

THE EIGHTY-SECOND DAY

CARSON CITY (Friday), April 24, 2009

Senate called to order at 10:50 a.m.

President Krolicki presiding.

Roll called.

All present except Senators Cegavske and Nolan, who were excused.

Prayer by the Chaplain, Pastor Larry Unterseher.

Father God, thank You that You have allowed my path to cross ever so briefly this week with these amazing men and women whose task brings them to this Chamber.

I have been truly blessed, for I have come to see men and women seeking to implement their vision of making Nevada the greatest State in the Union, while remembering the divine objectives of care, unity and love.

Father, I wish every constituent, from every district represented by these Senators, could have this experience for they would realize we are in good hands.

I pray for a special blessing on President Krolicki as he continues to give quality leadership to this noble body as they press forward with the tasks set before them today.

As these leaders invest their time and energy for the good of Nevada, help them also to lovingly invest each day in what truly matters in life—their relationship to family, friends and, most importantly, You.

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 Energy, Infrastructure and Transportation, to which was referred Assembly Bill No. 28, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MICHAEL A. SCHNEIDER, *Chair*

Mr. President:

Your Committee on Finance, to which were referred Senate Bills Nos. 400, 401, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Finance, to which were rereferred Senate Bills Nos. 60, 78, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass as amended.

BERNICE MATHEWS, *Cochair*

Mr. President:

Your Committee on Health and Education, to which were referred Assembly Bills Nos. 96, 188, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VALERIE WIENER, *Chair*

Mr. President:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 93, 120, 253, 286, 322, 384, 517, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Judiciary, to which were referred Assembly Bills Nos. 114, 187, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

TERRY CARE, *Chair*

Mr. President:

Your Committee on Taxation, to which were referred Assembly Bills Nos. 23, 37, 518, 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, April 23, 2009

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 141.

Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bills Nos. 107, 213.

Also, I have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolutions Nos. 24, 25.

DIANE M. KEETCH

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Care moved that Assembly Bills Nos. 109, 133, 163, 407, 509 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 107.

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

Motion carried.

Assembly Bill No. 141.

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

Motion carried.

Assembly Bill No. 213.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 264.

Bill read second time and ordered to third reading.

Assembly Bill No. 412.

Bill read second time.

The following amendment was proposed by the Committee on Energy, Infrastructure and Transportation:

Amendment No. 515.

"SUMMARY—Makes certain changes concerning the towing of occupied vehicles. (BDR 43-111)"

"AN ACT relating to traffic laws; authorizing an operator of a tow car to tow an occupied vehicle under certain circumstances; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

This bill makes it lawful for an operator of a tow car to tow a vehicle occupied by a person with restricted mobility or a person who is in a hazardous situation provided that the person is properly restrained and, if required by law, wearing a seat belt.

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

Section 1. Chapter 484 of NRS is hereby amended by adding thereto a new section to read as follows:

When rendering assistance to a person with restricted mobility ~~or to a person who is in a hazardous situation~~, an operator of a tow car may tow a vehicle with the person ~~(with restricted mobility)~~ inside the vehicle to the nearest location that is safe if the person is properly restrained and, if applicable, wearing a safety belt as required pursuant to NRS 484.641.

Sec. 2. Section 1 of this act is hereby amended to read as follows:

Section 1. Chapter 484 of NRS is hereby amended by adding thereto a new section to read as follows:

When rendering assistance to a person with restricted mobility or to a person who is in a hazardous situation, an operator of a tow car may tow a vehicle with the person inside the vehicle to the nearest location that is safe if the person is properly restrained . ~~[and, if applicable, wearing a safety belt as required pursuant to NRS 484.641.]~~

Sec. 3. 1. ~~[Section]~~ This section and section 1 of this act ~~[becomes]~~ become effective upon passage and approval.

2. Section 2 of this act becomes effective on the date on which the Secretary of the United States Department of Transportation, or his authorized representative, rescinds that portion of the Federal Motor Vehicle Safety Standard No. 208 (49 C.F.R. § 571.208) which requires the installation of automatic restraints in new private passenger motor vehicles. Section 2 of this act does not become effective on such date, however, if the Secretary's decision to rescind that standard is not based, in any respect, on the enactment or continued operation of section 1 of this act.

Senator Schneider moved the adoption of the amendment.

Remarks by Senator Schneider.

Senator Schneider requested that his remarks be entered in the Journal.

Amendment No. 515 to Assembly Bill 412 expands the bill to cover situations where a person is in a hazardous situation and allows a tow-car operator to tow the person inside their vehicle to the nearest safe location.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 417.

Bill read second time and ordered to third reading.

Assembly Bill No. 533.

Bill read second time and ordered to third reading.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Copening, the privilege of the floor of the Senate Chamber for this day was extended to the following students from the Word of Life Christian Academy: Mark Skomal, Terri O'Donnell, Garth Reynolds, Imani Mitchell, Hope Mitchell, Lourens Erasmus, Lourens F. Erasmus, Kaimana Phillips, Derrick Phillips, Grace Shuman, Shaunya Pickens, Sandy Garcia, Maria Ramirez, Jared Burnett, Linne Burnett, Kaela Jonson-Smith, Michael Smith, Bara'e Butler, Bridgette Butler, Michael Neubeck, Nicole Neubeck, Hayley Chisolm and Linda Chisolm.

On request of Senator Lee, the privilege of the floor of the Senate Chamber for this day was extended to Brendan L. Roberts.

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to the following students and teachers from the Sarah Winnemucca Elementary School: Sara Ali, Juliana Allen, Jesse Allison, Manuel Argueta, Keelan Betts, Leslie Campos, Montrell Chaney, Tommy Craig, Haley Dennies, Grace Desilets, Orlando Easter, Diana Gonzalez, Sasha Harrison, Collin Holt, Tyler Khau, Jaeseo Kim, Dannie Morgan, Karla Pinto, Destiney Polier, JR Punzalan, Chelsea Ramos, Spencer Ray, Adrian Raygoza, Shahme Sarwar, Cole Schlattman, Tristan Sturm, Kerrie Anne Swartz, Brendan Yawn, Arianna Donowho, Jaycob Babcock, Emily Bennett, Angela Blevins, Jose Camarena, Spencer Carlisle, Dawn Clement, Kendall Cox, Nolan Dalpe, Taj Dhanjal, Blakelee Donnelly, Jaylan Franklin, Tatiana Hernandez, Max Hill, Adrianna Jones, Madison Kincaide, Trenton Barrett, Jeremiah Lesniak, Sal Leyva, Cameron Mayfield, Bayley Miller, Matthew Richard, Bryan Richards, Sydney Riddle, Richard Soto, Cali Wanco, Ian Zehner, Harrison Davis, Sienna Miller, Robert Young, Jenney Allen, Sarina Chandra, Kelton Cordell, Kylie Daniels, Reese Donnelly, Emre Eldeleklioglu, Courtney Franke, Staccia Hibbs, Simon Hu, Galina Kamzalova, Cheyenne Lamprich, Kyra Liessmann, Brandon Mansur, Rachel Martensen, Keelan Murphy, Mike Myers, Oscar Ochoa, Libby Schipper, Alex Scott, Jared Smith, Matthew Soliz, Trey Sullens, Katie Trenergy, Kevin Wu, Weston Tripp, Britney Holton, Kaylah Smith, Kyler

Cline, Josh Bartlett; teachers: Mrs. Motter, Mrs. Williams, Mrs. Arroyo and Mrs. Hahn.

On request of Senator Washington, the privilege of the floor of the Senate Chamber for this day was extended to the following students from the Spanish Springs Elementary School: Nathan Bowser, Benjamin Czerwinsky, Patrick Durgin, Colby Green, Tyler Gunn, Jessica Herrick, Tyler Hobbs, Garrett Hueftle, Katarina Leyva, Kylie Means, Madison Munson, Gray Paholke, Colby Rohr, Logan Rudder, Daniel Sanchez, Tierra Smithson, Mathew Steinberg, Ziggy Terelak, Megan Tiscareno, Samuel Williams, Danny Wilson, Ben Yao, Devin Zinda, Alexander Roussel, Amar Barboza, Carley Miller, Cody Ford, Emily Pyrah, Jose Garcia, Joshua Patterson, Isaac Marroquin, Maxwell Rodriguez, Michael Slavik, Noah Soto, Rashaun Willis, Rianna Pimentle, Sean Slavik, Sierra Scott, Skyler Nichols, Spencer Flynn, Anthony Moran, Issac Marroquin, Roberto Bibriezea, Natalie Allen, Jacob Bohl, Adara Bryant, Jesse Carpio-Hernandez, Jonathan Colby, Austin Delaurc, Jacob Gelinias, Caitlyn Greene, Sarah Greene, Elijah Harding, Amanda Ipsaro, Chase Martin, Lauren McDonald, Brenda Moreno, Kendyl Perkins, Nikki Piazza, Philip Sevesik, Isabelle Sutherland, Adrienne Tamayo-Prieto, Jillian Terry, Justin Vasquez, Tommy Simkins; and the following students from the Truckee Meadows Community College Magnet School: Jared Aranda, Skyler Fuzell-Casey, Megan Hickman, Marisa Howard, Robin Martin, Sara Murillo, Bailey Murphy, Austin Perkins, Andrew Sherbondy, Stephanie Smith, Kirstin Stellmaker, Emily Sullivan, Scott Sullivan, Serenity Sweet, Brooke Talancon, Stacey Theiss, April Wool, Susana Arroyo, Nicholas Bailo, Annie Busch, Mathias Cone, Mirte De Boer, Samantha Fazzio, Benjamin Gaetke, Celina Gallegos, Bonnibel Galvez, Madchen Giesler, David Harkins, Krystina Jeter, Hannah Jordan, Ashley Myers, Danielle Pounga, Shelby Rector, Sonam Sharma, Rhianne Shearin, Silva Richard, Renee White, Elise Amundsen, Kirby Bresnahan, Stevie Coburn, Joseph Cormier, Anthony Demchak, Alanna Johnson, Nicholas Lehan, Ossian MacDonald, Chelsea Ontiveros, Oscar Pena-Cortez, Conor Samuels, Chelsea Stanley, Benjamin Thom and Janarra Valderama.

Senator Horsford moved that the Senate adjourn until Tuesday, April 28, 2009, at 11 a.m.

Motion carried.

Senate adjourned at 11:03 a.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate