

THE FIFTIETH DAY

CARSON CITY (Monday), March 23, 2009

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

President Krolicki presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Chuck Durante.

We come before You, Holy Spirit, conscious of our weaknesses but aware that we gather in Your Name.

Come to us, remain with us and enlighten our hearts.

Give us light and strength to know Your will, to make it our own and to live it in our lives.

Guide us by Your wisdom, support us by Your power, for You are God.

You desire justice for all: enable us to uphold the rights of others, do not allow us to be misled by ignorance or corrupted by fear or favor.

Unite us to Yourself in the bond of love and keep us faithful to all that is true.

As we gather in Your Name, may we temper justice with love so that our decisions may be pleasing to You and earn the reward promised to good and faithful servants.

We make this prayer as Your humble and holy people.

AMEN.

Pledge of Allegiance to the Flag.

Senator Horsford 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 Judiciary, to which were referred Senate Bills Nos. 235, 274, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

TERRY CARE, *Chair*

Mr. President:

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

BOB COFFIN, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 19, 2009

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 17.

DIANE M. KEETCH

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Raggio, Amodei, Breedon, Care, Carlton, Cegavske, Coffin, Copening, Hardy, Horsford, Lee, Mathews, McGinness, Nolan, Parks, Rhoads, Schneider, Townsend, Washington, Wiener, Woodhouse;

Assemblymen Bobzien, Aizley, Anderson, Arberry, Atkinson, Buckley, Carpenter, Christensen, Claborn, Cobb, Conklin, Denis, Dondero Loop, Gansert, Goedhart, Goicoechea, Grady, Gustavson, Hambrick, Hardy, Hogan, Horne, Kihuen, Kirkpatrick, Koivisto, Leslie, Manendo, Mastroluca, McArthur, McClain, Mortenson, Munford, Ocegüera, Ohrenschall, Parnell, Pierce, Segerblom, Settelmeyer, Smith, Spiegel, Stewart and Woodbury:

Senate Concurrent Resolution No. 18—Commemorating the 50th anniversary of the Nevada Desert Research Institute.

WHEREAS, The Desert Research Institute was established by an act of the Nevada Legislature on March 23, 1959, to contribute to the security of the nation and to promote the general welfare of the State of Nevada and its residents through the development of educational and scientific research; and

WHEREAS, The Desert Research Institute is celebrating its 50th year as a leading institution for research in atmospheric, hydrologic, and earth and ecosystem sciences, with approximately 300 research projects at any given time on every continent; and

WHEREAS, While fostering and conducting fundamental scientific, economic, social and educational research for half a century, the Institute has made numerous milestone contributions to science and engineering; and

WHEREAS, The Desert Research Institute is ranked 19th in the nation by the National Science Foundation in environmental research and developmental expenditures; and

WHEREAS, Bringing scientific renown to the State of Nevada, the Institute's entrepreneurial, untenured research scientists conduct research worldwide from their main campuses in Reno and Las Vegas, while encouraging and fostering a desire in students to conduct research; and

WHEREAS, Desert Research Institute President Stephen G. Wells, Ph.D., has led the Institute through a decade of tremendous growth in research sciences pertaining to air, water, land and life; and

WHEREAS, Atmospheric physicist, John Hallett, Ph.D., is a Fellow of the American Meteorological Society, holds the Desert Research Institute's Edgar J. Marston Professorship of Atmospheric Physics, is a recipient of the Desert Research Institute's Dandini Medal of Science in 1995 and the University of Nevada Board of Regents' Researcher Award in 1998, and has brought great honor and distinction to himself, the Institute and the State of Nevada through his groundbreaking investigations of the properties of precipitation, particularly ice crystals, since joining the Institute in 1966; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the members of the 75th Session of the Nevada Legislature proclaim March 23, 2009, as a day in honor of the Nevada Desert Research Institute; and be it further

RESOLVED, That the Nevada Legislature commends the scientific goals and achievements of the Nevada Desert Research Institute and wishes the Institute continued success in scientific research and exploration and in the discovery and development of new talent to conduct research; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to Stephen G. Wells, Ph.D., President, Desert Research Institute, and John Hallett, Ph.D.

Senator Raggio moved the adoption of the resolution.

Remarks by Senator Raggio.

Senator Raggio requested that his remarks and excerpts from newspaper articles be entered in the Journal.

During each session of our Legislature, we have some recognition of the activities and efforts of the Desert Research Institute (DRI) with the awarding of the prestigious Nevada Medal. Today, it is particularly significant since we are taking a moment to commemorate the 50-year anniversary of the DRI in our State.

The Desert Research Institute had an inauspicious beginning. On March 23, 1959, the Nevada Legislature created the Institute to contribute to the security of the Nation and to promote the general welfare of the State of Nevada through the development of educational and scientific research.

I would like to refer to a few articles that appeared in two Nevada newspapers this week. They indicate the importance and the significance of the event.

I would like to quote from an article by Lenita Powers in the *Reno Gazette-Journal*.

"Many Nevadans may have no idea what the Desert Research Institute does, but the DRI, as it is called, has made a name for itself across the globe.

Its research scientists have helped protect China's priceless Terra Cotta Warriors from air pollution, found safe water sources for the people of Ghana, Africa, and traced the history of climate change by extracting ice cores in Greenland and Antarctica.

Several years ago, they unraveled the dangerous mystery of why M-16 rifles used by U.S. soldiers in Iraq kept jamming..."

The article explains there was much research done on the impact of dust on these essential arms for our soldiers in Iraq.

The article goes on to state, "This week, the DRI celebrates its 50th anniversary and its evolution from a fledging program with \$2.5 million in revenue to a research powerhouse with \$60 million in revenue in 2008."

I want to stress that amount because it flows from the meager support that we have, as a State, been able to give to the DRI. Significant effort has been used to increase its revenue through the use of state funding and through the use of grant money. Others have approached DRI for research projects. There is a great deal of prestige and recognition that this Institute has brought to this State and to the Higher Education System. It is beyond anything that we could have hoped for in 1959.

The article continues, "The research institute's legislative mandate was"... to contribute effectively to the security of the Nation and to promote the general welfare of the State of Nevada and its citizens through the development of educational and scientific research..."

I would like to quote from an article in the *Las Vegas Review Journal* written by Sandra Chereb.

"A half century ago, a two-page bill passed by the Legislature planted a seed of knowledge in the Nevada desert that over the decades has grown tentacles of discovery around the globe.

The measure, signed into law by then Governor Grant Sawyer on March 23, 1959, authorized establishment of the Desert Research Institute at the University of Nevada, Reno.

From the beginning, its goals were lofty. Nevada's population was fewer than 300,000 then and the State was known more for gambling and quickie divorces than scientific research."

The Institute has been an instrument that has brought recognition over and above what was first envisioned. It has brought worldwide research recognition.

Ms. Chereb quotes Dr. Stephen Wells who is the president of the Institute. He states, "There was no guarantee that it would ever be successful."

The article continues, "Fifty years later DRI can look back and point to the role it played in discoveries and applications around the world, from early efforts to monitor groundwater in the Great Basin to using sensors in space to find scarce water in Africa. Researchers from the Institute made breakthroughs in tracking the origin, disbursement and distant effects of air pollutants and today are plotting global climate changes by studying ice cores at the poles."

We are pleased the resolution recognizes Dr. John Hallett, a leader in the field who came along a few years after DRI was started. He has been there since 1966, a long tenure for a distinguished scientist dealing in all elements of climate change. If you want to know the history of a snow particle, you will find his explanation very interesting.

I have witnessed the effect, around the world, of the importance of the DRI. We visited mainland China, in Xian. Through Dr. Wells intervention, we were offered an opportunity to go

to the site where they are excavating the thousands of terracotta soldiers. DRI is there protecting that project and its excavation. They are participating in the restoration of these soldiers and protecting them from the effects of air pollution, most notably sulfuric acid. They are called upon all over the world. Dr. Wendell Moody was the first president. Dr. James Taranek took the Institute through many of its formative years. Dr. Stephen Wells has been there for ten years. The Institute is in good hands. It has a strong presence at the University of Nevada, Las Vegas, where it is a separate institution. At this time, there is much discussion about alternative energy and the DRI is involved in that.

This is an important date for us to recognize. From a small beginning, DRI has become a word-class institute that brings credit to our State and to our Higher Education System.

Resolution adopted.

Senator Raggio moved that all necessary rules be suspended and that Senate Concurrent Resolution No. 18 be immediately transmitted to the Assembly.

