No. 509, Amendment No. 853; Senate Bill No. 529, Amendment No. 985; Senate Bill No. 535, Amendment No. 744; Senate Bill No. 536, Amendment No. 858; Senate Bill No. 548, Amendment No. 864; Senate Bill No. 549, Amendment No. 687; Senate Joint Resolution No. 3,

Amendment No. 923; Senate Joint Resolution No. 18, Amendment No. 666, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Assembly on this day concurred in the Senate Amendment No. 835 to Assembly Bill No. 54; Senate Amendment No. 801 to Assembly Bill No. 80; Senate Amendment No. 826 to Assembly Bill No. 176; Senate Amendment No. 814 to Assembly Bill No. 334; Senate Amendment No. 941 to Assembly Bill No. 463; Senate Amendment No. 825 to Assembly Bill No. 489; Senate Amendment No. 705 to Assembly Bill No. 512; Senate Amendment No. 818 to Assembly Bill No. 529.

Also, I have the honor to inform your honorable body that the Assembly on this day respectfully refused to concur in the Senate Amendment No. 757 to Assembly Bill No. 418.

LUCINDA BENJAMIN

Assistant Chief Clerk of the Assembly

INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 624.

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

Motion carried.

UNFINISHED BUSINESS

CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 356.

The following Assembly amendment was read:

Amendment No. 861.

"SUMMARY—Revises provisions relating to the protection of children from abuse and neglect. (BDR 38-1059)"

"AN ACT relating to the protection of children; ~~revising the process for determining whether action must be taken to ensure the safety of a child who has been placed in protective custody without the consent of the person responsible for the child's welfare;~~ *requiring the Division of Child and Family Services of the Department of Health and Human Services to adopt regulations establishing uniform standards for determining whether immediate action is necessary to protect a child; requiring the Legislative Commission to appoint a subcommittee to conduct a study relating to the placement of children in foster care;* and providing other matters properly relating thereto."

Legislative Counsel's Digest:

~~Existing law provides for the placement of a child in protective custody without the consent of the person responsible for the child's welfare. (NRS 432B.390) Section 1 of this bill provides that if a child is placed in protective custody pursuant to NRS 432B.390, the agency which provides child welfare services must, within 24 hours, conduct an assessment to determine if there is reasonable cause to believe that the child is in imminent risk of serious harm. If it is determined that the child is in imminent risk of serious harm, appropriate action must be taken to ensure the safety of the child. If it is determined that the child is not in imminent risk of serious harm, the child must be returned to the person responsible for the child's welfare and the person may be referred for welfare services available within the community.~~

Section 2 of this bill requires the Division of Child and Family Services of the Department of Health and Human Services to adopt regulations establishing reasonable and uniform standards for determining whether immediate action is necessary to protect a child from injury, abuse or neglect ~~and whether a child is in imminent risk of serious harm.~~ (NRS 432B.190)

Section 4 of this bill requires the Legislative Commission to appoint a subcommittee to conduct a study of issues relating to the placement of children in foster care and methods for reducing the number of children placed in foster care.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. ~~Chapter 432B of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~1.—Except as otherwise provided in subsection 2, within 24 hours after the placement of a child in protective custody pursuant to paragraph (a) of subsection 1 of NRS 432B.390, a designee of an agency which provides child welfare services shall conduct an assessment and determine whether the child is in imminent risk of serious harm. If it is determined that the child:~~

~~(a) Is not in imminent risk of serious harm:~~

~~(1) The child must be returned to the person responsible for the child's welfare; and~~

~~(2) The person responsible for the child's welfare may be referred to a family resource center for the coordination of services provided pursuant to NRS 430A.160 or any other public or private organization which provides social services for the prevention, identification and treatment of abuse or neglect of children.~~

~~(b) Is in imminent risk of serious harm, the agency shall take appropriate action to ensure the safety of the child.~~

~~2.—If the designee of an agency which provides welfare services refers the person responsible for the child's welfare pursuant to paragraph (a) of subsection 1, the person responsible for the child's welfare must, within a reasonable amount of time, provide proof that the person participated in the services for which the person was referred. If the person responsible for the child's welfare fails to provide such proof of participation, the designee of an agency which provides welfare services may deem the child in imminent risk of serious harm for purposes of this section and the agency may immediately take appropriate action to ensure the safety of the child.] (Deleted by amendment.)~~

Sec. 2. NRS 432B.190 is hereby amended to read as follows:

432B.190 The Division of Child and Family Services shall, in consultation with each agency which provides child welfare services, adopt:

