

THE FORTY-THIRD DAY

CARSON CITY (Monday), March 21, 2011

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

President Pro Tempore Schneider presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Norm Milz.

Almighty God and Father.

You have brought us to a new day in which to serve You and the citizens of the State of Nevada. Guide and lead us in our discussion and formulation of bills to be advanced for the well-being of the constituents that elected us to fulfill this important role.

Today we face the deadline for introduction of bills. We pray for Your gifts of wisdom, patience and good conscience that the work we do together may be done well and for the good of all. Keep us from making quick decisions because of time that might cause struggle for the citizens and the programs of this State.

Today we also come to You asking for Your help and assistance for the people of Japan as the death toll continues to rise, and the radioactive fallout from the damaged reactors not prove to be a grave difficulty for the citizens of the country. Guard and keep any military that is involved in the action being taken against the nation and leadership of Libya. Help us remember that all things are in Your sovereign and mighty hands.

All these things we bring to You trusting in Your love, grace and mercy which You showed us through Your Son, Jesus Christ.

AMEN.

Pledge of Allegiance to the Flag.

Senator Horsford moved that further reading of the Journal be dispensed with, and the President Pro Tempore and Secretary be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. President:

Your Select Committee on Economic Growth and Employment, to which was referred Senate Bill No. 219, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Select Committee on Economic Growth and Employment, to which was referred Assembly Concurrent Resolution No. 4, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

RUBEN J. KIHUEN, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 18, 2011

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 4.

MATTHEW BAKER

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

By Senator Lee:

Senate Joint Resolution No. 9—Proposing to amend the *Nevada Constitution* to require an affirmative vote of two-thirds of the members elected to each House of the Legislature to decrease revenues or reserves of or mandate that new or different services be performed by a local government.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That Section 18 of Article 4 of the *Nevada Constitution* be amended to read as follows:

Sec. 18. 1. Every bill, except a bill placed on a consent calendar adopted as provided in subsection ~~4~~ 5, must be read by sections on three several days, in each House, unless in case of emergency, two thirds of the House where such bill is pending shall deem it expedient to dispense with this rule. The reading of a bill by sections, on its final passage, shall in no case be dispensed with, and the vote on the final passage of every bill or joint resolution shall be taken by yeas and nays to be entered on the journals of each House. Except as otherwise provided in ~~subsection 2,~~ **this section**, a majority of all the members elected to each House is necessary to pass every bill or joint resolution, and all bills or joint resolutions so passed, shall be signed by the presiding officers of the respective Houses and by the Secretary of the Senate and Clerk of the Assembly.

2. Except as otherwise provided in subsection 3, an affirmative vote of not fewer than two-thirds of the members elected to each House is necessary to pass a bill or joint resolution which creates, generates, or increases any public revenue in any form, including but not limited to taxes, fees, assessments and rates, or changes in the computation bases for taxes, fees, assessments and rates.

3. A majority of all of the members elected to each House may refer any measure which creates, generates, or increases any revenue in any form to the people of the State at the next general election, and shall become effective and enforced only if it has been approved by a majority of the votes cast on the measure at such election.

4. ***An affirmative vote of not fewer than two-thirds of the members elected to each House is necessary to pass a bill or joint resolution which decreases revenues or reserves collected by, distributed to, or held by a local government, or imposes fees on or mandates that new or different services be performed by a local government.***

5. Each House may provide by rule for the creation of a consent calendar and establish the procedure for the passage of uncontested bills.

Senator Lee moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion Carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senators Gustavson, Cegavske, Denis, Halseth, Hardy, Kieckhefer, Lee, McGinness, Rhoads, Roberson, Settlemeyer; Assemblymen Sherwood, Hansen, Aizley, Daly, Goicoechea, Grady, Hambrick, Hammond, Hickey, Horne, Kirner, Kite and McArthur:

Senate Bill No. 279—AN ACT relating to concealed firearms; revising provisions concerning the renewal of permits to carry concealed firearms; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Brower, Breeden, Manendo, McGinness; Assemblymen Anderson and Grady:

Senate Bill No. 280—AN ACT relating to veterans; revising provisions governing the use of money from the Gift Account for Veterans; and providing other matters properly relating thereto.

Senator Brower moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Senator Schneider:

Senate Bill No. 281—AN ACT relating to energy; requiring the Public Utilities Commission of Nevada to establish the Electric Vehicle Demonstration Program; requiring the Commission to adopt regulations to carry out the Demonstration Program; requiring electric utilities to administer the Demonstration Program in their service areas; exempting from regulation as a public utility a person who owns or operates a charging station that provides electricity for recharging an electric vehicle; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Gustavson, Cegavske, Denis, Halseth, Kieckhefer, McGinness, Roberson, Settlemeyer; Assemblymen Sherwood, Aizley, Ellison, Goicoechea, Grady, Hambrick, Hammond, Hansen, Hickey, Kirner, Kite and McArthur:

Senate Bill No. 282—AN ACT relating to crimes; prohibiting the intentional public posting or displaying of the social security number of another person; providing a penalty; 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. 283—AN ACT relating to postconviction relief; revising provisions governing the appointment of counsel for a postconviction petition for habeas corpus in which the petitioner has been sentenced to death; 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. 284—AN ACT relating to child custody; establishing a presumption concerning child custody and visitation orders for members of

the military under certain circumstances; authorizing a court to delegate the visitation rights of a member of the military to a family member of the member of the military under certain circumstances; requiring a court, under certain circumstances, to provide an expedited hearing concerning custody or visitation matters or allow participation in such a hearing by electronic means; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Leslie:

Senate Bill No. 285—AN ACT relating to health care; authorizing medical assistants to possess and administer dangerous drugs under certain circumstances; authorizing physicians to employ medical assistants; requiring notice of the employment of medical assistants; requiring the Board of Medical Examiners and the State Board of Osteopathic Medicine to adopt regulations relating to medical assistants; 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 Rhoads and Assemblywoman Smith:

Senate Bill No. 286—AN ACT relating to state employees; authorizing an award to a state employee or group of state employees who make a suggestion that results in savings to the State under certain circumstances; 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 Senator Rhoads:

Senate Bill No. 287—AN ACT relating to wind power projects; expressing opposition to the location of a proposed wind power project on Mount Wilson and Table Mountain; making recommendations for future action regarding the project; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settelmeyer:

Senate Bill No. 288—AN ACT relating to energy; revising the prospective expiration of the Waterpower Energy Systems Demonstration Program; revising provisions governing net metering systems that use waterpower to generate electricity; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Copenig (by request):

Senate Bill No. 289—AN ACT relating to insurance; revising provisions relating to nonadmitted insurance; authorizing the Commissioner of Insurance to enter the Nonadmitted Insurance Multi-State Agreement; revising provisions relating to the assessment and disbursement of taxes on nonadmitted insurance; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Copenig:

Senate Bill No. 290—AN ACT relating to deceptive trade practices; requiring certain disclosures in an offer for a sale or lease of certain goods or services pursuant to an automatic renewal contract; providing that certain acts relating to an automatic renewal contract constitute deceptive trade practices; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Copenig:

Senate Bill No. 291—AN ACT relating to tanning establishments; prohibiting an operator of a tanning establishment from allowing a person who is less than 18 years of age to use the tanning equipment of the establishment without obtaining the written consent of the parent or guardian of the person; authorizing a parent or guardian to bring an action against an owner or operator of a tanning establishment who fails to obtain such written consent; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Schneider (by request):

Senate Bill No. 292—AN ACT relating to insurance; providing for the licensure and regulation of persons who sell or offer coverage under a policy of portable electronics insurance; providing a fee; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Cegavske:

Senate Bill No. 293—AN ACT relating to nonprofit organizations; limiting the liability of nonprofit organizations which provide certain jobs and day training services or which operate certain rehabilitation facilities or workshops; requiring that an organization be approved by the Secretary of State as a bona fide nonprofit organization as a condition of participating in one of those programs; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Cegavske:

Senate Bill No. 294—AN ACT relating to public health; revising provisions governing persons authorized to possess and administer dangerous drugs; requiring physicians to notify the Board of Medical Examiners or State Board of Osteopathic Medicine of the employment status of medical assistants; revising provisions regarding certain acts of physicians; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 295—AN ACT relating to local financial administration; requiring the tentative and final budgets of school districts to include a division of the total budget into certain categories by total dollar amount approved for expenditure in each category; providing that, without advance approval of the Interim Finance Committee, the dollar amount in each category must not exceed by more than 5 percent the dollar amount in the same category from the immediately preceding fiscal year; requiring the Department of Taxation to prescribe an additional portion of the form for the tentative budgets of school districts on which to include the information required for the division of the budget of the school district into the prescribed categories; and providing other matters properly relating thereto.

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

Motion carried.

By Senator McGinness:

Senate Bill No. 296—AN ACT relating to local financial administration; creating the Pooled Fiscal Emergency Fund and the County Fiscal Emergency Board; authorizing certain counties to deposit money in the Fund and to apply to the Board for financial assistance from the Fund during a fiscal emergency; providing for the administration of the Fund by the State Treasurer; and providing other matters properly relating thereto.

Senator McGinness moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Senator Copening:

Senate Bill No. 297—AN ACT relating to public works; revising certain preferences relating to employment in the construction of a public work; and providing other matters properly relating thereto.

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

Motion carried.

By Senator McGinness:

Senate Bill No. 298—AN ACT relating to odors; authorizing a person to submit a written complaint to the Director of the State Department of Conservation and Natural Resources alleging the existence of a noxious odor; authorizing the Director to conduct an investigation concerning the existence and cause of the noxious odor; authorizing the State Environmental Commission to order the abatement of the noxious odor under certain circumstances; 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 Manendo (by request):

Senate Bill No. 299—AN ACT relating to animals; requiring the board of county commissioners of each county and the governing body of each incorporated city to adopt an ordinance requiring certain commercial breeders of dogs or cats to obtain a permit to act as a breeder; setting forth the requirements for the issuance of those permits; removing operators of animal shelters from the group of persons who must comply with certain standards of care for certain animals; providing that certain standards of care for animals apply to the care for all animals kept by certain persons; making various other changes to the standards of care for those animals; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Leslie:

Senate Bill No. 300—AN ACT relating to medical facilities; revising provisions governing billing and related practices of certain larger hospitals; revising requirements relating to notices of billing practices which must be provided to patients of certain hospitals; providing administrative penalties; 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 Settelmeyer:

Senate Bill No. 301—AN ACT relating to commodities; authorizing the State Dairy Commission to impound and dispose of certain milk or milk products; authorizing the Commission to impose a civil penalty for certain violations relating to fluid milk and fluid cream; requiring a member of the Commission to have a background in agriculture; authorizing the Commission to enter into an agreement to promote and develop the dairy industry in this State; revising the circumstances under which milk and milk products may be imported and sold in this State without inspection by the Commission; revising certain provisions governing distributors and producers of fluid milk and fluid cream; repealing certain provisions governing fees and sales of butter and margarine, inspection of dairy farms and hearings conducted by the Commission; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 302—AN ACT relating to crimes; prohibiting the sale of black powder and smokeless gunpowder to certain persons; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator McGinness:

Senate Bill No. 303—AN ACT relating to motor vehicles; requiring a physician to submit to the Department of Motor Vehicles medical evidence in support of a certified statement that a person has a permanent disability; requiring the Department to provide written notice to the appropriate licensing board of the physician if the Department has reason to believe that a physician failed to submit such medical evidence; requiring the appropriate licensing board to investigate certain notices received from the Department and impose administrative fines under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Leslie:

Senate Bill No. 304—AN ACT relating to redistricting; creating, contingent upon voter approval, a sixth ward for the City of Reno; requiring, contingent upon voter approval, that the candidates for Supervisor in Carson City and for Council Member in the City of Henderson, the City of Reno and the City of Sparks be voted upon in a primary or general election only by the registered voters of the ward that a candidate seeks to represent; 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 Senator Cegavske:

Senate Bill No. 305—AN ACT relating to education; creating the P-20 Leadership Council and prescribing the membership, duties and powers of the Council; repealing the provisions creating the P-16 Advisory Council; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Copening:

Senate Bill No. 306—AN ACT relating to constructional defects; revising provisions governing an award of attorney's fees in causes of action for constructional defects; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Copening:

Senate Bill No. 307—AN ACT relating to real property; revising provisions governing the exercise of the power of sale under a deed of trust concerning owner-occupied property; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Schneider:

Senate Bill No. 308—AN ACT relating to gaming; authorizing charitable organizations to operate remote caller bingo games; requiring the Nevada Gaming Commission to adopt regulations governing the operation of remote caller bingo games; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Settlemeyer:

Senate Bill No. 309—AN ACT relating to animals; authorizing a person to remove from his or her property an animal for which he or she has, by contract, provided care and shelter under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Cegavske and Hardy:

Senate Bill No. 310—AN ACT relating to public health; enacting the Freedom of Choice in Health Care Act to provide persons in this State with certain choices concerning the manner in which to obtain health care services; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Gustavson (by request):

Senate Bill No. 311—AN ACT relating to property; requiring recordation of assignments of certain interests in property; requiring a beneficiary of a deed of trust to disclose to authorized persons certain information regarding an assignment of a debt secured by the deed of trust; requiring satisfaction and discharge of a debt secured by a deed of trust upon payment of an amount less than the balance of debt under certain circumstances; 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 (by request):

Senate Bill No. 312—AN ACT relating to transportation; providing for the deregulation of certain motor carriers; authorizing the limited regulation of certain providers of transportation services and other entities; eliminating the Nevada Transportation Authority; providing for the imposition of certain regulatory fees; providing for the transfer of the Southern Nevada Taxicab Authority to Clark County; declaring certain administrative regulations void; requiring the transfer to the State General Fund of certain money in the Nevada Transportation Authority Regulatory Fund and the Taxicab Authority Fund; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Schneider:

Senate Bill No. 313—AN ACT relating to energy; requiring the Nevada Energy Commissioner to prescribe minimum standards of energy efficiency for certain electrical devices; authorizing the Commissioner to charge and collect a fee from manufacturers of certain electrical devices for the costs of any tests to confirm that such electrical devices comply with the minimum standards of energy efficiency prescribed by the Commissioner; authorizing the Commissioner to impose administrative fines; requiring the Public Utilities Commission of Nevada, in evaluating a 3-year plan submitted by an electric utility, to give preference to certain measures and sources of electricity; requiring an electric utility to include in its 3-year plan at least one scenario of supply and demand which maximizes the achievable net benefits from energy efficiency and conservation measures and programs; requiring the Commission to adopt regulations which include the opportunity for an electric utility to earn a return on investment from the implementation of energy efficiency and conservation programs equal to the return on investment earned by the utility from investment in alternative supply-side resources; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Lee:

Senate Bill No. 314—AN ACT relating to residential property; providing for the registration and regulation of asset management companies; providing for the permitting and regulation of employees and independent contractors of asset management companies; prohibiting a purchaser of residential property from voluntarily waiving or being required to waive his or her right to a disclosure form; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

Senator Horsford moved that the Senate recess until 2 p.m.

Motion carried.

Senate in recess at 11:54 a.m.

SENATE IN SESSION

At 2:30 p.m.

President Pro Tempore Schneider presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 14.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senator McGinness moved that Senate Bill No. 186 be taken from the General File and placed on the Secretary's desk.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 45.

Bill read second time and ordered to third reading.

Senate Bill No. 125.

Bill read second time and ordered to third reading.

Assembly Bill No. 87.

Bill read second time and ordered to third reading.

Assembly Bill No. 88.

Bill read second time and ordered to third reading.

Assembly Bill No. 183.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Wiener moved that the General File be placed on the next Agenda.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Kieckhefer:

Senate Bill No. 315—AN ACT relating to educational personnel; authorizing the board of trustees of a school district to allow certain persons to teach a course within the public schools of the school district for a provisional time without a license to teach issued by the Superintendent of Public Instruction; requiring the Commission on Professional Standards in Education to adopt regulations prescribing the qualifications for licensing teachers and administrators pursuant to an alternative route to licensure; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Gustavson, Halseth, Hardy, Kieckhefer and Settlemeyer:

Senate Bill No. 316—AN ACT relating to education; requiring school districts, charter schools and university schools for profoundly gifted pupils to ensure that a certain percentage of money for public schools is expended for direct classroom expenditures; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Wiener:

Senate Bill No. 317—AN ACT relating to education; revising provisions governing plans for responding to a crisis in public schools of school districts, charter schools and private schools, so that such plans also address responding to an emergency; 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, Manendo; Assemblymen Pierce and Ohrenschall:

Senate Bill No. 318—AN ACT relating to motor vehicles; establishing provisions governing the permissible flammability of occupant seating in school buses and plastic components contained within the engine compartments of school buses; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Breeden (by request):

Senate Bill No. 319—AN ACT relating to abandoned vehicles; requiring an automobile wrecker to verify certain information regarding an abandoned vehicle on private property before removing the vehicle; requiring an automobile wrecker who removes an abandoned vehicle from private property to provide certain notices; limiting the fees that automobile wreckers may charge and collect for the removal and storage of abandoned vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Manendo (by request):

Senate Bill No. 320—AN ACT relating to motor carriers; requiring persons who wish to be employed as drivers for certain motor carriers subject to the jurisdiction of the Nevada Transportation Authority to obtain a driver's permit issued by the Authority; providing a fee; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Manendo (by request):

Senate Bill No. 321—AN ACT relating to taxicabs; requiring the Taxicab Authority to establish a system that uses radio or other electronic means to track taxicabs; providing for the use of an electronic security seal for a taximeter under certain circumstances; requiring the establishment of standards for a daily trip sheet in electronic form; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Settlemeyer, Hardy and Manendo:

Senate Bill No. 322—AN ACT relating to motor vehicles; revising provisions relating to enforcement of weight limits on vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Parks:

Senate Bill No. 323—AN ACT relating to vehicles; revising provisions governing registration of vehicles in this State by residents of this State; requiring certain nonresidents to register vehicles in this State; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 324—AN ACT relating to state financial administration; authorizing state agencies, under certain circumstances, to accept grants from the Federal Government without approval from the Interim Finance Committee; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Brower:

Senate Bill No. 325—AN ACT relating to governmental administration; creating the Office of Inspector General in the Department of Administration; setting forth the duties of the Inspector General; requiring a state agency to cooperate with and provide assistance to the Inspector General in carrying out those duties; and providing other matters properly relating thereto.

Senator Brower moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Senator Lee:

Senate Bill No. 326—AN ACT relating to government affairs; authorizing county park and recreation commissions and city planning commissions to encourage and accept gifts, grants, donations and endowments for recreational, cultural and park facilities; requiring county park and recreation commissions and city planning commissions to use certain money to ensure that residents of this State may use recreational, cultural and park facilities free of charge; exempting residents of this State from paying certain fees to use recreational, cultural and park facilities; requiring the Department of Motor Vehicles to transfer a portion of the proceeds of the governmental services tax to fund state parks; and providing other matters properly relating thereto.

Senator Lee moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Senators Settlemeyer and Hardy:

Senate Bill No. 327—AN ACT relating to buildings; prohibiting a governing body of a county or incorporated city in this State from adopting a building code or taking any other action on and after a certain date that requires the installation of an automatic fire sprinkler system in certain types of residential buildings; and providing other matters properly relating thereto.

Senator Settlemeyer moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Senator Horsford:

Senate Bill No. 328—AN ACT relating to compensation; exempting creative professionals from requirements relating to compensation for overtime; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Breeden and Wiener:

Senate Bill No. 329—AN ACT relating to pharmacy; requiring practitioners to include on a prescription the symptom or purpose for which a drug is prescribed; authorizing a patient to choose whether the symptom or purpose for which a drug is prescribed be included on the label of the container of the drug; requiring a pharmacy to provide the contents of a prescription to a person authorized by the patient for whom the prescription was originally issued; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Schneider:

Senate Bill No. 330—AN ACT relating to real estate; prohibiting an appraiser from preparing an appraisal under certain circumstances; authorizing the Commission of Appraisers of Real Estate and the Real Estate Administrator to adopt regulations relating to certain appraisals; allowing a person to request certain information relating to appraisals; prohibiting certain appraisals from including the value of certain property that is or was the subject of a foreclosure or short sale within a relevant period; prohibiting a lender from accelerating the payment of the balance of a home loan under certain circumstances; providing criminal and civil penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Leslie, Parks and Assemblyman Aizley:

Senate Bill No. 331—AN ACT relating to public accommodations; revising provisions relating to unlawful discrimination based on sex and gender identity or expression in places of public accommodation; providing a penalty; 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 Senators Settlemeyer, Cegavske, Hardy, Gustavson, Brower, Halseth, Kieckhefer, McGinness and Roberson:

Senate Bill No. 332—AN ACT relating to compensation; revising provisions governing compensation for overtime; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 333—AN ACT relating to taxation; requiring the Department of Taxation to adopt regulations establishing the Nevada Job Creation Incentive Program to provide a deduction from the payroll tax for certain employers for wages paid to newly hired employees under certain circumstances; requiring the Department to report quarterly to the Legislative Commission concerning the Program; and providing other matters properly relating thereto.

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

Motion carried.

By Senator McGinness:

Senate Bill No. 334—AN ACT relating to state financial administration; requiring the creation on the State's Internet website of a searchable database of expenditures and funding actions by state agencies under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Parks; Assemblymen Pierce and Ohrenschall (by request):

Senate Bill No. 335—AN ACT relating to hypodermics; removing hypodermic devices from the list of paraphernalia that is prohibited for delivery, sale, possession, manufacture or use in this State; providing that hypodermic devices may be sold without a prescription if not prohibited by federal law; repealing a provision which makes it a crime to misuse a hypodermic device; 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 Schneider:

Senate Bill No. 336—AN ACT relating to prescription drugs; revising certain provisions relating to prescription drugs; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Kieckhefer and Copening:

Senate Bill No. 337—AN ACT relating to anatomical gifts; providing under certain circumstances that certain anatomical gifts pass to a family member of the donor who is a medically suitable recipient for the gift; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Breeden and Wiener:

Senate Bill No. 338—AN ACT relating to public health; requiring certain facilities for skilled nursing to submit information to the secure, Internet-based surveillance system established by the Division of Healthcare Quality Promotion of the Centers for Disease Control and Prevention of the United States Department of Health and Human Services; requiring reports and publication of certain information relating to the readmission of patients who received care in hospitals; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Breeden and Wiener:

Senate Bill No. 339—AN ACT relating to public health; requiring medical facilities to provide to patients and to post certain information relating to facility-acquired infections; revising requirements for patient safety plans adopted by medical facilities; requiring medical facilities to designate an infection control officer; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Breeden and Wiener:

Senate Bill No. 340—AN ACT relating to public health; requiring hospitals and surgical centers for ambulatory patients to report certain information relating to physicians who perform surgical procedures; requiring the Department of Health and Human Services to post on an Internet website certain information relating to physicians who perform surgical procedures; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks, Copening, Schneider, Wiener, Breeden, Leslie, Manendo; Assemblymen Ohrenschall and Pierce:

Senate Bill No. 341—AN ACT relating to state financial administration; directing the Legislative Commission to appoint a subcommittee to conduct an interim study concerning the establishment of a bank that is owned, controlled and operated by this State; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Cegavske, Brower, Gustavson, Halseth, Kieckhefer and Settlemeyer:

Senate Bill No. 342—AN ACT relating to local government; revising provisions related to the deduction of dues for an employee organization; prohibiting representatives of employee organizations from receiving public money to perform activities or duties related to representation of an employee organization; prohibiting supervisory employees and administrative employees from inclusion in bargaining units; requiring the publication of initial and final offers; making various other changes relating

to collective bargaining between local government employers and employees; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Halseth and Settlemeyer:

Senate Bill No. 343—AN ACT relating to local governments; eliminating binding fact-finding in negotiations between local governments and employee organizations; authorizing the governing body of a local government employer to impose employment conditions on certain employee organizations with which it has been negotiating under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks, Horsford; Assemblymen Conklin, Hogan and Ocegueda:

Senate Bill No. 344—AN ACT relating to elections; enacting the Agreement Among the States to Elect the President by National Popular Vote; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Denis:

Senate Bill No. 345—AN ACT relating to courts; providing that the family courts have the same jurisdiction as the jurisdiction set forth in the *Nevada Constitution* for the district courts; revising provisions concerning the appointment of bailiffs and deputy marshals in district courts in this State; revising provisions authorizing certain persons to carry a concealed weapon under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Breeden and Assemblyman Segerblom:

Senate Bill No. 346—AN ACT relating to real property; revising provisions governing the award of a deficiency judgment after the foreclosure of a mortgage or deed of trust on certain residential property; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Denis:

Senate Bill No. 347—AN ACT relating to older persons; authorizing the issuance of a subpoena to compel the production of certain financial records and other documents in an investigation of the exploitation of an older person under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson, Cegavske, Gustavson, Halseth, McGinness and Settlemeyer:

Senate Bill No. 348—AN ACT relating to property; eliminating limits on the amounts of certain property that is exempt from execution; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Horsford; Assemblymen Frierson, Horne and Neal:

Senate Bill No. 349—AN ACT relating to criminal offenders; requiring Clark County to establish a community court pilot project to provide an alternative to sentencing a person who is charged with a misdemeanor; requiring defendants who are transferred to the community court to complete certain services or treatment and community service; providing that the sentence imposed on a defendant in justice court will not be executed or recorded if the defendant successfully completes the conditions imposed by the community court; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 193.

Bill read third time.

Remarks by Senator Roberson.

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

Senate Bill No. 193 addresses multiple aspects of the practice of cosmetology, including: authorizing the State Board of Cosmetology to adopt regulations governing sanitary conditions in the practice of threading; requiring an applicant for licensure to be a citizen of the United States or lawfully entitled to remain and work in the United States; providing that the license of every cosmetology establishment expires two years after its issuance or renewal; and repealing the requirement that a school of cosmetology post a surety bond with the Board as part of the licensure process.

The requirement of United States citizenship or lawful work status for licensure is common in many other Nevada occupational and professional licensing chapters and is consistent with existing legislative policy regarding licensure.

Surety bonds have become increasingly expensive and many bonding companies no longer offer them. The Board has found that surety bonds are frequently allowed to lapse before the Board becomes aware that a school is in financial difficulty so that the bonding requirement does little to protect students or creditors of the establishment.

Roll call on Senate Bill No. 193:

YEAS—21.

NAYS—None.

Senate Bill No. 193 having received a constitutional majority, Mr. President Pro Tempore declared it passed.

Bill ordered transmitted to the Assembly.

Senator Horsford moved that the Senate recess until 5:30 p.m.

Motion carried.

Senate in recess at 3:18 p.m.

SENATE IN SESSION

At 6:02 p.m.

President Pro Tempore Schneider presiding.

Quorum present.

COMMUNICATIONS CONGRESS OF THE UNITED STATES HOUSE OF REPRESENTATIVES WASHINGTON D.C. 20515-2802

March 16, 2011

THE HONORABLE STEVEN HORSFORD, *Senate Majority Leader*, State of Nevada Senate,
Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747

DEAR SENATOR HORSFORD:

This letter serves as a formal request to address the joint session of the Nevada Legislature on Thursday, April 21, 2011, at 5:00 p.m. It is my understanding that this date and time are available.

Should you have any questions or comments, please contact Ashley Carrigan, my district director, at 775-686-5760.

I thank you in advance for this opportunity.

Sincerely,

DEAN HELLER
Member of Congress

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Roberson, Cegavske, Halseth, Gustavson, Brower, Hardy, Kieckhefer, McGinness, Rhoads and Settlemeyer:

Senate Joint Resolution No. 10—Proposing to amend the *Nevada Constitution* to establish that the payment of public funds to a person, in accordance with a plan established by the Legislature, to be used for the education of a child during kindergarten through grade 12 in a school of the person's choice, other than a public school, shall not be deemed to be used for a sectarian purpose, notwithstanding that the person may choose a school affiliated with a sectarian institution.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That Section 10 of Article 11 of the *Nevada Constitution* be amended to read as follows:

~~{Section Ten}~~ **Sec. 10. 1.** No public funds of any kind or character whatever, State, County or Municipal, shall be used for sectarian purpose.

2. *The payment of public funds to a person, in accordance with a plan established by the Legislature, to be used for the education of a child during kindergarten through grade 12 in a school of the person's choice, other than a public school, shall not be deemed to be used for a sectarian purpose, notwithstanding that the person may choose a school affiliated with a sectarian institution.*

Senator Roberson moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion Carried.

By Senator Hardy:

Senate Joint Resolution No. 11—Proposing to amend the *Nevada Constitution* to authorize the Governor to reduce or veto appropriations or authorizations to expend money.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That section 35 of article 4 of the *Nevada Constitution* be amended to read as follows:

Sec: 35. **1.** Every bill which may have passed the Legislature, shall, before it becomes a law be presented to the Governor. If he approve it, he shall sign it, but if not he shall return it with his objections, to the House in which it originated, which House shall cause such objections to be entered upon its journal, and proceed to reconsider it; If after such reconsideration it again pass both Houses by yeas and nays, by a vote of two thirds of the members elected to each House it shall become a law notwithstanding the Governors objections. ~~##~~ **Except as otherwise provided in subsections 2 and 3, if** any bill shall not be returned within five days after it shall have been presented to him (Sunday excepted) exclusive of the day on which he received it, the same shall be a law, in like manner as if he had signed it, unless the Legislature by its final adjournment, prevent such return, in which case it shall be a law, unless the Governor within ten days next after the adjournment (Sundays excepted) shall file such bill with his objections thereto, in the office of the Secretary of State, who shall lay the same before the Legislature at its next Session, in like manner as if it had been returned by the Governor, and if the same shall receive the vote of two-thirds of the members elected to each branch of the Legislature, upon a vote taken by yeas and nays to be entered upon the journals of each house, it shall become a law.

2. *If any bill so presented to the Governor contains one or more appropriations of money from the treasury or authorizations to expend money drawn from another source, the Governor may reduce or strike from the bill any or all of these without objecting to the bill as a whole. If the Governor so reduces or strikes out, the Governor shall:*

(a) Append to the bill a statement of the items reduced or stricken out and of the reasons for the reduction or striking out; and

(b) Within 48 hours after the bill is presented to the Governor and before the Legislature finally adjourns, transmit a copy of the statement to the House in which the bill originated.

↪ Each appropriation or authorization not reduced or stricken out becomes law in the same manner as a bill to which the Governor does not object. If the Governor fails to transmit a copy of the statement to the House in which the bill originated within the time allowed or before the Legislature finally adjourns, each appropriation or authorization reduced or stricken out likewise becomes law.

3. *The Legislature may, by the same vote as for bills to which the Governor objects:*

(a) Cause any one or more of the individual appropriations or authorizations to become law notwithstanding the Governor striking it out; or

(b) Restore the original amount appropriated or authorized, or insert any other amount not less than that approved by the Governor or more than that originally appropriated or authorized, notwithstanding the Governor reducing it.

↳ If the Legislature does not so act, any appropriation or authorization stricken from the bill by the Governor shall be deemed not appropriated or authorized and any amount to which an appropriation or authorization was reduced by the Governor shall be deemed so appropriated or authorized.

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

Motion Carried.

By Senator Cegavske:

Senate Concurrent Resolution No. 5—Directing the Legislative Commission to conduct an interim study concerning the laws of this State governing the protection of children.

Senator Cegavske moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Hardy:

Senate Bill No. 350—AN ACT relating to insurance; prohibiting a contract between a health insurer and a dentist from setting fees for services provided by the dentist that are not covered by the policy of health insurance or health care plan; 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 Senator Hardy (by request):

Senate Bill No. 351—AN ACT relating to contractors; authorizing the State Contractors' Board to take disciplinary action against a contractor for nonpayment of taxes, fees or unemployment compensation contributions under certain circumstances; 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 Denis, Kihuen; Assemblymen Carrillo, Diaz, Benitez-Thompson, Brooks, Bustamante Adams and Flores:

Senate Bill No. 352—AN ACT relating to employment; prohibiting retaliation or discrimination by an employer against certain employees and other persons who exercise certain rights or report certain violations;

providing a private right of action to an employee who is subjected to unlawful retaliation or discrimination; revising provisions governing awards in certain actions brought by an employee against an employer; revising provisions relating to certain employment policies, wages and benefits; revising provisions governing the period in which an employee may bring an action to recover wages; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Leslie:

Senate Bill No. 353—AN ACT relating to secondhand dealers; exempting a person who engages in the business of buying and selling coins and collectibles from state and local regulation as a secondhand dealer; 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 Schneider:

Senate Bill No. 354—AN ACT relating to professions; making changes to the number and duties of public members appointed to various boards and commissions; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Denis, Kihuen; Assemblymen Flores, Bustamante Adams, Benitez-Thompson, Brooks, Carrillo and Diaz:

Senate Bill No. 355—AN ACT relating to criminal procedure; prohibiting a peace officer from inquiring about a person's immigration status under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Halseth, Gustavson, Cegavske, Copenig, Breeden, Brower, Denis, Hardy, Horsford, Kieckhefer, Kihuen, Lee, Leslie, Manendo, McGinness, Parks, Rhoads, Roberson, Schneider, Settlemeyer, Wiener and Assemblyman Anderson:

Senate Bill No. 356—AN ACT relating to crimes; establishing the crime of stolen valor; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson (by request):

Senate Bill No. 357—AN ACT relating to judgments; eliminating certain property from the list of property exempt from execution; providing that such exemptions do not apply to a judgment that has been determined to be nondischargeable by a bankruptcy court; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Denis and Brower:

Senate Bill No. 358—AN ACT relating to regional transportation commissions; revising provisions pertaining to vending stands provided for by such a commission; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Horsford, Denis, Kihuen, Leslie, Parks; Assemblymen Flores, Frierson, Brooks, Atkinson, Bustamante Adams, Horne and Neal:

Senate Bill No. 359—AN ACT relating to public financial administration; prohibiting a governmental entity from entering into a contract with an independent contractor unless the independent contractor agrees to a code of conduct; requiring an independent contractor to disclose certain information relating to a contract with a governmental entity; limiting the duration of a sole source contract with a governmental entity; prohibiting a governmental entity from extending a contract with an independent contractor unless the contract is first opened to competitive bidding; requiring the periodic renegotiation of contracts with a governmental entity that exceed 2 years; requiring the reporting and posting of certain information relating to sole source contracts; requiring a person who is awarded a contract for a public work to gather and report to the public body which awards the contract certain information concerning the applicants for employment on the public work; requiring a public body which awards a contract for a public work to gather and report to the State Public Works Board certain information concerning the bidders for the contract; requiring the State Public Works Board to gather and maintain certain information concerning public works reported to it by various public bodies; requiring the State Board of Examiners to review and approve in advance each contract for the provision of professional services entered into by the Department of Transportation; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Horsford, Parks; Assemblymen Atkinson, Bobzien, Kirkpatrick and Neal:

Senate Bill No. 360—AN ACT relating to redevelopment of communities; revising requirements for the submission of an employment plan; requiring a redevelopment agency to withhold a portion of any incentive provided to a developer unless the developer satisfies certain conditions; requiring the reporting of certain information relating to the redevelopment project by certain developers; requiring an employment plan to include information relating to preferences for hiring persons from the redevelopment area; and providing other matters properly relating thereto.

Senator Horsford moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Senator Rhoads:

Senate Bill No. 361—AN ACT relating to water; authorizing the issuance of a temporary permit to appropriate water to establish fire-resistant vegetative cover in certain areas; and providing other matters properly relating thereto.

Senator Rhoads moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Senator Schneider (by request):

Senate Bill No. 362—AN ACT relating to water; requiring the State Engineer to designate certain groundwater basins as critical management areas; requiring the State Engineer to grant a request for an extension of time to work a forfeiture in certain circumstances; revising the fee required for an extension in those circumstances; requiring the use of such fees for the retirement of certain water rights; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Rhoads:

Senate Bill No. 363—AN ACT relating to applications for water rights; revising certain notice and publication requirements for certain applications for water rights; and providing other matters properly relating thereto.

Senator Rhoads moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Senator Copening:

Senate Bill No. 364—AN ACT relating to cruelty to animals; prohibiting a person from engaging in horse tripping for enjoyment, entertainment, competition or practice; prohibiting a person from knowingly organizing, sponsoring, promoting, overseeing or receiving admission money for a horse tripping event; repealing a requirement that any ordinance passed by a board of county commissioners creating an offense relating to horse tripping must impose a criminal penalty for the offense; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator McGinness:

Senate Bill No. 365—AN ACT relating to education; eliminating the requirement for the Superintendent of Public Instruction to prepare a memorandum on newly enacted laws and to disseminate the information to the school districts and charter schools; eliminating certain requirements imposed by statute on school districts and public schools in this State; eliminating the requirement for school districts, public schools and private schools to develop crisis response plans; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Cegavske, Gustavson, Roberson, Halseth, Settlemeyer, Hardy, Kieckhefer and McGinness:

Senate Bill No. 366—AN ACT relating to education; authorizing certain parents and legal guardians to submit a petition to the board of trustees of a school district to implement intervention actions at a public school that is designated as demonstrating need for improvement; requiring the board of trustees of a school district that receives a petition signed by a certain percentage of parents and legal guardians to implement the intervention actions within a prescribed time; revising provisions governing the apportionment of money from the State Distributive School Account and the count of pupils for the purposes of basic support to provide for the payment of vouchers for certain pupils to attend certain private schools; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Cegavske and Hardy:

Senate Bill No. 367—AN ACT relating to health care practitioners; requiring certain health care practitioners to communicate certain information to the public; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Parks and Leslie (by request):

Senate Bill No. 368—AN ACT relating to housing; prohibiting discrimination in housing and certain other transactions involving real property on the basis of sexual orientation or gender identity or expression; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 369—AN ACT relating to employment; requiring the Administrator of the Employment Security Division of the Department of Employment, Training and Rehabilitation to establish a program of shared work unemployment compensation upon approval of the Secretary of Labor; requiring employers who wish to participate in the program to submit plans of work sharing to the Administrator for approval; establishing eligibility and other requirements for workers affected by an approved plan of work sharing to receive benefits under the program; exempting from certain taxes wages paid by certain employers to workers affected by an approved plan of work sharing; 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 Horsford, Leslie; Assemblymen Frierson and Horne:

Senate Bill No. 370—AN ACT relating to child welfare; requiring a school district to develop an individualized plan of instruction for foster children to assist such children in achieving academic success through high school; requiring the licensee of a foster home to obtain a written explanation of the need for and effect of any prescription medication provided to a foster child; providing that placement with a relative or fictive kin must be given priority over other placements when a child is removed from his or her home; requiring the Department of Corrections to allow a prisoner who has a child that has been placed in foster care to maintain contact with the child in certain circumstances; requiring the State Board of Parole Commissioners to include a plan for reunification with a child who is in foster care as a condition of parole for certain prisoners; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Cegavske:

Senate Bill No. 371—AN ACT relating to children; requiring the nomination and appointment of a person who is legally responsible for the health care of a child who is placed in the custody of an agency which provides child welfare services; establishing the duties and responsibilities of such a legally responsible person; imposing criminal and civil liability on a legally responsible person for certain acts committed by or harm occurring to a child under certain circumstances; revising provisions governing the provision of mental health care to children in the custody of agencies which provide child welfare services; revising provisions relating to the health care records of children who are placed in the custody of such an agency; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Horsford, Denis, Parks; Assemblymen Ocegvera, Smith and Bobzien:

Senate Bill No. 372—AN ACT relating to education; revising the manner in which money received by school districts and charter schools from the State Supplemental School Support Fund is used to improve the achievement of students; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Roberson:

Senate Bill No. 373—AN ACT relating to elections; requiring photographic identification for voting; requiring county clerks to issue voter identification cards under certain circumstances; requiring persons who apply for absent ballots to provide certain information to county and city clerks; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Lee:

Senate Bill No. 374—AN ACT relating to local government; temporarily redirecting a portion of the taxes ad valorem levied in Clark County to support the College of Southern Nevada; and providing other matters properly relating thereto.

Senator Lee moved that the bill be referred to the Committee on Revenue.
Motion carried.

By Senators Cegavske and Schneider:

Senate Bill No. 375—AN ACT relating to renewable energy corridors; authorizing the governing bodies of cities and counties to create renewable energy corridors; and providing other matters properly relating thereto.

Senator Cegavske moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Senators Cegavske, Breeden, Brower, Gustavson, Halseth, Hardy, Kihuen, Lee, Manendo, McGinness, Parks, Rhoads, Roberson, Schneider and Settelmeyer:

Senate Bill No. 376—AN ACT relating to crimes; increasing the penalty for certain technological crimes; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 377—AN ACT relating to public-private partnerships; authorizing a public agency to enter into a public-private partnership for certain projects; setting forth requirements for such public-private partnerships; and providing other matters properly relating thereto.

Senator Hardy moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Senators Gustavson, Settelmeyer; Assemblymen Hardy, Ellison, Hammond, Hickey and Livermore:

Senate Bill No. 378—AN ACT relating to taxation; revising the provisions governing the calculation of governmental services taxes due annually for used vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Kieckhefer:

Senate Bill No. 379—AN ACT relating to public health; requiring the Health Division of the Department of Health and Human Services, under certain circumstances, to extend the period between periodic inspections and to reduce certain fees for certain facilities and offices regulated by the Health Division; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Gustavson, Cegavske, Halseth, McGinness, Settlemeyer; Assemblymen Hansen, Hardy, Ellison, Goedhart, Hickey and Livermore:

Senate Bill No. 380—AN ACT relating to immigration; providing under certain circumstances for the verification of the immigration status of persons who are arrested and booked; requiring certain applicants for the issuance or renewal of a state business license to submit with the application a copy of certain tax forms; requiring the Office of the Attorney General to negotiate and implement a cooperative law enforcement agreement with the Attorney General of the United States regarding the enforcement of federal immigration laws by certain state and local employees; requiring public employers to use E-Verify to verify eligibility for employment for current and prospective employees; requiring contractors and subcontractors on a public work to use E-Verify to verify eligibility for employment for workers on the public work; prohibiting the misclassification of unauthorized aliens as legal aliens; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Manendo:

Senate Bill No. 381—AN ACT relating to marriage; revising provisions regarding who may issue a marriage license; authorizing a certified marriage licensing agent to issue a marriage license in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Cegavske:

Senate Bill No. 382—AN ACT relating to children with disabilities; designating the Health Division of the Department of Health and Human Services as the agency to cooperate with the federal authorities to administer early intervention services; requiring the Health Division to provide certain early intervention services to infants and toddlers with disabilities and their families through certain private providers; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Cegavske:

Senate Bill No. 383—AN ACT relating to economic development; authorizing the partial abatement of certain taxes in enterprise zones; and providing other matters properly relating thereto.

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

Motion carried.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

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

On request of Senator Denis, the privilege of the Floor of the Senate Chamber for this day was extended to Diana Denis and Dustin Denis.

On request of Senator Kihuen, the privilege of the Floor of the Senate Chamber for this day was extended to Juan Ortega, Ricardo Cornejo, Astrid Silva, Joseph Hill, Alicia Sanchez and Christopher Mendez.

On request of Senator Lee, the privilege of the Floor of the Senate Chamber for this day was extended to Professor John Marini, Tatiana Kosyrkina, Justin McAfee, John Thomas Creedon Jr., and Aimee Riley.

On request of Senator Wiener, the privilege of the Floor of the Senate Chamber for this day was extended to former Senator Joe Neal, Dr. Sonya Horsford, Gabrielle Amato, and Amy Magnus.

Senator Horsford moved that the Senate adjourn until Tuesday, March 22, 2011, at 4:45 p.m.

Motion carried.

Senate adjourned at 6:42 p.m.

Approved:

MICHAEL A. SCHNEIDER
President Pro Tempore of the Senate

Attest: DAVID A. BYERMAN
Secretary of the Senate