Motion carried unanimously.

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

Motion carried.

Senate in recess at 11:45 a.m.

SENATE IN SESSION

At 11:49 a.m.

President Krolicki presiding.

Quorum present.

Senator Care moved that Senate Bills Nos. 41, 44, 67, 141, 149, 172, 184; Senate Joint Resolution No. 2 of the 74th Session; Assembly Bill No. 132 be taken from the General File on the first agenda and placed on the General File on the second agenda.

Motion carried.

By the Committee on Energy, Infrastructure and Transportation:

Senate Concurrent Resolution No. 19—Directing the Legislative Commission to appoint a committee to conduct an interim study relating to the production and use of energy in the State.

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

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce and Labor:

Senate Bill No. 335—AN ACT relating to accountants; revising provisions governing registration of and professional accounting services provided by partnerships, corporations and limited-liability companies; providing for practice privileges to be granted to certain persons not licensed in this State under certain circumstances; revising provisions governing competency

requirements, discipline, licensing requirements and retention of documents; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 336—AN ACT relating to local government finance; repealing a provision establishing the maximum amount of annual total expenditures for a special district to be eligible to petition for an exemption from certain filing requirements of the Local Government Budget and Finance Act; requiring the Committee on Local Government Finance to adopt regulations establishing the maximum amount of annual total expenditures for a special district to be eligible to petition for an exemption from certain filing requirements of the Local Government Budget and Finance Act; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 337—AN ACT relating to civil actions; revising the statutes of repose relating to certain actions concerning construction defects; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 338—AN ACT relating to property; authorizing a landlord who leases or subleases any commercial premises to dispose of any abandoned personal property left on the commercial premises without incurring any civil or criminal liability under certain circumstances; authorizing the landlord to charge and collect certain reasonable and actual costs before releasing the abandoned personal property; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Energy, Infrastructure and Transportation:

Senate Bill No. 339—AN ACT relating to energy; requiring the Colorado River Commission of Nevada to conduct a study of the feasibility of the generation of electricity from hydrokinetic electric power below Hoover Dam; requiring the Commission to apply for money from the Federal Government to conduct a demonstration program if the study

indicates that such use of that hydrokinetic electric power is feasible; and providing other matters properly relating thereto.

Senator Care moved that the bill be referred to the Committee on Energy, Infrastructure and Transportation.

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 340—AN ACT relating to public health; revising provisions governing the allocation by the Department of Health and Human Services of certain money from the Fund for a Healthy Nevada; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 341—AN ACT relating to assistance to families; removing the age of a relative as a requirement to receive supportive assistance from a program to provide supportive assistance to qualifying relatives of children who provide care for and obtain the legal guardianship of those children; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 342—AN ACT relating to the protection of children; expanding the relatives who receive preference when a child is placed in the custody of a person other than the parent of the child by a court, an agency which provides child welfare services or other person; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 343—AN ACT relating to public welfare; requiring the Division of Welfare and Supportive Services of the Department of Health and Human Services to expedite the application of a person for treatment or services if the person is involved in the child welfare system; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 344—AN ACT relating to child welfare; authorizing the Director of the Department of Health and Human Services to create an interagency committee to evaluate the child welfare system; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 345—AN ACT making an appropriation to the Truckee River Flood Project to support ecosystem restoration activities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 346—AN ACT relating to state financial administration; providing certain accountability and performance requirements in the State Budget Act and provisions governing internal accounting and controls; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 347—AN ACT making an appropriation to the Office of the State Engineer of the Division of Water Resources of the State Department of Conservation and Natural Resources to develop a hydrologic database for water basins in Nevada; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 348—AN ACT relating to trusts; revising certain provisions of the Uniform Principal and Income Act (1997); and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 349—AN ACT relating to constructional defects; revising the definition of "constructional defect"; providing that a claimant may not recover attorney's fees as damages; requiring an attorney to obtain an affidavit from a claimant and file the affidavit with the court under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 350—AN ACT relating to business associations; clarifying that an attorney who is a registered agent is not required to report certain privileged information under certain circumstances; making various technical corrections to various provisions relating to business associations; revising the provisions relating to dissenters' rights; revising the provisions relating to the maintenance of certain lists by certain business associations; revising the provisions relating to the proper venue for the posting of certain notices and the filing of certain actions and for certain other purposes; establishing provisions relating to restricted limited-liability companies and restricted limited partnerships; making various other changes to the provisions relating to business associations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 351—AN ACT relating to common-interest communities; providing that money collected by a unit-owners' association must be deposited or invested in certain institutions or securities; providing that the governing documents must be amended to conform with the laws of this State; providing that an executive board of an association may not fill a vacancy on the executive board if the governing documents require a vote of the membership of the association; providing that an executive board may conduct a workshop without complying with certain requirements; making various other changes relating to common-interest communities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 352—AN ACT relating to liens; requiring a lien claimant to provide certain proof of a lien under certain circumstances; revising the provisions governing the priority of liens; revising provisions relating to the recovery of attorney's fees and court costs; revising provisions relating to the attachment of certain liens to property; reducing the amount of a security bond required to be posted under certain circumstances; revising the contents of a notice of right to lien; revising provisions governing the waiver and release of a claim of a lien; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 353—AN ACT relating to criminal records; authorizing a law enforcement agency to inquire into and inspect sealed records concerning criminal proceedings under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 354—AN ACT relating to land use planning; revising provisions relating to the appeal of land use decisions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 355—AN ACT relating to trade practices; enacting the Uniform Debt-Management Services Act; repealing the existing provisions governing the regulation of debt adjusters; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Energy, Infrastructure and Transportation:

Senate Bill No. 356—AN ACT relating to traffic laws; providing for the imposition of an additional administrative assessment against motorists who commit certain traffic offenses; requiring that the assessments so imposed be kept in a separate account in the State Highway Fund for uses related to transportation within the jurisdiction of the local governmental entity where the traffic offense occurred; and providing other matters properly relating thereto.

Senator Care moved that the bill be referred to the Committee on Energy, Infrastructure and Transportation.

Motion carried.

By the Committee on Energy, Infrastructure and Transportation:

Senate Bill No. 357—AN ACT relating to local governmental financial administration; authorizing local governments to impose taxes for transportation safety and homeland security upon voter approval; and providing other matters properly relating thereto.

Senator Care moved that the bill be referred to the Committee on Taxation.
Motion carried.

By the Committee on Energy, Infrastructure and Transportation:

Senate Bill No. 358—AN ACT relating to energy; revising provisions related to energy and state and residential property; revising provisions related to the issuance of portfolio energy credits, public utility rates and net metering; revising provisions related to capacity and incentives in certain renewable energy programs; amending provisions related to local improvement districts and renewable energy; and providing other matters properly relating thereto.

Senator Care moved that the bill be referred to the Committee on Energy, Infrastructure and Transportation.

Motion carried.

By the Committee on Energy, Infrastructure and Transportation:

Senate Bill No. 359—AN ACT relating to transportation; requiring certain governmental entities to work cooperatively to establish the Henderson to North Las Vegas Fixed Guideway Corridor; requiring those entities, to the extent practicable, to acquire any necessary rights-of-way for that purpose; and providing other matters properly relating thereto.

Senator Care moved that the bill be referred to the Committee on Energy, Infrastructure and Transportation.

Motion carried.

By the Committee on Energy, Infrastructure and Transportation:

Senate Bill No. 360—AN ACT relating to vehicles; authorizing a person other than an automobile wrecker, dealer of new or used motor vehicles or rebuilder to obtain an identifying card and bid to purchase a vehicle other than a nonrepairable vehicle from the operator of a salvage pool; imposing a fee for the issuance of such a card; increasing the period within which an insurance company or its authorized agent must submit an application for a salvage title or nonrepairable vehicle certificate for a salvage vehicle; providing a penalty; and providing other matters properly relating thereto.

Senator Care moved that the bill be referred to the Committee on Energy, Infrastructure and Transportation.

Motion carried.

Senator Care moved that the Senate recess subject to the call of the Chair.
Motion carried.

Senate in recess at 11:55 a.m.

SENATE IN SESSION

At 11:59 p.m.

President Krolicki presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 37.

Bill read second time and ordered to third reading.

Senate Bill No. 65.

Bill read second time and ordered to third reading.

Senate Bill No. 77.

Bill read second time and ordered to third reading.

Senate Bill No. 166.

Bill read second time and ordered to third reading.

Senate Bill No. 175.

Bill read second time and ordered to third reading.

Senate Bill No. 199.

Bill read second time and ordered to third reading.

Senate Bill No. 223.

Bill read second time and ordered to third reading.

Senator Horsford moved that the Senate recess until 4:30 p.m.

Motion carried.

Senate in recess at 12:06 p.m.

SENATE IN SESSION

At 5:06 p.m.

President Krolicki presiding.

Quorum present.

REPORTS OF COMMITTEES

Mr. President:

Your Committee on Energy, Infrastructure and Transportation, to which were referred Senate Bill No. 247; Senate Joint Resolution No. 9, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MICHAEL A. SCHNEIDER, *Chair*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce and Labor:

Senate Bill No. 361—AN ACT relating to employee leasing companies; authorizing the Administrator of the Division of Industrial Relations of the Department of Business and Industry to adopt regulations relating to a third party that may act on behalf of an employee leasing company; providing various means for an employee leasing company and its clients to provide workers' compensation coverage; requiring employee leasing companies to pay an annual registration fee; requiring employee leasing companies to submit certain audited financial statements; and providing other matters properly relating thereto.

Senator Care 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. 362—AN ACT relating to professions; clarifying the application of general provisions authorizing summary license suspensions by the Board of Medical Examiners, Board of Homeopathic Medical Examiners and State Board of Osteopathic Medicine; providing for certain health care professional licensing boards to suspend or revoke the professional license of the owner of a health care facility responsible for creating a public health threat; requiring certain health care professional licensing boards to retain every complaint filed with the board for a certain period of time; and providing other matters properly relating thereto.

Senator Care 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. 363—AN ACT relating to industrial insurance; authorizing the surviving spouse of a deceased employee to continue to receive death benefits under industrial insurance after the surviving spouse remarries; and providing other matters properly relating thereto.

Senator Care 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. 364—AN ACT relating to professions; authorizing various professional boards to employ or retain attorneys, investigate certain violations, refer certain violations for applicable enforcement action and impose additional administrative fines; revising provisions related to licensure of various professions; authorizing physician assistants to be supervised remotely under certain circumstances; and providing other matters properly relating thereto.

Senator Care 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. 365—AN ACT relating to family trust companies; providing for the licensure and regulation of family trust companies; revising provisions relating to trust companies; providing a civil penalty; and providing other matters properly relating thereto.

Senator Care 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. 366—AN ACT relating to industrial insurance; providing that an employer bears the burden of proof to show that an injury occurred at work; providing that treatment for an industrial injury must not be delayed while certain determinations are being made; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 367—AN ACT relating to public employees; requiring the Public Employees' Retirement Board and the Interim Retirement and Benefits Committee of the Legislature to conduct certain studies; amending the definition of "compensation" as it applies to certain members of the System whose effective date of membership is on or after January 1, 2010; amending the eligibility requirements for retirement of such members; revising the calculation for determining the monthly service retirement allowance for certain retirees; making various other changes to the System; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Senate Bill No. 368—AN ACT relating to motor carriers; imposing an additional licensing fee on certain heavyweight motor vehicles; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Senate Bill No. 369—AN ACT relating to prostitution; providing for the imposition and administration of a tax on the use of prostitution services; establishing the Office of Ombudsman for Sex Workers and creating the Account for Programs Related to Sex Workers; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 370—AN ACT relating to the state legislative process; clarifying the authority to direct the Fiscal Analysis Division of the Legislative Counsel Bureau to obtain a fiscal note on a bill or resolution;

eliminating certain requirements relating to the reprinting of bills; and providing other matters properly relating thereto.

Senator Care 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. 371—AN ACT relating to the Legislature; increasing the authority of the Legislative Commission over interim studies and statutory committees; limiting the duration of interim studies; limiting the assignment of staff of the Legislative Counsel Bureau to committees not chaired by Legislators; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 372—AN ACT relating to smoking; revising the Nevada Clean Indoor Air Act; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 373—AN ACT relating to water; directing the Legislative Commission to appoint a subcommittee to conduct an interim study concerning projects for the importation of water and to develop a sound strategy for the proposed use of water in this State; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources:

Senate Bill No. 374—AN ACT relating to water; creating the Legislative Committee to Oversee the Southern Nevada Water Authority; and providing other matters properly relating thereto.