1. Regulations establishing reasonable and uniform standards for:

(a) Child welfare services provided in this State;

(b) Programs for the prevention of abuse or neglect of a child and the achievement of the permanent placement of a child;

(c) The development of local councils involving public and private organizations;

(d) Reports of abuse or neglect, records of these reports and the response to these reports;

(e) Carrying out the provisions of NRS 432B.260, including, without limitation, the qualifications of persons with whom agencies which provide child welfare services enter into agreements to provide services to children and families;

(f) The management and assessment of reported cases of abuse or neglect;

(g) The protection of the legal rights of parents and children;

(h) Emergency shelter for a child;

(i) The prevention, identification and correction of abuse or neglect of a child in residential institutions;

(j) Evaluating the development and contents of a plan submitted for approval pursuant to NRS 432B.395;

(k) Developing and distributing to persons who are responsible for a child's welfare a pamphlet that is written in language which is easy to understand,

is available in English and in any other language the Division determines is appropriate based on the demographic characteristics of this State and sets forth:

(1) Contact information regarding persons and governmental entities which provide assistance to persons who are responsible for the welfare of children, including, without limitation, persons and entities which provide assistance to persons who are being investigated for allegedly abusing or neglecting a child;

(2) The procedures for taking a child for placement in protective custody; and

(3) The state and federal legal rights of:

(I) A person who is responsible for a child's welfare and who is the subject of an investigation of alleged abuse or neglect of a child, including, without limitation, the legal rights of such a person at the time an agency which provides child welfare services makes initial contact with the person in the course of the investigation and at the time the agency takes the child for placement in protective custody, and the legal right of such a person to be informed of any allegation of abuse or neglect of a child which is made against the person at the initial time of contact with the person by the agency; and

(II) Persons who are parties to a proceeding held pursuant to NRS 432B.410 to 432B.590, inclusive, during all stages of the proceeding; and

(1) Making the necessary inquiries required pursuant to NRS 432B.397 to determine whether a child is an Indian child . ~~and~~

2. Regulations, which are applicable to any person who is authorized to place a child in protective custody without the consent of the person responsible for the child's welfare, setting forth reasonable and uniform standards for establishing whether immediate action is necessary to protect the child from injury, abuse or neglect for the purposes of determining whether to place the child into protective custody pursuant to NRS 432B.390. Such standards must consider ~~the~~

~~(a) The availability of treatment and services to help prevent further abuse or neglect and to improve the environment of the child;~~

~~(b) The potential harm to the child in remaining in his home;~~

~~(c) The potential harm to the child if removed from his home;~~

~~(d) The nature and extent of existing or previous injuries, abuse or neglect and any evidence thereof; and~~

~~(e) Other relevant factors,~~ including, without limitation:

(a) Circumstances in which a threat of harm suggests that a child is in imminent danger of serious harm.

(b) The conditions or behaviors of the child's family which threaten the safety of the child who is unable to protect himself and who is dependent on others for protection, including, without limitation, conditions or behaviors that are beyond the control of the caregiver of the child and create an imminent threat of serious harm to the child.

↪ The Division of Child and Family Services shall ensure that the appropriate persons or entities to whom the regulations adopted pursuant to this subsection apply are provided with a copy of such regulations. As used in this subsection, "serious harm" includes the threat or evidence of serious physical injury, sexual abuse, significant pain or mental suffering, extreme fear or terror, extreme impairment or disability, death, substantial impairment or risk of substantial impairment to the child's mental or physical health or development.

3. ~~Regulations, which are applicable to any person who is responsible for an assessment conducted pursuant to section 1 of this act, setting forth reasonable and uniform standards for conducting the assessment and establishing whether a child is in imminent risk of serious harm for purposes of determining whether the child must remain in protective custody pursuant to section 1 of this act or other appropriate action to ensure the safety of the child. Such standards must consider:~~

~~(a) The availability of treatment and services to help prevent further abuse or neglect and to improve the environment of the child;~~

~~(b) The potential harm to the child in remaining in his home;~~

~~(c) The potential harm to the child if removed from his home;~~

~~(d) The nature and extent of existing or previous injuries, abuse or neglect and any evidence thereof;~~

~~(e) The age and vulnerability of the child, including, without limitation, if the child is identified as being affected by prenatal illegal substance abuse or as having withdrawal symptoms resulting from prenatal drug exposure;~~

~~(f) If the child was returned to the person responsible for the child's welfare pursuant to paragraph (a) of subsection 1 of section 1 of this act, whether the person responsible for the child's welfare participated in the services for which the person was referred; and~~

~~(g) Other relevant factors.~~

~~4. The Division of Child and Family Services shall ensure that the appropriate persons or entities to whom the regulations adopted pursuant to this subsection apply are provided with a copy of such regulations.~~

~~4.7 Such other regulations as are necessary for the administration of NRS 432B.010 to 432B.606, inclusive, and section 1 of this act.~~

Sec. 3. ~~[NRS 432B.390 is hereby amended to read as follows:~~

~~432B.390 1. An agent or officer of a law enforcement agency, an officer of the local juvenile probation department or the local department of juvenile services, or a designee of an agency which provides child welfare services:~~

~~(a) May place a child in protective custody without the consent of the person responsible for the child's welfare if he has reasonable cause to believe that immediate action is necessary to protect the child from injury, abuse or neglect. A designee of an agency which provides child welfare services shall commence an assessment pursuant to section 1 of this act within 24 hours after the placement of the child in protective custody.~~

~~(b) Shall place a child in protective custody upon the death of a parent of the child, without the consent of the person responsible for the welfare of the child, if the agent, officer or designee has reasonable cause to believe that the death of the parent of the child is or may be the result of an act by the other parent that constitutes domestic violence pursuant to NRS 33.018.~~

~~2. When an agency which provides child welfare services receives a report pursuant to subsection 2 of NRS 432B.630, a designee of the agency which provides child welfare services shall immediately place the child in protective custody [.] and commence an assessment pursuant to section 1 of this act within 24 hours after the placement of the child in protective custody.~~

~~3. If there is reasonable cause to believe that the death of a parent of a child is or may be the result of an act by the other parent that constitutes domestic violence pursuant to NRS 33.018, a protective custody hearing must be held pursuant to NRS 432B.470, whether the child was placed in protective custody or with a relative. If an agency other than an agency which provides child welfare services becomes aware that there is reasonable cause to believe that the death of a parent of a child is or may be the result of an act by the other parent that constitutes domestic violence pursuant to NRS 33.018, that agency shall immediately notify the agency which provides child welfare services and a protective custody hearing must be scheduled.~~

~~4. An agency which provides child welfare services shall request the assistance of a law enforcement agency in the removal of a child if the agency has reasonable cause to believe that the child or the person placing the child in protective custody may be threatened with harm.~~

~~5.—Before taking a child for placement in protective custody, the person taking the child shall show his identification to any person who is responsible for the child and is present at the time the child is taken. If a person who is responsible for the child is not present at the time the child is taken, the person taking the child shall show his identification to any other person upon request. The identification required by this subsection must be a single card that contains a photograph of the person taking the child and identifies him as a person authorized pursuant to this section to place a child in protective custody.~~

~~6.—A child placed in protective custody pending an investigation and a hearing held pursuant to NRS 432B.470 must be placed in a hospital, if the child needs hospitalization, or in a shelter, which may include a foster home or other home or facility which provides care for those children, but the child must not be placed in a jail or other place for detention, incarceration or residential care of persons convicted of a crime or children charged with delinquent acts.~~

~~7.—A person placing a child in protective custody pursuant to subsection 1 shall:~~

~~(a) Immediately take steps to protect all other children remaining in the home or facility, if necessary;~~

~~(b) Immediately make a reasonable effort to inform the person responsible for the child's welfare that the child has been placed in protective custody;~~

~~(c) Give preference in placement of the child to any person related within the third degree of consanguinity to the child who is suitable and able to provide proper care and guidance for the child, regardless of whether the relative resides within this State; and~~

~~(d) As soon as practicable, inform the agency which provides child welfare services and the appropriate law enforcement agency.~~

~~8.—If a child is placed with any person who resides outside this State, the placement must be in accordance with NRS 127.330.} (Deleted by amendment.)~~

Sec. 4. 1. The Legislative Commission shall appoint a subcommittee, consisting of three members of the Senate and three members of the Assembly, to conduct a study during the 2007-2009 interim concerning the placement of children in foster care.

2. The subcommittee appointed pursuant to subsection 1 shall, without limitation:

(a) Study the procedures and standards used in this State for placing children in foster care;

(b) Review the procedures and standards used in other states for placing children in foster care;

(c) Review and evaluate the standard for determining when to place a child in protective custody pursuant to NRS 432B.390;

(d) Address methods to reduce the number of foster care placements in this State, including, without limitation, the placement of children in group

foster homes, family foster homes, child welfare facilities and other facilities which house children who have been placed in foster care; and

(e) Study other issues relating to the placement of children in foster care.

3. Any recommendations for legislation proposed by the subcommittee must be approved by a majority of the members of the Senate and a majority of the members of the Assembly appointed to the subcommittee.

4. The Legislative Commission shall submit a copy of the final written report of the study and any recommendations for legislation to the Director of the Legislative Counsel Bureau for transmission to the 75th Session of the Nevada Legislature.

Sec. 5. 1. This section and section 4 of this act become effective on July 1, 2007.

2. Section 2 of this act becomes effective on October 1, 2007.

Senator Washington moved that the Senate concur in the Assembly amendment to Senate Bill No. 356.

Remarks by Senator Washington.

Motion carried by a constitutional majority.

Bill ordered enrolled.

Senate Bill No. 266.

The following Assembly amendment was read:

Amendment No. 862.

"SUMMARY—Requires the performance of tests for the human immunodeficiency virus for pregnant women and newborn children. (BDR 40-1063)"

"AN ACT relating to public health; requiring certain prenatal tests for pregnant women under certain circumstances; requiring certain tests for the human immunodeficiency virus for pregnant women and newborn children under certain circumstances; ~~granting a provider of health care immunity from civil and criminal liability and professional discipline under certain circumstances;~~ and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Section 6 of this bill requires a provider of health care to ensure that a woman receives, as part of the routine prenatal care recommended for all pregnant women during the first trimester of pregnancy, a test for the human immunodeficiency virus unless the woman chooses not to be tested. Section 6 requires a provider of health care to ensure that a pregnant woman receives a test for human immunodeficiency virus during her third trimester if she receives health care in a jurisdiction with a high prevalence of human immunodeficiency virus or acquired immunodeficiency syndrome among women of child-bearing age or in a high-risk clinical setting or if she reports that she has one or more of the risk factors identified by the Centers for Disease Control and Prevention, unless the woman chooses not to be tested. Section 6 also requires a provider of health care to ensure that a pregnant woman receives a rapid test for the human immunodeficiency virus during

childbirth if she has not been tested for the human immunodeficiency virus earlier during her pregnancy or the results of an earlier test are not available, unless the woman chooses not to be tested. If a rapid test is administered and the result of the rapid test is positive, the provider of health care must offer to initiate antiretroviral prophylaxis as soon as practicable without waiting for the results of any other test administered to confirm the result of the rapid test.

Section 7 of this bill requires a provider of health care who attends or assists at the delivery of a child to ensure that a test for the human immunodeficiency virus is performed on the child if the mother has not been tested for the human immunodeficiency virus earlier during her pregnancy or the results of an earlier test are not available, unless a parent *or legal guardian of the child* objects that performance of the test is contrary to the religious beliefs of the parent ~~[]~~ *or legal guardian*.

~~[Section 8 of this bill requires a provider of health care to ensure that, before a woman or newborn child receives any test set forth in this bill, the woman or parent of the newborn child receives a pamphlet informing them of their right to refuse the test.~~

~~Section 9 of this bill provides that a provider of health care is not subject to civil or criminal liability or disciplinary action solely for his violation of a provision of this bill.]~~

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 442 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this act.

Sec. 2. *As used in sections 2 to 9, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 3 and 4 of this act have the meanings ascribed to them in those sections.*

Sec. 3. *"Provider of health care" means:*

1. *A provider of health care as defined in NRS 629.031;*
2. *A midwife; and*
3. *An obstetric center licensed pursuant to chapter 449 of NRS.*

Sec. 4. *"Rapid test for the human immunodeficiency virus" or "rapid test" means a test that:*

1. *Is used to detect the presence of antibodies to the human immunodeficiency virus; and*
2. *Provides a result in 30 minutes or less.*

Sec. 5. 1. *Any test for the human immunodeficiency virus, including, without limitation, a rapid test, that is used to carry out the provisions of sections 2 to 9, inclusive, of this act must be approved by the United States Food and Drug Administration.*

2. *Each test administered to a woman or performed on a child pursuant to the provisions of sections 2 to 9, inclusive, of this act must be administered or performed in accordance with:*

(a) The provisions of chapter 652 of NRS and any regulations adopted pursuant thereto; and

(b) The Clinical Laboratory Improvement Amendments of 1988, Public Law No. 100-578, 42 U.S.C. § 263a, if applicable.

