

**THE NINETY-THIRD DAY**

---

CARSON CITY (Tuesday), May 5, 2009

Senate called to order at 11:40 a.m.

President Krolicki presiding.

Roll called.

All present except Senator Care, who was excused.

Prayer by the Chaplain, Pastor John Jackson.

Our heavenly Father, we thank You. Thank You for Your grace and for Your presence in this room today. Thank You for the wisdom that You will give these women and men as they deliberate and make decisions today on behalf of the citizens of this State.

Lord, we ask You to align our hearts and our minds with Your perfect will for our lives so that we may be pleasing to You in all we do and all we decide. These things we ask in the Name of Jesus Christ, Your Son.

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 Assembly Bills Nos. 311, 475, 499, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

TERRY CARE, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Woodhouse, Amodei, Breeden, Care, Carlton, Cegavske, Coffin, Copening, Hardy, Horsford, Lee, Mathews, McGinness, Nolan, Parks, Raggio, Rhoads, Schneider, Townsend, Washington, Wiener; Assemblymen Denis, Aizley, Anderson, Arberry, Atkinson, Bobzien, Buckley, Carpenter, Christensen, Claborn, Cobb, Conklin, Dondero Loop, Gansert, Goedhart, Goicoechea, Grady, Gustavson, Hambrick, Hardy, Hogan, Horne, Kihuen, Kirkpatrick, Koivisto, Leslie, Manendo, Mastroluca, McArthur, McClain, Mortenson, Munford, Ocegvera, Ohrenschall, Parnell, Pierce, Segerblom, Settlemeyer, Smith, Spiegel, Stewart and Woodbury:

Senate Concurrent Resolution No. 27—Honoring educational personnel for the services they provide to their students and all of Nevada.

WHEREAS, The education of the young people of Nevada is the foundation of the current and future success of our State, and quality instruction is crucial to creating an innovative workforce and to increasing the global competitiveness of the United States; and

WHEREAS, Elementary and secondary school teachers and higher education instructors, as well as other educational personnel, such as administrators, counselors, coaches and support staff, help students cultivate the knowledge and principles necessary to be successful in life; and

WHEREAS, Educators and support staff are expected to live up to and exceed high standards, while often receiving little recognition, and spend countless hours outside of the classroom to further their selfless goal of providing quality educational services to all pupils, regardless of the students' backgrounds or abilities; and

WHEREAS, Those in the academic world work assiduously to instill civic responsibility among students in this State, and their efforts are directly responsible for inspiring and creating the leaders of tomorrow; and

WHEREAS, Those who commit their careers to educating others deserve commendation for their wisdom, compassion and dedication to their work; and

WHEREAS, Educational personnel fulfill many roles, as listeners, leaders, role models, motivators and mentors, and continue to influence us long after our school days are only memories; and

WHEREAS, In the words of Mark Twain, "It is noble to teach oneself, but still nobler to teach others"; 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 hereby express their sincere gratitude to all educational personnel in prekindergarten through postsecondary levels in Nevada and recognize the need to raise public awareness of their unquantifiable contributions and to promote greater respect for and understanding of their roles in education; and be it further

RESOLVED, That the schools, communities and residents of this State are encouraged to appropriately recognize that educational personnel are vital to the very fabric of our society, even if with just a simple "thank you," and to continue to support those who educate our children, peers and neighbors; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Board of Regents of the University of Nevada, the Superintendent of Public Instruction, the Nevada Parent Teacher Association, the Nevada State Education Association, the Nevada Association of School Boards and the Nevada Association of School Administrators.

Senator Woodhouse moved the adoption of the resolution.

Remarks by Senators Woodhouse and Wiener.

Senator Woodhouse requested that the following remarks be entered in the Journal.

SENATOR WOODHOUSE:

I rise in support of Senate Concurrent Resolution No. 27 to recognize our education employees during National Educator Appreciation Week. We all understand the importance of education in our society for youth and adults. As children, most of us probably remember the words we heard so many mornings for so many years, "Wake up, you have to go to school today."

Once at school, each one of us had our own unique experiences. Those experiences included struggles and joys with friends, subjects, teachers and school personnel.

Today, we recognize the valuable contributions of the men and women who guide and inspire students of all ages to work through the individual challenges they face while striving to complete their courses of study.

Many of us can probably describe a particular experience during our education that made an impression on us when an individual who worked at the school helped us. As we think back on that experience, the person may have been a teacher, a nurse, a counselor, a dean, a coach, a janitor, a librarian, a security guard, a bus driver or someone in any number of supportive positions.

Each one of these individuals performs a crucial function in the operation of the educational institution. The dedication each person demonstrates to the responsibilities of their jobs is commendable.

In addition to recognizing their professional dedication, most importantly, I want to acknowledge that their presence and encouragement do not go unnoticed. For many students, the

kind words, the simple favor, the conversation, the support is remembered for many years after their studies end.

To the educational professionals at all levels, we thank you for helping give direction and inspiration, in ways you may never know, to the many students who remember that moment you gave to them so freely.

SENATOR WIENER:

I also rise in honor of those who have educated us and have given us the foundation for who we have become. I remember my early years at Mayfair Grammar School in Las Vegas. It was a neighborhood school and is not there anymore. There was one room for each grade. I remember the level of support my teachers gave me whether I asked for it or not.

I sent my teachers invitations to my high school graduation ceremony. Five of the seven attended. They gave me a travel clock; one, that if you turned the face of the dial, you could see the time in other parts of the world. Their card said, "We have watched you grow, and we know that you will be a world traveler, but never forget where home is so that you can bring your wisdom back to help others." That has been a part of my personal motto and my message for all the years since. It was the inspiration of those people who gave me a start, who taught me how to be a learner, which has continued to inspire me to this day. Thank you, educators one and all.

Resolution adopted.

Senator Woodhouse moved that all necessary rules be suspended and that Senate Concurrent Resolution No. 27 be immediately transmitted to the Assembly.

Motion carried unanimously.

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

Motion carried.

Senate in recess at 12:06 p.m.

#### SENATE IN SESSION

At 12:09 p.m.

President Krolicki presiding.

Quorum present.

By Senators Copening, Amodei, Breeden, Care, Carlton, Cegavske, Coffin, Hardy, Horsford, Lee, Mathews, McGinness, Nolan, Parks, Raggio, Rhoads, Schneider, Townsend, Washington, Wiener, Woodhouse; Assemblymen Mastroluca, Aizley, Anderson, Arberry, Atkinson, Bobzien, Buckley, Carpenter, Christensen, Claborn, Cobb, Conklin, Denis, Dondero Loop, Gansert, Goedhart, Goicoechea, Grady, Gustavson, Hambrick, Hardy, Hogan, Horne, Kihuen, Kirkpatrick, Koivisto, Leslie, Manendo, McArthur, McClain, Mortenson, Munford, Oceguela, Ohrenschall, Parnell, Pierce, Segerblom, Settlemeyer, Smith, Spiegel, Stewart and Woodbury:

Senate Concurrent Resolution No. 28—Recognizing the second week in May as Melanoma and Skin Cancer Detection and Prevention Week in Nevada and encouraging the public to take measures to decrease incidents of skin cancer.

WHEREAS, One in five Americans will get skin cancer in his lifetime; and

WHEREAS, More than one million new cases of skin cancer, a potentially deadly disease and the most common of all types of cancer, will be diagnosed in the United States this year; and

WHEREAS, Most people do not realize that the skin is the largest and most visible organ of the body and performs many essential tasks; and

WHEREAS, Melanoma, the most deadly form of skin cancer, is now the fastest growing cancer in the United States, with cases increasing at an epidemic rate; and

WHEREAS, One American dies from melanoma every 62 minutes, and 116,500 new cases of melanoma are projected to be diagnosed this year; and

WHEREAS, In 2008, 480 Nevadans were diagnosed with melanoma; and

WHEREAS, Melanoma is the second most common cancer in adolescents and young adults ages 15 to 29 and is the leading cause of cancer death in women ages 25 to 30 and the second only to breast cancer in women ages 30 to 34; and

WHEREAS, The United States Department of Health and Human Services has declared ultraviolet radiation from the sun and artificial sources, such as tanning beds and sun lamps, as a known carcinogen; and

WHEREAS, Evidence from several studies has shown that exposure to ultraviolet radiation from indoor tanning devices is associated with an increased risk of melanoma and nonmelanoma skin cancer such as squamous cell carcinoma and basal cell carcinoma, especially when a person is exposed at an early age; and

WHEREAS, More than 2.3 million teenagers use artificial tanning devices each year, and more than 25 percent of American teenagers have used tanning booths three or more times; and

WHEREAS, Skin damage from ultraviolet radiation is cumulative, and its adverse effects, including skin cancer and premature aging, often take years to become apparent; and

WHEREAS, Much of this damage occurs during the teenage years as evidenced by the fact that skin cancer is occurring in younger populations; and

WHEREAS, If detected and treated early, melanoma is often curable, with monthly self-examination being one of the most effective methods of early detection, as well as periodic checkups by a doctor; and

WHEREAS, Some simple precautions to take include avoiding the sun in peak hours, wearing protective clothing, using sunscreen and sunglasses, and avoiding tanning beds and sunlamps; and

WHEREAS, The Nevada Cancer Institute, the official cancer institute of the State of Nevada, combats melanoma by conducting inventive immunotherapy research, providing melanoma patients with cutting-edge treatments and clinical trials, and educating Nevadans on sun-safety behaviors; and

WHEREAS, Organizations such as the American Cancer Society and other statewide and local organizations collaborate as members of the Nevada Cancer Council to bring together and coordinate cancer prevention efforts, early detection, treatment, support and research to improve the quality of life for everyone in Nevada; 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 recognize melanoma as a serious health issue and urge all Nevadans to avail themselves of information concerning the prevention, early detection and treatment of melanoma to reduce the occurrence of this deadly form of cancer; and be it further

RESOLVED, That the Nevada Legislature formally recognizes May as National Melanoma and Skin Cancer Detection and Prevention Month and declares the second week of May as Melanoma and Skin Cancer Detection and Prevention Week in Nevada.

Senator Copening moved the adoption of the resolution.

Senator Raggio requested that the resolution be adopted in memory of Michael Mellott, Dorothy Souza and Carol Martini.

Remarks by Senators Copening, Raggio and Amodei.

Senator Copening requested that the following remarks be entered in the Journal.

## SENATOR COPENING:

Thank you, Mr. President. It is my true privilege to sponsor this resolution in honor of the many Nevadans who have won the battle against Melanoma, and those who have lost their lives to the disease, including my brother, Michael Mellott, who is pictured on the screen. This particular picture was taken on Thanksgiving Day in 2007. Only three weeks earlier, he had been diagnosed with stage 4 metastatic melanoma that had spread to his brain and liver. He had brain surgery on November 1st and we celebrated our last Thanksgiving with him. He died 4 months later at the age of 46.

We lost a beautiful person in my brother, and my hope is that by bringing attention to this disease, my fellow Nevadans will take special care to examine their bodies regularly and look for suspicious moles.

To help with this process, I strongly encourage everyone to stop by a booth we have set up between the two Chambers and learn more. At the booth, you can have your skin analyzed to assess skin blemishes and pigment damage from the sun. Please take a few minutes today to protect yourself for the future.

## SENATOR RAGGIO:

Thank you, Mr. President. I would like to thank my colleague from southern Nevada for bringing forth this resolution. I am in support of it, and I have a personal reason for doing so.

In 1998, after having a brown spot on my cheek for years and having it removed occasionally only to have it return, I was diagnosed with level 3 Melanoma. I had surgery, and a year later, I was diagnosed with level 3 metastatic Melanoma. It was a sobering diagnosis. Life expectancy is 50-50 at best. At that moment, I decided there were more important things in my life. I went to M.D. Anderson in Houston and received excellent treatment. I know I was very fortunate. I empathize with you, Senator, for your loss. I have counseled others about this, and I appreciate this reminder of the seriousness of this illness on behalf of the many who have this disease. There are three types, basal cell, squamous and Melanoma. I remind all of you to not disregard this disease. Get examined frequently. It is a price we pay for being out-of-doors. In my early years, I used to lie out in the sun to get that wonderful tan, but you pay a price for it in later years. Take advantage of the screenings available and go to the dermatologist often. What you did to your skin as a youth will show up when you are older.

## SENATOR AMODEI:

Three sessions ago, I noticed a sore that did not heal on my arm so I went to a dermatologist. He told me my skin was the worst type for our climate in northern Nevada. He found I had numerous areas that needed to be treated. Fortunately, because of the treatments available, my basal-cell skin cancer is easily treatable. The medicine stimulates the immune system, and I did not need to have the areas excised. As we age, it is important to be watchful for skin spots and to go to the doctor for regular checkups. Thank you, Senator Copening for bringing this resolution to us.

Resolution adopted.

Senator Copening moved that all necessary rules be suspended and that Senate Concurrent Resolution No. 28 be immediately transmitted to the Assembly.

Motion carried unanimously.

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

Motion carried.

Senate in recess at 12:26 p.m.

## SENATE IN SESSION

At 12:27 p.m.

President Krolicki presiding.

Quorum present.

By Senators Raggio, Amodei, Breeden, Care, Carlton, Cegavske, Coffin, Copening, Hardy, Horsford, Lee, Mathews, McGinness, Nolan, Parks, Rhoads, Schneider, Townsend, Washington, Wiener, Woodhouse; Assemblymen Gansert, Aizley, Anderson, Arberry, Atkinson, Bobzien, Buckley, Carpenter, Christensen, Claborn, Cobb, Conklin, Denis, Dondero Loop, Goedhart, Goicoechea, Grady, Gustavson, Hambrick, Hardy, Hogan, Horne, Kihuen, Kirkpatrick, Koivisto, Leslie, Manendo, Mastroluca, McArthur, McClain, Mortenson, Munford, Oceguela, Ohrenschall, Parnell, Pierce, Segerblom, Settelmeyer, Smith, Spiegel, Stewart and Woodbury:

Senate Concurrent Resolution No. 29—Memorializing former State Climatologist, John James.

WHEREAS, One of the last photos taken of John James, former State Climatologist and University of Nevada, Reno, professor, before his passing on January 15, 2007, depicts him in a t-shirt with the inscription, "Mr. Weather to you," representing his enthusiasm and passion for the career path he had chosen; and

WHEREAS, He first became interested in weather while serving as a military cartographer in Korea during the Korean War, which eventually led to the work he conducted for the State of Nevada, and his fascination with climate, and especially severe weather, was unparalleled; and

WHEREAS, John moved to Nevada in 1969 to help found Sierra Nevada College at Incline Village and, soon thereafter, began work as a research associate for the Foresta Institute for Ocean and Mountain Studies in Carson City; and

WHEREAS, An esteemed educator, he served for 28 years at the University of Nevada, Reno, as a geography and meteorology professor and also as Chair of the University's Institutional Athletic Board, and of all of his commendable pursuits, he loved teaching the most and often enlivened his lectures with humor; and

WHEREAS, This climate frontiersman was on the cutting edge in the field of weather modification and became a respected authority on alpine environment and climate, especially in the Sierra Nevada range and the Lake Tahoe Basin; and

WHEREAS, Mr. James was eventually appointed as the State Climatologist, and in his 23 years in that capacity, he studied, maintained and documented the State's weather records through a network of volunteer observers in backyard weather stations throughout the State, in addition to serving as Chair of the Governor's Drought Review and Reporting Committee when Nevada suffered through an extended drought period; and

WHEREAS, John was preceded in death by his wife Lois, and he is survived by his sons Mark and Lee and daughter Cathy-Lee, as well as five grandchildren; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That members of the 75th Session of the Nevada Legislature hereby express their grief for the loss of John James, their sincere condolences to his beloved family and their admiration and gratitude for his long service to the State of Nevada; and be it further

RESOLVED, That Mr. James will be remembered by his family, friends, colleagues and former students as a devoted father and a great educator, and his legacy will continue in his career's numerous accomplishments and discoveries, as well as the scholarship endowment his son Mark and Mark's wife, Lori, have established to support students of the atmospheric sciences and geography; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to John James's sons Mark and Lee and his daughter Cathy-Lee.

Senator Raggio moved the adoption of the resolution.

Remarks by Senators Raggio, Hardy and McGinness.

Senator Raggio requested that the following remarks be entered in the Journal.

SENATOR RAGGIO:

Thank you, Mr. President. This is a recognition that is long over due. I regret that we did not do this sooner. John James was a unique individual. He passed away in January 2007. For over 23 years, he was the State Climatologist. Many of us who have served in this body knew him. He testified before our committees and was a resource for this body for climate. He had a passion for what he did. He was a professor for 28 years, and his students have fond memories of him and learned a great deal in his classes. He was a dedicated professor of geography and meteorology.

He served as Chair of the University Institutional Athletic Board. He loved the out-of-doors. He loved the Sierras and the Tahoe area. Many of the weather stations in the area were placed there by John James. He served us well during his lifetime, and his work continues today.

This resolution recognizes his sincere dedication, his passion for his work. For many years while he served as the State Climatologist, he did so without pay. It was only in the later years that the State paid him a small salary for his work. He never asked for much, but he contributed a great deal. He developed the system we have today for determining extreme weather conditions. Today, we recognize and remember his dedication and expertise with this resolution.

SENATOR HARDY:

I rise in support of this resolution. I remember an evening when Professor James saved me from an uncomfortable night. In the 1990s, during a blizzard in Reno, I wanted to fly back to Las Vegas. John James had come to the airport to pickup his son, Senator James. Senator James kept saying the weather was going to get better. We really wanted to fly home. I was nervous that we would be stuck at the airport. I asked John James if the weather was going to stop snowing, and he said "no." I left the airport, and I think I got the last hotel room in Reno. I spent the night in a comfortable hotel room thanks to Professor James.

I appreciate his service to this State. He was respected and admired by his colleagues.

SENATOR MCGINNESS:

I also rise in support of this resolution. John came to KVLV radio one day. I thought he was there to see me, but instead, he wanted to talk to one of my employees who lived in Stillwater. Since there was not a weather site at that location, he wanted to put one there, and it is there, still, thanks to John James.

Resolution adopted.

Senator Raggio moved that all necessary rules be suspended and that Senate Concurrent Resolution No. 29 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 12:37 p.m.

## SENATE IN SESSION

At 12:38 p.m.

President Krolicki presiding.

Quorum present.

Senator Horsford moved that Senate Bills Nos. 182, 201, 412, 414; Assembly Bills Nos. 29, 47, 48, 49, 85, 122, 168, 174, 177, 194, 209, 213, 230, 231, 242, 248, 257, 259, 274, 353, 362, 364, 459, 516 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

## INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Finance:

Senate Bill No. 420—AN ACT relating to state financial administration; prospectively reducing the salaries of the state constitutional officers; and providing other matters properly relating thereto.

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

Motion carried.

## SECOND READING AND AMENDMENT

Senate Bill No. 411.

Bill read second time and ordered to third reading.

Assembly Bill No. 71.

Bill read second time and ordered to third reading.

Assembly Bill No. 97.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 584.

"SUMMARY—Requires the establishment of procedures for transferring governmental functions between and among local governments and state agencies. (BDR 31-487)"

"AN ACT relating to governmental financial administration; requiring the establishment by regulation of procedures for transferring governmental functions between and among local governments; requiring the establishment by regulation of procedures for transferring governmental functions between and among local governments and state agencies; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

This bill requires the Committee on Local Government Finance to adopt regulations to establish procedures for transferring a function from one local government to another local government.

This bill also requires the Committee on Local Government Finance, in consultation with the Director of the Department of Administration, to adopt

regulations to establish procedures for transferring a function from a local government to a state agency or from a state agency to a local government.

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

Section 1. Chapter 353 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The Committee on Local Government Finance created pursuant to NRS 354.105 shall, in consultation with the Director of the Department of Administration, adopt regulations to establish procedures for transferring a function from a state agency to a local government or from a local government to a state agency.*

2. *The regulations adopted by the Committee on Local Government Finance pursuant to subsection 1 must:*

(a) *Be adopted in the manner prescribed for state agencies in chapter 233B of NRS.*

(b) *Include provisions requiring:*

(1) *That, except as otherwise provided in subsection 3, notice to the affected state agency and local government of the intent to transfer a function from a state agency to a local government or from a local government to a state agency be given not less than 30 days before September 1 of an even-numbered year, unless a different period of notification is required by a statute or by contractual agreement.*

(2) *That, except as otherwise provided in subsection 3, the effective date of the transfer of a function from a state agency to a local government or from a local government to a state agency not be any earlier than July 1 of the year after the year in which notice is given, as described in subparagraph (1).*

(3) *The exchange of such information between the affected state agency and local government as is necessary to complete the transfer, including, without limitation, such matters as a complete description of the function to be transferred and the mechanism to be used to pay for the performance of that function.*

3. *An affected state agency and local government may, by mutual agreement, waive the requirements set forth in subparagraphs (1) and (2) of paragraph (b) of subsection 2.*

4. *As used in this section, "local government" has the meaning ascribed to it in NRS 354.474.*

Sec. 2. NRS 353.150 is hereby amended to read as follows:

353.150 NRS 353.150 to 353.246, inclusive, *and section 1 of this act* may be cited as the State Budget Act.

Sec. 3. NRS 353.246 is hereby amended to read as follows:

353.246 1. Except as otherwise provided in subsection 2 of this section and subsection 6 of NRS 353.210, the provisions of NRS 353.150 to 353.245, inclusive, *and section 1 of this act* do not apply to agencies, bureaus, commissions and officers of the Legislative Department, the Public

Employees' Retirement System and the Judicial Department of the State Government.

2. The Legislative Department, the Public Employees' Retirement System and the Judicial Department of the State Government shall submit their budgets to the Legislature in the same format as the proposed executive budget unless otherwise provided by the Legislative Commission. All projections of revenue and any other information concerning future state revenue contained in those budgets must be based upon the projections and estimates prepared by the Economic Forum pursuant to NRS 353.228.

Sec. 4. Chapter 354 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The Committee on Local Government Finance shall adopt regulations to establish procedures for transferring a function from one local government to another local government.*

2. *The regulations adopted by the Committee on Local Government Finance pursuant to subsection 1 must:*

(a) *Be adopted in the manner prescribed for state agencies in chapter 233B of NRS.*

(b) *Include provisions requiring:*

(1) ~~At~~ *Except as otherwise provided in subsection 3, at least 180 days' notice to the affected local governments of the intent to transfer a function from one local government to another local government, unless a different period of notification is required by a statute or by contractual agreement.*

(2) *The exchange of such information between the affected local governments as is necessary to complete the transfer, including, without limitation, such matters as a complete description of the function to be transferred and the mechanism to be used to pay for the performance of that function.*

3. *Affected local governments may, by mutual agreement, waive the requirements set forth in subparagraph (1) of paragraph (b) of subsection 2.*

Sec. 5. NRS 354.476 is hereby amended to read as follows:

354.476 As used in NRS 354.470 to 354.626, inclusive, and section 4 of this act, unless the context otherwise requires, the words and terms defined in NRS 354.479 to 354.578, inclusive, have the meanings ascribed to them in those sections.

Sec. 6. NRS 354.594 is hereby amended to read as follows:

354.594 The Committee on Local Government Finance shall determine and advise local government officers of regulations, procedures and report forms for compliance with NRS 354.470 to 354.626, inclusive ~~+~~ , and section 4 of this act.

Sec. 7. NRS 354.626 is hereby amended to read as follows:

354.626 1. No governing body or member thereof, officer, office, department or agency may, during any fiscal year, expend or contract to expend any money or incur any liability, or enter into any contract which by its terms involves the expenditure of money, in excess of the amounts

appropriated for that function, other than bond repayments, medium-term obligation repayments and any other long-term contract expressly authorized by law. Any officer or employee of a local government who willfully violates NRS 354.470 to 354.626, inclusive, *and section 4 of this act* is guilty of a misdemeanor ~~+~~ and upon conviction thereof ceases to hold his office or employment. Prosecution for any violation of this section may be conducted by the Attorney General or, in the case of incorporated cities, school districts or special districts, by the district attorney.

2. Without limiting the generality of the exceptions contained in subsection 1, the provisions of this section specifically do not apply to:

(a) Purchase of coverage and professional services directly related to a program of insurance which require an audit at the end of the term thereof.

(b) Long-term cooperative agreements as authorized by chapter 277 of NRS.

(c) Long-term contracts in connection with planning and zoning as authorized by NRS 278.010 to 278.630, inclusive.

(d) Long-term contracts for the purchase of utility service such as, but not limited to, heat, light, sewerage, power, water and telephone service.

(e) Contracts between a local government and an employee covering professional services to be performed within 24 months following the date of such contract or contracts entered into between local government employers and employee organizations.

(f) Contracts between a local government and any person for the construction or completion of public works, money for which has been or will be provided by the proceeds of a sale of bonds, medium-term obligations or an installment-purchase agreement and that are entered into by the local government after:

(1) Any election required for the approval of the bonds or installment-purchase agreement has been held;

(2) Any approvals by any other governmental entity required to be obtained before the bonds, medium-term obligations or installment-purchase agreement can be issued have been obtained; and

(3) The ordinance or resolution that specifies each of the terms of the bonds, medium-term obligations or installment-purchase agreement, except those terms that are set forth in subsection 2 of NRS 350.165, has been adopted.

↪ Neither the fund balance of a governmental fund nor the equity balance in any proprietary fund may be used unless appropriated in a manner provided by law.

(g) Contracts which are entered into by a local government and delivered to any person solely for the purpose of acquiring supplies, services and equipment necessarily ordered in the current fiscal year for use in an ensuing fiscal year and which, under the method of accounting adopted by the local government, will be charged against an appropriation of a subsequent

fiscal year. Purchase orders evidencing such contracts are public records available for inspection by any person on demand.

(h) Long-term contracts for the furnishing of television or FM radio broadcast translator signals as authorized by NRS 269.127.

(i) The receipt and proper expenditure of money received pursuant to a grant awarded by an agency of the Federal Government.

(j) The incurrence of obligations beyond the current fiscal year under a lease or contract for installment purchase which contains a provision that the obligation incurred thereby is extinguished by the failure of the governing body to appropriate money for the ensuing fiscal year for the payment of the amounts then due.

(k) The receipt by a local government of increased revenue that:

(1) Was not anticipated in the preparation of the final budget of the local government; and

(2) Is required by statute to be remitted to another governmental entity.

Sec. 8. This act becomes effective upon passage and approval.

Senator Lee moved the adoption of the amendment.

Remarks by Senator Lee.

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

Thank you, Mr. President. It provides for a waiver of the 180-day notice requirement for a transfer of functions between local governments should those local entities mutually agree to a shorter timeframe.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Assembly Bill No. 176.

Bill read second time and ordered to third reading.

Assembly Bill No. 389.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 603.

"SUMMARY—Revises provisions governing the protection of personal identifying information. (BDR 52-772)"

"AN ACT relating to personal identifying information; prohibiting a ~~person~~ business from printing certain information concerning a credit card or debit card on any copy of a receipt retained by the ~~person~~ business; prohibiting a person from providing machines that do not allow a ~~person~~ business to comply with the prohibition against printing certain information; providing civil and criminal penalties; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Existing state and federal laws prohibit a person who accepts credit cards or debit cards for the transaction of business from printing the expiration date of the card or more than the last five digits of the account number of the card on any receipt provided to the cardholder. (NRS 597.945; 15 U.S.C.

§ 1681c(g)) Section 2 of this bill prohibits ~~such~~ a ~~person~~ business from printing more than the last five digits of the account number of the card on any copy of the receipt that is retained by the ~~person who~~ business that accepted the card. Additionally, section 2 prescribes a civil penalty of \$500 for a ~~person who~~ business that violates these provisions and an additional penalty of \$1,000 per week for a ~~person who~~ business that does not correct the violation. The aggregate amount of civil penalties imposed on a ~~person~~ business for violations of these provisions which occur on the same premises must not exceed \$4,500. Finally, section 2 authorizes the Attorney General or a district attorney to: (1) recover the civil penalties in a civil action; and (2) bring an action to enjoin any violation of the provisions of section 2. A ~~person who~~ business that violates any order or injunction issued to enjoin a violation of the provisions of section 2 is guilty of a gross misdemeanor.

Section 3 of this bill exempts from the applicability of section 2, from July 1, 2009, to December 31, 2009, a ~~person who~~ business that does not have the ability to control or adjust the manner in which a receipt is electronically printed.

Section 1 of this bill prohibits a manufacturer or a supplier from providing, selling or leasing a cash register or other machine or device that does not allow a ~~person~~ business to comply with the provisions of section 2. Section 1 also authorizes the Attorney General or a district attorney to bring an action to enjoin any violation of the provisions of section 1. A person who violates any order or injunction issued to enjoin a violation of the provisions of section 1 is guilty of a gross misdemeanor.

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

Section 1. Chapter 597 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *A manufacturer or supplier of a cash register or other machine or device that prints receipts for transactions in which a credit card or debit card is used shall not provide, lease or sell for the transaction of business any equipment that does not allow a ~~person~~ business to comply with the provisions of subsection 1 of NRS 597.945.*

2. *The Attorney General or the district attorney may bring an action in any court of competent jurisdiction in the name of the State of Nevada against any person to restrain and prevent any violation of this section. The court may issue an injunction for those purposes without proof of actual damage sustained by any person.*

3. *A person who violates any order or injunction issued pursuant to this section is guilty of a gross misdemeanor.*

4. *As used in this section:*

(a) *"Credit card" has the meaning ascribed to it in NRS 597.945.*

(b) *"Debit card" has the meaning ascribed to it in NRS 597.945.*

(c) "Supplier" means a person engaged in the business of providing, leasing or selling cash registers or other machines or devices that are used to print receipts in the transaction of business.

Sec. 2. NRS 597.945 is hereby amended to read as follows:

597.945 1. Except as otherwise provided in this section, if a ~~person~~ business accepts credit cards or debit cards for the transaction of business, the ~~person~~ business shall not : ~~do any of the following:~~

(a) Print the expiration date of the credit card or debit card on any receipt provided to the cardholder ; ~~;~~

(b) Print more than the last five digits of the account number of the credit card or debit card on any receipt provided to the cardholder ~~;~~ ; or

(c) *Print more than the last five digits of the account number of the credit card or debit card on any copy of a receipt retained by the ~~person~~ business.*

2. This section:

(a) Applies only to receipts that are electronically printed.

(b) Does not apply to transactions in which the only means of recording the credit card or debit card number is:

(1) By handwriting the credit card or debit card number; or

(2) By imprinting or copying the credit card or debit card.

3. ~~If any cash register or other machine or device that electronically prints receipts for credit card or debit card transactions was first put into use before October 1, 2003, the provisions of this section do not apply to any transaction that occurs with regard to that cash register or other machine or device before January 1, 2008.~~ A ~~person who~~ business that violates any provision of this section is liable for a civil penalty in the amount of \$500. The ~~person~~ business must be given notice of the violation and 2 weeks to correct the violation. A ~~person who~~ business that does not correct the violation within 2 weeks after receiving notice of the violation is liable for an additional civil penalty in the amount of \$1,000 per week until the ~~person~~ business corrects the violation, except that the aggregate amount of civil penalties imposed on a ~~person~~ business for violations which occur on the same premises must not exceed \$4,500.

4. A civil penalty imposed pursuant to subsection 3 must be recovered in a civil action brought in the name of the State of Nevada by the Attorney General or by any district attorney in a court of competent jurisdiction. Any penalty collected pursuant to this section must be paid to the State Treasurer for credit to the State General Fund.

5. The Attorney General or the district attorney may bring an action in any court of competent jurisdiction in the name of the State of Nevada against any ~~person~~ business to restrain and prevent any violation of this section. The court may issue an injunction for those purposes without proof of actual damage sustained by any person.

6. A ~~person who~~ business that violates any order or injunction issued pursuant to this section is guilty of a gross misdemeanor.

7. As used in this section:

(a) "Credit card" means any instrument or device, whether known as a credit card, credit plate or by any other name, issued with or without fee by an issuer for the use of the cardholder in obtaining money, property, goods, services or anything else of value on credit.

(b) "Debit card" means any instrument or device, whether known as a debit card or by any other name, that is issued with or without a fee by an issuer for the use of the cardholder in obtaining money, property, goods, services or anything else of value, subject to the issuer removing money from the checking account or savings account of the cardholder.

Sec. 3. 1. From July 1, 2009, to December 31, 2009, inclusive, the prohibitions set forth in subsection 1 of NRS 597.945 are applicable only to a ~~person who~~ business that has the control or ability to adjust the manner in which a receipt is electronically printed for transactions in which a credit card or debit card is used.

2. As used in this section:

(a) "Credit card" has the meaning ascribed to it in NRS 597.945.

(b) "Debit card" has the meaning ascribed to it in NRS 597.945.

Sec. 4. 1. This section and sections 2 and 3 of this act become effective on July 1, 2009.

2. Section 1 of this act becomes effective on October 1, 2009.

Senator Wiener moved the adoption of the amendment.

Remarks by Senator Wiener.

Senator Wiener requested that her remarks be entered in the Journal.

Thank you, Mr. President. The amendment simply changes references to "a person" with the substitute language to "a business." Therefore, the business would be the reference point throughout the measure.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Assembly Bill No. 410.

Bill read second time.

The following amendment was proposed by the Committee on Commerce and Labor:

Amendment No. 575.

"SUMMARY—Makes various changes concerning workers' compensation. (BDR 53-90)"

"AN ACT relating to industrial insurance; allowing the provisions of certain collective bargaining agreements to supersede various statutory provisions relating to industrial insurance; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Section 1 of this bill allows the provisions of collective bargaining agreements between certain employers ~~in certain construction-related businesses~~ and the labor organizations that represent their employees to

supersede various statutory provisions relating to industrial insurance. Such collective bargaining agreements may include provisions which establish processes for alternative dispute resolution, lists of medical evaluators and providers of medical treatment, joint safety committees, programs for light-duty or modified job responsibilities and programs for vocational rehabilitation.

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

Section 1. Chapter 616A of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Except as otherwise provided in subsection 2, notwithstanding any provisions of chapters 616A to 617, inclusive, of NRS to the contrary, the Division and the courts of this State shall recognize as valid and binding ~~any provision~~ in a collective bargaining agreement between a private employer or a group of private employers ~~engaged in construction, construction maintenance or activities limited to rock, sand, gravel, cement and asphalt operations, heavy-duty mechanics, surveying and construction inspection,~~ and a labor organization that represents the employees of such employers, any provision which establishes:*

(a) *A process for alternative dispute resolution, including, without limitation, mediation and arbitration, which governs disputes between employees and employers or their insurers and which supplements or replaces all or part of the dispute resolution processes contained in chapters 616A to 617, inclusive, of NRS. Any such process for alternative dispute resolution must provide that a finding of fact, award, order or decision of an arbitrator or board of arbitration:*

(1) *Has the same force and effect as a finding of fact, award, order or decision of a hearing officer or the Administrator, as applicable; and*

(2) *Is subject to review by an appeals officer in the same manner, and using the same procedures, as provided for review of a finding of fact, award, order or decision made by a hearing officer or the Administrator, as applicable; ~~and~~*

(b) *The use of a specified list of providers of medical treatment who may be the exclusive source of all medical treatment provided under chapters 616A to 617, inclusive, of NRS; ~~and~~*

(c) *The use of a specified list of medical evaluators who may be the exclusive source of all medical evaluations under chapters 616A to 617, inclusive, of NRS; ~~and~~*

(d) *A joint committee for safety involving both the employer and the labor organization; ~~and~~*

(e) *A program for light-duty employment or employment that is modified according to limitations or restrictions imposed by a physician or chiropractor; ~~and~~ or*

(f) *A program for vocational rehabilitation utilizing a specified list of providers of vocational rehabilitation services who may be the exclusive*

*source of all vocational rehabilitation services under chapters 616A to 617, inclusive, of NRS.*

2. *Nothing in this section:*

*(a) Authorizes any provision of a collective bargaining agreement to reduce the entitlement of an employee to compensation for temporary total disability, temporary partial disability, permanent total disability, permanent partial disability, vocational rehabilitation services or medical treatment fully paid for by the employer, as otherwise provided in chapters 616A to 617, inclusive, of NRS. Any provision of a collective bargaining agreement which purports to so reduce the entitlement of an employee to any such compensation is void.*

*(b) Prohibits an employer and a labor organization from negotiating any aspect of the delivery of medical benefits or the delivery of compensation for disability to employees of the employer or group of employers who are eligible for group health benefits and disability benefits through their employer other than those provided in chapters 616A to 617, inclusive, of NRS.*

3. *As used in this section, "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment or conditions of work.*

Sec. 2. This act becomes effective on July 1, 2009.

Senator Carlton moved the adoption of the amendment.

Remarks by Senator Carlton.

Senator Carlton requested that her remarks be entered in the Journal.

Thank you, Mr. President. This amendment removes the restriction that only employers engaged in construction, construction maintenance or other activities related to construction can enter into a collective bargaining agreement that contains provisions related to the administration of workers' compensation claims. It would allow everyone to enter into these agreements if they have a collective-bargaining agreement.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 415.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 583.

"SUMMARY—Makes various changes concerning the organization of county offices in certain smaller counties. (BDR 20-507)"

"AN ACT relating to counties; authorizing certain smaller counties to combine or separate certain county offices after approval by a vote of the residents of the county; ~~making the County Clerk the ex-officio County Treasurer in White Pine County except in certain circumstances;~~ and providing other matters properly relating thereto."

## Legislative Counsel's Digest:

Existing law grants to the Nevada Legislature the power to increase, diminish, consolidate or abolish the offices of county clerk, county recorder, auditor, sheriff, district attorney and public administrator. (Nev. Const., Art. 4, § 32) As interpreted by the Nevada Supreme Court, Nev. Const., Art. 4, § 32, does not set forth an exhaustive list of all the county offices that the Legislature may increase, diminish, consolidate or abolish but, instead, clarifies that although the offices of county clerk, county recorder, auditor, sheriff, district attorney and public administrator are constitutional offices, the Legislature may nonetheless increase, diminish, consolidate or abolish those offices. (*Harvey v. Second Judicial Dist. Court*, 117 Nev. 754, 764-66 (2001)) The Court has further determined that the Legislature may either exercise or delegate the authority set forth in Nev. Const., Art. 4, § 32. (*Cawley v. Pershing County*, 50 Nev. 237, 247 (1927))

This bill, in counties whose population is less than 40,000 (currently counties other than Clark, Douglas, Elko and Washoe Counties and Carson City), authorizes the governing body of the county, after making certain findings and after approval of the residents of the county pursuant to an advisory ballot question (NRS 293.482), to combine or separate any county offices, except for constitutional county offices that are not listed in Nev. Const., Art. 4, § 32. Thus, this bill does not authorize the governing body of a county to combine or separate such offices as county commissioner or district judge. (Nev. Const., Art. 4, § 26, Art. 6, § 5)

~~Existing law makes the county clerk of certain counties the ex officio county treasurer for their respective counties. (NRS 249.010) Section 4 of this bill adds White Pine County to the list of such counties making the County Clerk the ex officio County Treasurer of that County, unless the governing body alters this using the new mechanism for combining or separating county offices.~~

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

Section 1. Chapter 244 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Except as otherwise provided in subsection 2, the board of county commissioners of a county whose population is less than 40,000 may by ordinance direct that:*

(a) *The powers and duties of two or more county offices be combined into one county office.*

(b) *The powers and duties of one county office be allocated between two or more county offices.*

2. *A board of county commissioners shall not take the action described in subsection 1 unless:*

(a) *The board determines that the combining or separating of the applicable county offices will benefit the public;*

(b) *The board determines that the combining or separating of the applicable county offices will not create:*

(1) *An ethical, legal or practical conflict of interest; or*

(2) *A situation in which the powers and duties assigned to a county office are incompatible with the proper performance of that office in the public interest;*

(c) *The board submits to the residents of the county, in the form of an advisory ballot question pursuant to NRS 293.482, a proposal to combine or separate the applicable county offices; and*

(d) *A majority of the voters voting on the advisory ballot question approves the proposal.*

3. *If the combining or separating of county offices pursuant to this section will result in the elimination of one or more county offices, the combining or separating of offices must not become effective until the earlier of the date on which:*

(a) *The normal term of office of the person whose office will be eliminated expires; or*

(b) *The person whose office will be eliminated resigns.*

4. *If the combining or separating of county offices pursuant to this section results in the powers and duties of one county office being transferred to another county office, the county office to which the powers and duties are transferred shall be deemed to be the county office from which the powers and duties were transferred for the purposes of any applicable provision of law authorizing or requiring the performance or exercise of those powers and duties, as appropriate.*

Sec. 2. NRS 247.010 is hereby amended to read as follows:

247.010 1. Except as otherwise provided in subsection 3 ~~†~~ or as altered pursuant to the mechanism set forth in section 1 of this act, county recorders must be elected by the qualified electors of their respective counties.

2. County recorders must be chosen by the electors of their respective counties at the general election in 1922, and at the general election every 4 years thereafter, and shall enter upon the duties of their respective offices on the first Monday of January subsequent to their election.

3. The Clerk of Carson City is ex officio the Recorder of Carson City.

Sec. 3. NRS 248.010 is hereby amended to read as follows:

248.010 *Unless the arrangement is altered pursuant to the mechanism set forth in section 1 of this act:*

1. Sheriffs must be elected by the qualified electors of their respective counties.

2. Sheriffs must be chosen by the electors of their respective counties at the general election in 1922, and at the general election every 4 years thereafter, and shall enter upon the duties of their respective offices on the first Monday of January subsequent to their election.

Sec. 4. NRS 249.010 is hereby amended to read as follows:

249.010 1. Except as *otherwise* provided in subsection 3 ~~+~~ or as *altered pursuant to the mechanism set forth in section 1 of this act*, county treasurers must be elected by the qualified electors of their respective counties.

2. County treasurers must be chosen by the electors of their respective counties at the general election in 1922, and at the general election every 4 years thereafter, and shall enter upon the duties of their respective offices on the first Monday of January subsequent to their election.

3. The county clerks of Churchill, Douglas, Esmeralda, Eureka, Lyon, Mineral, Pershing and Storey ~~and White Pine~~ Counties are ex officio county treasurers of their respective counties ~~+~~, *unless such an arrangement is altered pursuant to the mechanism set forth in section 1 of this act*.

Sec. 5. NRS 251.010 is hereby amended to read as follows:

251.010 1. The county recorder is ex officio county auditor in counties in which a county comptroller has not been appointed ~~+~~, *unless such an arrangement is altered pursuant to the mechanism set forth in section 1 of this act*.

2. County auditors shall keep an office at the county seat of their county, which must be kept open in accordance with the provisions of NRS 245.040.

Sec. 6. NRS 253.010 is hereby amended to read as follows:

253.010 1. Except as otherwise provided in subsection 4 ~~+~~ or as *altered pursuant to the mechanism set forth in section 1 of this act*, public administrators must be elected by the qualified electors of their respective counties.

2. Public administrators must be chosen by the electors of their respective counties at the general election in 1922 and at the general election every 4 years thereafter, and shall enter upon the duties of their office on the first Monday of January after their election.

3. The public administrator of a county must:

- (a) Be a qualified elector of the county;
- (b) Be at least 21 years of age on the date he will take office;
- (c) Not have been convicted of a felony for which his civil rights have not been restored by a court of competent jurisdiction; and
- (d) Not have been found liable in a civil action involving a finding of fraud, misrepresentation, material omission, misappropriation, theft or conversion.

4. The district attorneys of Lander, Lincoln and White Pine Counties are ex officio public administrators of Lander County, Lincoln County and White Pine County, respectively ~~+~~, *unless such an arrangement is altered pursuant to the mechanism set forth in section 1 of this act*.

5. The Clerk of Carson City shall serve as Public Administrator of Carson City.

Sec. 7. NRS 253.150 is hereby amended to read as follows:

253.150 1. The board of county commissioners of each county shall establish the office of public guardian.

2. The board of county commissioners shall:

(a) Appoint a public guardian, who serves at the pleasure of the board, for a term of 4 years from the day of appointment;

(b) Designate an elected or appointed county officer as ex officio public guardian;

(c) Pursuant to the mechanism set forth in section 1 of this act, designate another county officer to execute the powers and duties of the public guardian;

(d) Except in a county whose population is 100,000 or more, contract with a private professional guardian to act as public guardian; or

~~[(d)]~~ (e) Contract with the board of county commissioners of a neighboring county in the same judicial district to designate as public guardian the public guardian of the neighboring county.

3. The compensation of a public guardian appointed or designated pursuant to subsection 2 must be fixed by the board of county commissioners and paid out of the county general fund.

4. As used in this section, "private professional guardian" means a person who receives compensation for services as a guardian to three or more wards who are not related to the person by blood or marriage. The term does not include:

(a) A governmental agency.

(b) A banking corporation, as defined in NRS 657.016, or an organization permitted to act as fiduciary pursuant to NRS 662.245 if it is appointed as guardian of an estate only.

(c) A trust company, as defined in NRS 669.070.

(d) A court-appointed attorney licensed to practice law in this State.

Sec. 8. NRS 253.160 is hereby amended to read as follows:

253.160 1. Upon taking office, a public guardian shall file with the county clerk a general bond in an amount fixed by the board of county commissioners payable to the State of Nevada with sureties approved by the board of county commissioners. The premium for the bond shall be paid from the general funds of the county and be conditioned upon the public guardian's faithful performance of his duties.

2. The general bond and oath of office of a public guardian are in lieu of the bonds and oaths required of private guardians.

3. The oath and bond of an elected or appointed public officer designated ~~[ex officio]~~ public guardian *or designated to execute the powers and duties of the public guardian* pursuant to *paragraph (b) or (c) of subsection 2 of NRS 253.150* are in lieu of the bonds and oaths required of private guardians. The court may require ~~[the ex officio public guardian]~~ *such a designee* to execute a separate bond for any guardianship in the manner prescribed in NRS 159.065.

Sec. 9. NRS 259.020 is hereby amended to read as follows:

259.020 Except in any county where a coroner is appointed pursuant to NRS 244.163, all sheriffs in this state are ex officio coroners ~~[ ]~~, *unless such*

*an arrangement is altered pursuant to the mechanism set forth in section 1 of this act.*

Sec. 10. This act becomes effective on July 1, 2009.

Senator Lee moved the adoption of the amendment.

Remarks by Senator Lee.

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

Thank you, Mr. President. This removes the provision that would have added White Pine County to the list of counties in which the county clerk serves as the ex-officio county treasurer.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 429.

Bill read second time and ordered to third reading.

UNFINISHED BUSINESS  
SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Bills Nos. 48, 156, 314.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Amodei, the privilege of the floor of the Senate Chamber for this day was extended to Dr. Leah Wilds and Dr. Robert Morin.

On request of Senator Breeden, the privilege of the floor of the Senate Chamber for this day was extended to Dr. Jeff Geihs.

On request of Senator Copening, the privilege of the floor of the Senate Chamber for this day was extended to Tom McCoy, Michael Brown, Stacey Escalante and Samantha Guild.

On request of Senator Horsford, the privilege of the floor of the Senate Chamber for this day was extended to Christina Gunn.

On request of Senator Mathews, the privilege of the floor of the Senate Chamber for this day was extended to Ken Burhmann and Fran Harris.

On request of Senator McGinness, the privilege of the floor of the Senate Chamber for this day was extended to Gaylea Manning and Steve Fargan.

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to former Senator Mark James, Lori James, Lee James and Cathy-Lee James.

On request of Senator Schneider, the privilege of the floor of the Senate Chamber for this day was extended to Ruben Murillo and Kay Ann Pilling.

On request of Senator Townsend, the privilege of the floor of the Senate Chamber for this day was extended to Lillian Francovich.

On request of Senator Washington, the privilege of the floor of the Senate Chamber for this day was extended to the following students and teachers

from the Jessie Hall Elementary School: Bryce Byram, Hannah Cano, Amanda Chisholm, Ashley Cihak, Sarah Connor, Mariah Dent, Hayley Fein, Sydney Ham, Elizabeth Hansen, Andrea Isaac, Tyrus Johnson, Hannah Jorgensen, Austin Lewis, Leticia Lugo, Darah McGovern, Jane Miller, Davis Mooney, Pedro Mora, Logan O'Day, Elliott Parrish, Keith Perkins, Jonathon Rabina, Halle Rodriguez, Adam Santana, Tyler Smith, Kenna Snow, Nathan Stucki, Zachery Tanner, Terrell Tissychy-Ortero, Benjamin Walsh, Jake Ward, Kaylee Westlake, Savannah Wilbur, Ariel Zamarripa, Fayth Bailor, Kyler Bradley, Melanie Cabanilla, Skyler Caudill, Adrienne Coats, Chance Cottle, Lacey Cottle, Garrett Darby, Megan Donohue, Dylan Dzininski, Natalija Engelken, Dylan Evans, Jacob Finkelberg, Kathryn Fish, Dominick Fitzmorris, Willie Freemyers, Clay Gillespie, Sean Griffith, Haily Heckendorn, Jeremy Holm, Evette Jackson, Joprden Kriner, Austin Ladd, Cayden Linares, Eduardo Mora, Blake Naney, Oscar Nila, Matthew O'Leary, Kay Quong, Amber Rhett, Talena Two Hearts, Addam York, Ezra Calvillo, Tyler Chirrick, Samantha Cooper, Jalen Crawl, Daniel Davidson, Ticen Davis, Marlee Fitts, Noah Flint, Hannah Gonzalez, Ashleigh Hodgins, Tyler Hopkins, Collin Jimenez, Alexavier King, Ben Kohlman, Justin Kong, Santiago Lugo, Rogelio Maldonado, Reece Masset, Carson McCuster, Alexadra McVey, Kristin Morrison, Michelle Padilla, Darren Prather, Jayce Robinson, Monica Saylor, Kaylie Seiders, Savannah Smithson, Adam Steele, Brandon Steele, Taylor Stewart, Katie Wadsworth, Jacob Brennan, Christian Medellin; teachers: Mrs. Ward, Mr. Ford and Mrs. Blincoe.

On request of Senator Wiener, the privilege of the floor of the Senate Chamber for this day was extended to Jane Anderson and Lynn Warne.

On request of Senator Woodhouse, the privilege of the floor of the Senate Chamber for this day was extended to Kathy Kulas and Lisa Primas.

Senator Horsford moved that the Senate adjourn until Wednesday, May 6, 2009, at 11 a.m.

Motion carried.

Senate adjourned at 12:51 p.m.

Approved:

BRIAN K. KROLICKI  
*President of the Senate*

Attest: CLAIRE J. CLIFT

*Secretary of the Senate*