

THE THIRTY-EIGHTH DAY

CARSON CITY (Wednesday), March 16, 2011

Senate called to order at 11:06 a.m.

President Krolicki presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Dixie Jennings-Teats.

O gracious One, source of our life and stream of mercy, we come before You, trusting not in our own righteousness but in Your great and manifold mercies.

During this time of Christian Lent, we remember Jesus in His time in the wilderness, tempted by the powers of this world. Let us learn from Him, walking with Him as He stands on the side of the poor, the vulnerable, the powerless.

Help us to resist the temptations of selfish power. Help us to instead find ways to empower those in need. Help us use resources for the good of all, including the least among us.

Guide this body in Your wisdom, O heart of compassion, as we remember those around the world as well as those in our own communities struggling for daily bread.

In the name of love we pray.

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 Commerce, Labor and Energy, to which was referred Senate Bill No. 202, has had the same under consideration, and begs leave to report the same back with the recommendation: Re-refer to the Committee on Government Affairs.

MICHAEL A. SCHNEIDER, *Chair*

Mr. President:

Your Committee on Revenue, to which were referred Senate Bills Nos. 31, 32, 33, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

SHEILA LESLIE, *Chair*

Mr. President:

Your Committee on Transportation, to which was referred Assembly Bill No. 43, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

SHIRLEY A. BREEDEN, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 14, 2011

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 217.

MATTHEW BAKER
Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Schneider moved that Senate Bill No. 202 be re-referred to the Committee on Government Affairs.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator McGinness:

Senate Bill No. 240—AN ACT relating to mining; providing for the automatic renewal of certain permits required for the operation of small exploration projects and small mining operations; exempting applications for permits for small exploration projects and small mining operations certain provisions governing public hearings; providing that certain small exploration projects and small mining operations are not sources of air contaminants; providing for the commencement of alterations to a source of air contaminant before approval from the Director of the State Department of Conservation and Natural Resources under certain circumstances; exempting certain small exploration projects and small mining operations from the provisions governing mines; expanding the area of "small exploration project" and "small mining operation" from 5 to 10 acres for the purposes of exempting activities conducted on such land from existing provisions governing mining operations and exploration projects; and providing other matters properly relating thereto.

Senator McGinness moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By Senator Rhoads:

Senate Bill No. 241—AN ACT relating to initiative petitions; providing that petition districts from which signatures for an initiative petition must be gathered are conterminous with the districts for electing the Board of Regents of the University of Nevada; and providing other matters properly relating thereto.

Senator Rhoads 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. 242—AN ACT relating to industrial insurance; revising the definition of "independent contractor"; revising provisions relating to the posting of a notice identifying an employer's industrial insurer; 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 Copenig:

Senate Bill No. 243—AN ACT relating to common-interest communities; revising provisions governing the imposition of fees on units' owners to cover the costs of collecting past due obligations; establishing limits on the amount which may be charged to a unit's owner to cover the costs of collecting a past due financial obligation; revising provisions governing the manner in which payments received from units' owners are accounted for and applied; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Senate Bill No. 244—AN ACT relating to motor vehicles; revising provisions governing special license plates, special or temporary parking placards and special or temporary parking stickers for certain persons with disabilities; authorizing a law enforcement officer to require the immediate surrender of special license plates, special or temporary parking placards or special or temporary parking stickers under certain circumstances; requiring a court to issue an order directing the Department of Motor Vehicles to suspend the drivers' licenses of certain persons who violate provisions governing special license plates, special or temporary parking placards and special or temporary parking stickers under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks, Manendo, Copenig, Denis and Assemblyman Anderson (by request):

Senate Bill No. 245—AN ACT relating to older persons; creating the Statewide Alert System for the Safe Return of Missing Older Persons; requiring the Department of Public Safety to administer and adopt regulations for the System; prescribing the circumstances under which a law enforcement agency may activate the System; providing immunity from civil liability for a broadcaster who broadcasts certain information pursuant to a notification of activation of the System; providing immunity from civil liability for certain persons who enter into agreements with the Department to establish or maintain an Internet website for the System; providing that a person who intentionally makes certain false or misleading statements to cause activation of the System is guilty of a category E felony; providing a penalty; 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 Leslie:

Senate Bill No. 246—AN ACT relating to protection of children; requiring the Administrator of the Health Division of the Department of Health and Human Services to approve or provide for training programs concerning the administration and management of medication for employees of certain entities that have custody of children pursuant to the order of a court; requiring an employee of certain entities that have custody of such children successfully to complete a training program before administering medication to a child; 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 Senator Wiener:

Senate Bill No. 247—AN ACT relating to public schools; establishing the Program for School-Based Health Centers; requiring the State Health Officer to administer the Program to the extent that money is available; authorizing school districts and charter schools to establish school-based health centers; establishing the Fund for School-Based Health Centers; prescribing certain requirements for school-based health centers that receive money from the Fund; providing immunity from civil liability for school districts and charter schools that establish school-based health centers; providing immunity from civil liability for providers of health care who provide care at school-based health centers; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks, Lee, Breeden, Copening, Denis, Horsford, Kihuen, Leslie, Manendo, Schneider, Wiener and Assemblyman Anderson:

Senate Bill No. 248—AN ACT relating to motor vehicles; revising the manner in which drivers of motor vehicles may overtake and pass bicycles or electric bicycles; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks, Denis, Manendo and Assemblyman Anderson:

Senate Bill No. 249—AN ACT relating to the taxation of property; revising the provisions governing the administration of certain exemptions from taxation, the determination of the taxable value of the community units of a common-interest community, the conversion of mobile or manufactured homes from real to personal property, certain appeals of the taxable value of property on the unsecured tax roll, the payment of taxes on personal property in installments, and the determination of when an overpayment of taxes on personal property will not be refunded or a deficiency in the payment of such

taxes will be exempted from collection; postponing the prospective expiration of certain provisions for the funding of accounts for the acquisition and improvement of technology in the offices of county assessors; repealing certain requirements relating to the minimum valuation of certain land; and providing other matters properly relating thereto.

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

Motion carried.

Assembly Bill No. 217.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 12.

Bill read second time and ordered to third reading.

Senate Bill No. 35.

Bill read second time and ordered to third reading.

Senate Bill No. 225.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 124.

Bill read third time.

Remarks by Senator Roberson.

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

Assembly Bill No. 124 requires a funeral director who obtains possession of the unclaimed human remains of a person who might be a veteran to report the name of that person to Nevada's Office of Veterans' Services (NOVS) within one year after obtaining possession of the remains. The NOVS must determine whether the deceased person is a veteran who is eligible for interment in a national cemetery or veterans' cemetery and notify the funeral director. The funeral director must arrange for the proper disposition of the veteran's remains. The funeral director is not liable for any act or omission in complying with these requirements.

Roll call on Assembly Bill No. 124:

YEAS—21.

NAYS—None.

Assembly Bill No. 124 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Bill No. 23; Assembly Bill No. 28.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Breeden, the privilege of the Floor of the Senate Chamber for this day was extended to Zhan Okuda-Lim.

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

On request of Senator Cegavske, the privilege of the Floor of the Senate Chamber for this day was extended to Alex Bybee.

On request of Senator Copening, the privilege of the Floor of the Senate Chamber for this day was extended to James "Hank" Combs.

On request of Senator Halseth, the privilege of the Floor of the Senate Chamber for this day was extended to Taylor Beacham.

On request of Senator Hardy, the privilege of the Floor of the Senate Chamber for this day was extended to SaDarius Clayton and Myra Wright.

On request of Senator Horsford, the privilege of the Floor of the Senate Chamber for this day was extended to Brian Newman.

On request of Senator Kieckhefer, the privilege of the Floor of the Senate Chamber for this day was extended to Alexis Garduno.

On request of Senator Kihuen, the privilege of the Floor of the Senate Chamber for this day was extended to Dr. Milton Glick and Dr. Marc Johnson.

On request of Senator Leslie, the privilege of the Floor of the Senate Chamber for this day was extended to Amanda Marie Walters.

On request of Senator McGinness, the privilege of the Floor of the Senate Chamber for this day was extended to Jessica Ramirez and Stephen James Wood.

On request of Senator Rhoads, the privilege of the Floor of the Senate Chamber for this day was extended to Tyler Penn-Brown.

On request of Senator Roberson, the privilege of the Floor of the Senate Chamber for this day was extended to Erin Cranor.

On request of Senator Schneider, the privilege of the Floor of the Senate Chamber for this day was extended to Mike Ashe.

On request of Senator Settelmeyer, the privilege of the Floor of the Senate Chamber for this day was extended to Haley Johnson and Ricardo Terriquez.

On request of Senator Wiener, the privilege of the Floor of the Senate Chamber for this day was extended to Angelina Cook and Rene Yeckley.

Senator Horsford moved that the Senate adjourn until Thursday, March 17, 2011, at 11 a.m.

Motion carried.

Senate adjourned at 11:51 a.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: DAVID A. BYERMAN
Secretary of the Senate