

THE TWENTY-THIRD DAY

CARSON CITY (Tuesday), March 1, 2011

Senate called to order at 11:14 a.m.

President Krolicki presiding.

Roll called.

All present.

Prayer by the Chaplain, Doug Stewart.

Loving Heavenly Father,

We come to You this hour asking for your blessing and help as we are gathered together. We pray for guidance in the matters at hand and ask that You would clearly show us how to conduct our work with a spirit of joy and enthusiasm.

Give us the desire to find ways to excel in our work. Help us to work together and encourage each other to excellence. We ask that we would challenge each other to reach higher and farther to be the best we can be.

To end this prayer, this is a statement from an eighth grade student at St. Teresa's School. Thank you, good and gracious God, for all the blessings you have bestowed upon us. Protect us from anything that is hurtful as we walk the path of our faith.

We thank You for the nurturing environment that You have provided for us. Guide us as we teach others the goodness of God and help us live our lives as children of God.

Help us to make good choices as we continue our path to success. Lead us to be the best that we can be as we grow in body, mind and faith.

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.

INTRODUCTION, FIRST READING AND REFERENCE

By Senators Leslie, Hardy; Assemblymen Mastroluca, Carlton and Bobzien:

Senate Bill No. 205—AN ACT relating to nursing; requiring national certification for a registered nurse to receive a certificate of recognition as an advanced practitioner of nursing; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Leslie:

Senate Bill No. 206—AN ACT relating to the Legislature; requiring legislative lobbyists to file reports concerning lobbying activities at the end of each calendar quarter in which the Legislature is not in session in addition to filing monthly reports during session; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce, Labor and Energy:

Senate Bill No. 207—AN ACT relating to employment; authorizing the imposition of an administrative penalty against an employer who misclassifies an employee as an independent contractor; 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 the Committee on Commerce, Labor and Energy:

Senate Bill No. 208—AN ACT relating to employee misclassification; requiring certain state agencies to share information relating to suspected employee misclassification under certain circumstances; creating the Task Force on Employee Misclassification; providing its duties; making various other changes relating to employee misclassification; 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 the Committee on Health and Human Services:

Senate Bill No. 209—AN ACT relating to public health; requiring certain reports relating to sentinel events to be made available to the public; revising provisions relating to the use and release of certain information submitted to the Internet-based surveillance system established by the Centers for Disease Control and Prevention of the United States Department of Health and Human Services; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Senate Bill No. 210—AN ACT relating to food establishments; requiring a food establishment or food processing establishment that manufactures or processes food to comply with nationally recognized guidelines for the manufacturing and processing of food that are adopted by the State Board of Health or a local board of health by regulation; providing for the testing of such manufactured or processed food by an independent laboratory; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Senate Bill No. 211—AN ACT relating to education; requiring the Legislative Committee on Education to conduct a study concerning the implementation of the Common Core State Standards in the public schools in this State; and providing other matters properly relating thereto.

Senator Denis moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Education:

Senate Bill No. 212—AN ACT relating to education; revising provisions relating to sponsorship of charter schools; creating the State Board of Charter Schools; prescribing the membership, duties and powers of the State Board of Charter Schools; repealing the Subcommittee on Charter Schools of the State Board of Education; and providing other matters properly relating thereto.

Senator Denis moved that the bill be referred to the Committee on Education.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Lee moved that Senate Bill No. 192 be taken from the Second Reading File and placed on the Secretary's desk.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 94.

Bill read third time.

The following amendment was proposed by Senator McGinness:

Amendment No. 13.

"SUMMARY—Provides for the realignment of certain judicial districts. (BDR 1-758)"

"AN ACT relating to district courts; providing for the realignment of certain judicial districts; and providing other matters properly relating thereto."

Legislative Counsel's Digest:

Existing law provides for this State to be divided into nine judicial districts. (Nev. Const. Art. 6, § 5; NRS 3.010) The *Nevada Constitution* authorizes the Legislature, under certain circumstances, to: (1) alter the boundaries or divisions of those judicial districts; (2) increase or diminish the number of those judicial districts; and (3) increase or diminish the number of judges in those judicial districts. (Nev. Const. Art. 6, § 5) **Section 2** of this bill increases the number of judicial districts in this State from 9 to 10 judicial districts. **Section 2** also removes Churchill County from the Third Judicial District and provides that Churchill County constitutes the Tenth Judicial District. (NRS 3.010) **Sections 1 and 3** of this bill decrease

the number of district judges in the Third Judicial District from three to two and provide that the Tenth Judicial District will have one district judge. (NRS 3.013)

~~This~~ **Section 4 of this bill : (1) clarifies that this bill** does not affect the current term of any district judge who is serving in that office on January 1, 2012. ~~It~~ ; **and (2) provides that on January 1, 2012, the district judge who was serving in Department 1 of the Third Judicial District becomes the one district judge for the Tenth Judicial District and the district judges who were serving in Departments 2 and 3 of the Third Judicial District continue serving as the two district judges for the Third Judicial District.**

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

Section 1. Chapter 3 of NRS is hereby amended by adding thereto a new section to read as follows:

For the Tenth Judicial District there must be one district judge.

Sec. 2. NRS 3.010 is hereby amended to read as follows:

3.010 The State is hereby divided into ~~nine~~ **10** judicial districts, as follows:

First Judicial District. Carson City and the County of Storey constitute the First Judicial District.

Second Judicial District. The County of Washoe constitutes the Second Judicial District.

Third Judicial District. The ~~Counties~~ **County** of ~~Churchill and~~ Lyon ~~constitute~~ **constitutes** the Third Judicial District.

Fourth Judicial District. The County of Elko constitutes the Fourth Judicial District.

Fifth Judicial District. The Counties of Mineral, Esmeralda and Nye constitute the Fifth Judicial District.

Sixth Judicial District. The Counties of Lander, Pershing and Humboldt constitute the Sixth Judicial District.

Seventh Judicial District. The Counties of Eureka, White Pine and Lincoln constitute the Seventh Judicial District.

Eighth Judicial District. The County of Clark constitutes the Eighth Judicial District.

Ninth Judicial District. The County of Douglas constitutes the Ninth Judicial District.

Tenth Judicial District. *The County of Churchill constitutes the Tenth Judicial District.*

Sec. 3. NRS 3.013 is hereby amended to read as follows:

3.013 For the Third Judicial District there must be ~~three~~ **two** district judges.

Sec. 4. 1. The amendatory provisions of this act do not abrogate or affect the current term of office of any district judge who is serving in that office on January 1, 2012.

2. On January 1, 2012:

(a) The district judge who was serving in Department 1 of the Third Judicial District before January 1, 2012, becomes the one district judge for the Tenth Judicial District; and

(b) The district judges who were serving in Departments 2 and 3 of the Third Judicial District before January 1, 2012, continue serving as the two district judges for the Third Judicial District.

Sec. 5. This act becomes effective on January 1, 2012.

Senator McGinness moved the adoption of the amendment.

Remarks by Senator McGinness.

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

Senate Bill No. 94 creates a new judicial district by dividing up the Third Judicial District. The amendment clarifies which judge goes where upon realignment.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 149.

Bill read third time.

Remarks by Senator Cegavske.

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

I would like to thank you all, especially the Chair of the Committee. I wanted to let all of you know that I received e-mails from the parents of those who came to testify, both from the North and the South. They wanted to thank the Committee for their kindness and for their genuine sincerity by listening to their children testify in favor of this bill. I wanted to share this with you and to thank you very much.

Roll call on Senate Bill No. 149:

YEAS—21.

NAYS—None.

Senate Bill No. 149 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Lee, the privilege of the Floor of the Senate Chamber for this day was extended to Dan Woodward and Lucy Woodward.

Senator Horsford moved that the Senate adjourn until Wednesday, March 2, 2011, at 11 a.m.

Motion carried.

Senate adjourned at 11:29 a.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: DAVID A. BYERMAN
Secretary of the Senate