Senator Care 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. 375—AN ACT relating to intergovernmental relations; creating the Nevada Advisory Commission on Intergovernmental Relations; providing for the membership, terms of such membership, certain procedural

rules, compensation of members, and duties and powers of the Commission; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 376—AN ACT relating to labor; making various changes relating to the establishment of the prevailing rates of wages in each county; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 377—AN ACT relating to public works; making various changes relating to public works; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 378—AN ACT relating to education; requiring the Department of Education to develop a plan for early childhood education; requiring the State Board of Education to establish requirements for certain prekindergarten programs; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 379—AN ACT relating to education; authorizing the Department of Education, within the limits of available money, to award grants of money to school districts for certain programs and assistance; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 380—AN ACT relating to public health; authorizing the Department of Health and Human Services to develop a program of shared responsibility for access to health care for certain uninsured employed persons in this State; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 381—AN ACT relating to public health; requiring the Director of the Department of Health and Human Services to include coverage for certain immunizations of children; requiring policies of health insurance to provide coverage for certain immunizations of children; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 382—AN ACT relating to public welfare; revising provisions relating to the disproportionate share payments made to certain hospitals; establishing provisions relating to audits of and prescribing other requirements for certain hospitals; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 383—AN ACT relating to public health; requiring each retail establishment in which cigarettes are sold or offered for sale to post a sign regarding the dangers of smoking tobacco during pregnancy; providing a civil penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 384—AN ACT relating to education; revising provisions governing the apportionments from the State Distributive School Account to certain charter schools that offer distance education; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 385—AN ACT relating to education; revising provisions relating to sponsorship of charter schools; creating the Nevada Charter School Institute; prescribing the membership, duties and powers of the Institute; repealing the Subcommittee on Charter Schools of the State Board of Education; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 386—AN ACT relating to unemployment compensation; revising provisions relating to contribution rates for employers to allow for a joint account among business entities that have substantially common ownership; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Senate Bill No. 387—AN ACT relating to State Government; making various changes relating to officers and employees of the Executive, Judicial and Legislative Branches of State Government; and providing other matters properly relating thereto.

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

Motion carried.

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

Motion carried.

Senate in recess at 5:09 p.m.

SENATE IN SESSION

At 5:10 p.m.

President Krolicki presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Care moved that Senate Bills Nos. 41, 44, 67, 141, 149, 172, 184; Senate Joint Resolution No. 2 of the 74th Session; Assembly Bill No. 132 be taken from the General File on the second agenda and placed on the General File for the next legislative day.

Motion carried.

Senator Horsford moved that the Senate recess until 6 p.m.

Motion carried.

Senate in recess at 5:13 p.m.

SENATE IN SESSION

At 6:07 p.m.

President Krolicki presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce and Labor:

Senate Bill No. 388—AN ACT relating to insurance; revising provisions relating to the Division of Insurance of the Department of Business and Industry, insurers, contracts or policies of insurance, viatical settlements, health insurance and employee leasing companies; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 389—AN ACT relating to education; revising provisions governing public schools that are designated as demonstrating need for improvement; revising other provisions related to the accountability of public schools; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 390—AN ACT relating to public health; directing the Legislative Commission to provide for a study concerning the long-term care of certain persons in this State and certain facilities and programs which provide services to those persons; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Education:

Senate Bill No. 391—AN ACT relating to education; revising provisions relating to the enrollment of certain pupils in charter schools; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Finance:

Senate Bill No. 392—AN ACT relating to purchasing; repealing an obsolete statute requiring annual payment to the State Treasurer by the Purchasing Division of the Department of Administration for the purchasing warehouse building and adjacent land; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 393—AN ACT relating to postsecondary education; transferring regulation of barber schools from the State Barbers' Health and Sanitation Board to the Commission on Postsecondary Education; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Energy, Infrastructure and Transportation:

Senate Bill No. 394—AN ACT relating to off-highway vehicles; requiring certain owners of off-highway vehicles to obtain certificates of title and registration for those vehicles; requiring the Department of Motor Vehicles to charge and collect certain fees; creating the Fund for Off-Highway Vehicles; creating the Commission on Off-Highway Vehicles; eliminating the requirement that certain persons obtain certificates of operation before operating off-highway vehicles; making various other changes relating to off-highway vehicles; and providing other matters properly relating thereto.

Senator Care moved that the bill be referred to the Committee on Energy, Infrastructure and Transportation.

Motion carried.

By the Committee on Energy, Infrastructure and Transportation:

Senate Bill No. 395—AN ACT relating to state financial administration; making various changes regarding renewable energy and energy efficiency; altering the composition of the Commission on Economic Development; and providing other matters properly relating thereto.

Senator Care moved that the bill be referred to the Committee on Energy, Infrastructure and Transportation.

Motion carried.

By the Committee on Judiciary:

Senate Bill No. 396—AN ACT relating to peace officers; making certain provisions governing peace officers applicable to a peace officer who is a probationary employee of a law enforcement agency; revising provisions governing the review by a peace officer of administrative or investigative files maintained by a law enforcement agency; revising provisions governing investigations of or hearings concerning peace officers that are conducted by a law enforcement agency; providing for the civil liability of a law enforcement agency for a violation of certain provisions governing peace officers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Senate Bill No. 397—AN ACT relating to trade regulations; establishing a fund for environmental cleanup; imposing a fee, for a certain period, on the use of certain plastic bags; banning the use of certain plastic bags; authorizing certain inspections by local health authorities; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Mathews, the privilege of the floor of the Senate Chamber for this day was extended to the following students and teachers from the Coral Academy of Science Elementary School: Justice Acosta, Jared Mundt, Alexis Palmer, Keeli Rodriguez, Darling Rose, Brasani West, Madison Shirley, Alexis Palmer, Andrew Soto, Robin Verma, Bryn Taylor, Annemarie Vogedes, Annie Schiavone, Joslynn Smith, Jourdan Scheer, Kaylee Schindler, Payden Vonich, Aubrey Sadler, Alissa Adams, Isaiah Alpizar, Jana Valerie Andrion, Miles Antone, Jazmyne August, Jonathan Ballinger, Skyla Cadez, Guadalupe De Rosario Carmona, Jaimee Chancy, Trina Chowdhury, Jacob Clark, Kimberle Cordero, Kamilla Erwin, Joshua Ferrin, Vincent Fillipone, Faith Price, Aaron Spark, Andrew Johnson, Kevin Glass, Dhananjay Gogna, Jordan Haren, Regan Hughes, Cates Aaron, Kayla Jones, Alexander Kopp, Angeline Mallari, Nicholas Martin, Nathaniel McCrea, Rebecca Miller, Alana Nelson, Teya Perkins, Braden Piccinini, Kyle Quakenbush, Alyssa Raj, Danielle Ringor, Carla Ramazan; teachers: Ms. Mandeville and Mrs. Piccinini.

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to Dr. Stephen G. Wells, Dr. John Hallett and the following students and chaperones from the Nevada Virtual Academy: Spencer Berger, Brin Hill, Alyssa Hawley, Jacob Hawley, Andrew Ryan Hermansen, Evan Soto-Harrison, Moriah Tague, Elizabeth Caudell, Andrew Caudell, Mackenzie Dalton, Jeremy Dalton, Ryan Findley, Zackary Schuler, Krista Dennison, Raina Dennison, Danielle Hesnon, Stacy Henson, Alexis Henson, Jeremy Davidson; chaperones: Janice Moskowitz, Kathleen Hill, Gina Pistone-Hawley, Brenda Marie Hermansen, Eric Soto-Harrison, Marisa Soto-Harrison, Juanita Caudell, Paul Dalton, Joy Findley, Gerald Schuler, Pamela Van Kirk, Thelma Henson and Rita Davidson.

On request of Senator Townsend, the privilege of the floor of the Senate Chamber for this day was extended to the following students and teachers from the Mountain View Montessori School: Nia Anders, Brendan Fagen, Kenneth "Joey" Grimes, Ryan Hodin, Sawako Sentoku, Samantha Adams, Morgan Barnes, Nina Bohlmann, Kienan Herman, Gabrielle Mudd, Tredon

Oldridge, Olivia Piccirilli-Platt, Lindsay Reighley, Persiana Saffari, Emily Shields; teachers: Olivia Meyer and Sonia Hodin.

Senator Horsford moved that the Senate adjourn until Tuesday, March 24, 2009, at 11 a.m.

Motion carried.

Senate adjourned at 6:09 p.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate