

THE ELEVENTH DAY

CARSON CITY (Thursday), February 17, 2011

Senate called to order at 11:03 a.m.

President Krolicki presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Albert Tilstra.

Our Father, in times of confusion, when men and women doubt their beliefs and believe their doubts and are victims of ideologies that seek to divide and conquer, give to the women and men of this House a true appreciation of the great affirmations we hold in common.

Let us appreciate our agreements and have the courage and conviction to stand up for them, that we may stand united and fearless before the rest of this nation and before the world.

Direct those who govern in this great State that they may make it as hard as possible to do wrong and as easy as possible to do right. To that end, incline these Senators to the eternal truths You have revealed for today and for the rest of this Session.

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 Education, to which was referred Senate Bill No. 62, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Commerce, Labor and Energy.

MO DENIS, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, February 16, 2011

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bills Nos. 7, 11, 28.

MATTHEW BAKER

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Denis moved that Senate Bill No. 62 be re-referred to the Committee on Commerce, Labor and Energy.

Remarks by Senator Denis.

Motion carried.

By the Senate Committee on Legislative Operations, Elections and the Assembly Committee on Legislative Operations and Elections:

Senate Concurrent Resolution No. 2—Directing the Office of the Attorney General, the Agency for Nuclear Projects and the State Department of Conservation and Natural Resources to conduct a joint investigation into

whether Nevada could potentially receive monetary compensation from the Federal Government for contamination as a result of certain military exercises, nuclear weapons testing and other activities conducted by the Federal Government in Nevada, to the extent that such an investigation would not cost those agencies any money or resources.

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

Motion carried.

Senator Settlemeyer has approved the addition of Senator Brower as a sponsor of Senate Joint Resolution No. 6.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Schneider:

Senate Bill No. 164—AN ACT relating to persons involved in the administration of insurance; requiring claims examiners for third-party administrators to be licensed; requiring vocational rehabilitation counselors for third-party administrators to be licensed; providing a penalty; and providing other matters properly relating thereto.

Senator Schneider moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By Senator Roberson:

Senate Bill No. 165—AN ACT relating to arbitration; requiring, with certain exceptions, all arbitrators to be neutral and impartial; revising the qualifications for service as an arbitrator; revising certain provisions relating to disclosures by arbitrators; revising certain provisions relating to vacating awards in arbitral proceedings; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Leslie and Manendo:

Senate Bill No. 166—AN ACT relating to motor vehicles; revising provisions governing the installation of an ignition interlock device following a conviction of driving under the influence of alcohol or a controlled substance; and providing other matters properly relating thereto.

Senator Leslie moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Senator Leslie:

Senate Bill No. 167—AN ACT relating to the protection of children; authorizing an agency which provides child welfare services to make available reports of the abuse or neglect of children under certain

circumstances; providing a penalty; and providing other matters properly relating thereto.

Senator Leslie moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Senators Hardy and Gustavson:

Senate Bill No. 168—AN ACT relating to public health; revising provisions governing access to certain medical records; requiring a physician who performs an autopsy to submit a written report of the findings of the autopsy to the Board of Medical Examiners in certain circumstances; revising provisions governing the submission of certain reports concerning surgeries requiring conscious sedation, deep sedation or general anesthesia; revising provisions governing reports to the Board of a change in the privileges of a physician, perfusionist, physician assistant or practitioner of respiratory care; revising provisions governing the standard of proof in any disciplinary hearing before the Board; revising provisions governing access to and the data collected by the computerized program to track prescriptions of controlled substances developed by the State Board of Pharmacy and the Investigation Division of the Department of Public Safety; increasing certain fees; and providing other matters properly relating thereto.

Senator Hardy moved that the bill be referred to the Committee on Commerce, Labor and Energy.

Motion carried.

By Senators Hardy, Gustavson, Roberson and Assemblyman Sherwood:

Senate Bill No. 169—AN ACT relating to public employees; prohibiting state and local government employers from assigning greater weight to the seniority of employees than to the service rating of employees when determining the order of layoffs; requiring certain collective bargaining agreements between local government employers and employee organizations to prohibit the local government employer from assigning greater weight to the seniority of employees than to the service rating of employees when determining the order of layoffs of certain employees; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Horsford and Assemblyman Ocegüera:

Senate Bill No. 170—AN ACT relating to elections; requiring the formation of a petitioners' committee before commencing proceedings for statewide initiative or referendum; authorizing the withdrawal of a petition for statewide initiative or referendum in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Leslie:

Senate Bill No. 171—AN ACT relating to weapons; revising the provisions governing the possession of dangerous weapons at certain locations; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Parks (by request):

Senate Bill No. 172—AN ACT relating to public health; creating the Statewide Program for Public Education and the Prevention of Sudden Infant Death Syndrome; requiring the Health Division of the Department of Health and Human Services to develop and implement the Program; requiring certain providers of health care and certain medical facilities to distribute information concerning sudden infant death syndrome and sudden unexpected infant death to certain persons; requiring the Advisory Board on Maternal and Child Health to assist the Health Division in developing the Program; and providing other matters properly relating thereto.

Senator Parks moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Senator Parks (by request):

Senate Bill No. 173—AN ACT relating to health districts; authorizing the board of county commissioners of certain counties to authorize the district board of health to establish and maintain an integrated system for the provision of certain health and social services; authorizing the board of county commissioners to place certain county agencies under the direct control and supervision of the district health department; authorizing the district board of health to adopt regulations; requiring the district board of health to make certain reports to the Governor and the Legislature concerning an integrated system for the provision of health and social services; and providing other matters properly relating thereto.

Senator Parks moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Senator Copening:

Senate Bill No. 174—AN ACT relating to common-interest communities; authorizing appeals to the Commission for Common-Interest Communities and Condominium Hotels after certain actions by the Real Estate Division of

the Department of Business and Industry; revising provisions concerning the removal or abatement of a public nuisance on the exterior of a unit under certain circumstances; revising provisions relating to elections for members of an executive board; revising provisions concerning the removal of members of an executive board; revising provisions governing meetings of units' owners and meetings of an executive board; revising provisions governing the maintenance and repair of walls within a common-interest community; revising insurance and bond requirements for unit-owners' associations and community managers; revising provisions relating to the maintenance and investment of association funds; revising provisions concerning the assessment of certain common expenses against a unit's owner; revising provisions governing the withdrawal of money from the operating account of an association; revising provisions concerning liens on a unit for certain charges or fees; prohibiting a unit's owner from engaging in certain threatening conduct or retaliatory actions; revising provisions governing the award of punitive damages in certain circumstances; revising provisions governing management agreements and community managers; exempting certain associations from the requirement to obtain a state business license; making various other changes relating to common-interest communities; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Gustavson, Settelmeyer, Cegavske, Hardy, Kieckhefer, Lee, McGinness, Roberson; Assemblymen Ellison, Goedhart, Goicoechea, Hambrick, Hickey, Kirkpatrick, Kirner and McArthur:

Senate Bill No. 175—AN ACT relating to concealed firearms; providing for the confidentiality of certain records and other information relating to the holder of a concealed firearms permit; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Gustavson:

Senate Bill No. 176—AN ACT relating to concealed firearms; removing the prohibition against carrying a concealed firearm; repealing all provisions governing permits to carry concealed firearms; deleting certain provisions relating to the registration of firearms capable of being concealed; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Gustavson, Halseth, Cegavske, Lee, Manendo, Roberson, Settlemeyer; Assemblymen Ellison, Goedhart, Hambrick, Kirkpatrick and McArthur:

Senate Bill No. 177—AN ACT relating to motorcycles; revising provisions governing the wearing of protective headgear when operating motorcycles under certain circumstances; and providing other matters properly relating thereto.

Senator Gustavson moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Senators Gustavson, Hardy, McGinness, Roberson, Settlemeyer; Assemblymen Hansen, Ellison, Goedhart, Goicoechea, Hambrick, Kirner and McArthur:

Senate Bill No. 178—AN ACT relating to foreign nationals; prohibiting the use of threats relating to the immigration status of a person to compel a person to perform certain acts; requiring a person to submit proof of citizenship to register to vote; prohibiting a person from voting when that person knows that he or she is not entitled to vote; providing that a person who is not a citizen of the United States is not eligible for a Governor Guinn Millennium Scholarship; providing that a person who is not a citizen of the United States is not eligible to receive certain state benefits; prohibiting the Department of Motor Vehicles from issuing a driver's license to a person who is not lawfully present in the United States; requiring a person who is applying for a driver's license to submit proof that he or she is lawfully present in the United States; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Gustavson:

Senate Bill No. 179—AN ACT relating to motor vehicles; providing for the issuance of special license plates indicating support for the rights guaranteed pursuant to the Second Amendment to the Constitution of the United States; imposing a fee for the issuance and renewal of such license plates; and providing other matters properly relating thereto.

Senator Gustavson moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Senators Parks, Breeden, Wiener; Assemblymen Aizley, Atkinson, Conklin and Ocegüera (by request):

Senate Bill No. 180—AN ACT relating to crimes; providing an additional penalty for certain crimes motivated by the victim's gender identity or expression; expanding the aggravating circumstances for murder of the

first degree to include murder which was motivated by the victim's gender identity or expression; providing certain civil liability for a person who commits certain crimes motivated by the victim's gender identity or expression; revising provisions concerning the reporting of certain crimes; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

Assembly Bill No. 7.

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

Motion carried.

Assembly Bill No. 11.

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

Motion carried.

Assembly Bill No. 28.

Senator Wiener moved that the bill be referred to the Committee on Transportation.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 17.

Bill read second time and ordered to third reading.

Senate Bill No. 18.

Bill read second time and ordered to third reading.

Senate Bill No. 19.

Bill read second time and ordered to third reading.

Senate Bill No. 37.

Bill read second time and ordered to third reading.

Senate Bill No. 55.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Wiener moved that Senate Bill No. 9 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Brower, the privilege of the Floor of the Senate Chamber for this day was extended to Christine Flores.

Senator Horsford moved that the Senate adjourn until Friday, February 18, 2011, at 11 a.m.

Motion carried.

Senate adjourned at 11:34 a.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: DAVID A. BYERMAN
Secretary of the Senate