Sec. 6. 1. A provider of health care who provides prenatal care to a woman during the first trimester of her pregnancy shall ensure that the woman receives, at her first visit or as soon thereafter as practicable, the routine prenatal screening tests recommended for all pregnant women by the Centers for Disease Control and Prevention, including, without limitation, a screening test for the human immunodeficiency virus, unless the woman chooses not to have a screening test for the human immunodeficiency virus or any of the other prenatal screening tests.

2. A provider of health care who provides prenatal care to a woman during the third trimester of her pregnancy shall ensure that the woman receives, between the 27th and the 36th week of gestation or as soon thereafter as practicable, a test for the human immunodeficiency virus if she:

(a) Has not been tested for the human immunodeficiency virus earlier during her pregnancy or the results of an earlier test are not available; or

(b) Is at high risk for infection with the human immunodeficiency virus, unless the woman chooses not to have such a test.

3. A provider of health care who attends or assists a woman during childbirth shall:

(a) Ensure that the woman receives a rapid test for the human immunodeficiency virus if she has not been tested for the human immunodeficiency virus earlier during her pregnancy or the results of an earlier test are not available, unless the woman chooses not to have such a test; and

(b) If the rapid test is administered and the result of the rapid test is positive for the presence of antibodies to the human immunodeficiency virus, offer to initiate antiretroviral prophylaxis to reduce the risk of perinatal transmission of the human immunodeficiency virus as soon as practicable after receiving the result of the rapid test and without waiting for the results of any other test administered to confirm the result of the rapid test.

4. For the purposes of this section, a woman is at high risk for infection with the human immunodeficiency virus if she:

(a) Receives health care in:

(1) A jurisdiction that the Centers for Disease Control and Prevention has identified as having an elevated incidence of human immunodeficiency virus or acquired immunodeficiency syndrome among women between the ages of 15 and 45 years; or

(2) A health care facility that, under the standards of the Centers for Disease Control and Prevention, is considered a high-risk clinical setting because prenatal screening has identified at least one pregnant woman who is infected with the human immunodeficiency virus for each 1,000 pregnant women screened at the facility; or

(b) Reports having one or more of the risk factors for infection with the human immunodeficiency virus identified by the Centers for Disease Control and Prevention, including, without limitation:

(1) Engaging in sexual activities with more than one person during the pregnancy without using effective measures to protect against the transmission of the human immunodeficiency virus.

(2) Engaging in sexual activity with another person in exchange for money or other compensation.

(3) Engaging in sexual activity with another person who is infected with the human immunodeficiency virus or who has one or more of the risk factors for infection with the human immunodeficiency virus identified by the Centers for Disease Control and Prevention.

(4) Receiving treatment for a sexually transmitted disease.

(5) Using a controlled substance or a dangerous drug.

(6) Receiving a blood transfusion between 1978 and 1985, inclusive.

5. As used in this section, "dangerous drug" has the meaning ascribed to it in NRS 454.201.

Sec. 7. A provider of health care who attends or assists at the delivery of a child shall, if the mother has not been tested for the human immunodeficiency virus earlier during her pregnancy or the results of an earlier test are not available, ensure that a rapid test for the human immunodeficiency virus is performed on the child unless a parent or legal guardian of the child objects to the performance of the test because it is contrary to the religious beliefs of the parent ~~+~~ or legal guardian.

Sec. 8. ~~A provider of health care shall ensure that, before a woman or newborn child receives any test that is used to carry out the provisions of sections 2 to 9, inclusive, of this act:~~

~~1. The woman receives a pamphlet that informs her of her right not to have the test.~~

~~2. The parent of the newborn child receives a pamphlet that informs the parent of the parent's right to object to the performance of the test because it is contrary to the religious beliefs of the parent.] (Deleted by amendment.)~~

Sec. 9. ~~A provider of health care is not subject to civil or criminal liability or disciplinary action solely for his violation of a provision of sections 2 to 9, inclusive, of this act.] (Deleted by amendment.)~~

Senator Washington moved that the Senate do not concur in the Assembly amendment to Senate Bill No. 266.

Remarks by Senator Washington.

Motion carried.

Bill ordered transmitted to the Assembly.

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

Motion carried.

Senate in recess at 10:22 a.m.

SENATE IN SESSION

At 10:29 a.m.
President Krolicki presiding.
Quorum present.

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Bills Nos. 312, 315, 367.

Senator Raggio moved that the Senate adjourn until Tuesday, May 29, 2007, at 11 a.m.
Motion carried.

Senate adjourned at 10:32 a.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate