

THE TENTH DAY

CARSON CITY (Wednesday), February 13, 2013

Senate called to order at 11:17 a.m.

President Krolicki presiding.

Roll called.

All present.

Prayer by the Chaplain, Dr. Ken Haskins.

Father of lights, You are light, and in You there is no darkness. You are the light of life. Your word is a lamp unto our feet and a light unto our path.

Direct our steps today and provide for us the light of knowledge and truth, understanding and wisdom, love and compassion.

I pray in the Name of the One who is the light of the world.

AMEN.

Pledge of Allegiance to the Flag led by Petty Officer, Third Class, Emily M. Gardner.

The President announced that under previous order, the reading of the Journal is waived for the remainder of the 77th Legislative Session and the President and Secretary are authorized to make any necessary corrections and additions.

MOTIONS, RESOLUTIONS AND NOTICES

By the Committee on Finance:

Senate Joint Resolution No. 6—Proposing to amend the Nevada Constitution to create the Governor Guinn Millennium Scholarship Trust Fund in the State Treasury.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That a new section, designated Section 11, be added to Article 11 of the Nevada Constitution to read as follows:

Sec. 11. 1. The Governor Guinn Millennium Scholarship Trust Fund is hereby created in the State Treasury. Except as otherwise provided in subsections 6, 7 and 8, all money deposited into the Trust Fund must be used only for the purpose of providing Governor Guinn Millennium Scholarships in accordance with the Governor Guinn Millennium Scholarship Program and must never be used for any other purpose. The money in the Trust Fund is hereby declared to be held by the State in trust for the uses and purposes herein specified. Any money deposited into the Trust Fund must not be loaned to the State or invested to purchase any obligations of the State.

2. The State Treasurer shall deposit in the Governor Guinn Millennium Scholarship Trust Fund:

(a) At least 40 percent of the proceeds from settlement agreements with and civil actions against manufacturers of tobacco products or an equivalent percentage of the total proceeds coming into this State for those purposes.

(b) Any gifts, grants, bequests or donations specifically designated for the Trust Fund by the donor.

(c) Any money appropriated by the Legislature to the Trust Fund.

3. The Legislature shall provide by law for the Governor Guinn Millennium Scholarship Program to provide Governor Guinn Millennium Scholarships, which are intended to assist with the reasonable costs associated with attending an institution of higher education in this State, to all residents who:

(a) *Are recent graduates from high schools in this State with a diploma and who have achieved a level of academic performance established by the Legislature or have not graduated from high school but have met the alternative standards for eligibility established by the Board of Regents for demonstrating an educational level which is an acceptable substitute for completing high school;*

(b) *Are enrolled in nonremedial undergraduate courses at an accredited, nonprofit, nonsectarian university, college or community college originally established in and organized under the laws of this State; and*

(c) *After the initial award, continue to make satisfactory academic progress toward a recognized degree or certificate.*

4. *In carrying out the Governor Guinn Millennium Scholarship Program, the Legislature shall:*

(a) *Establish the maximum lifetime total award for each scholarship.*

(b) *Provide that a scholarship must not be used to pay for a remedial course.*

(c) *Provide that the same amount must be paid for the enrollment of recipients who enroll in the same type of institution of higher education.*

5. *The Legislature shall provide by law for the investment of money deposited in the Governor Guinn Millennium Scholarship Trust Fund. Notwithstanding the provisions of Section 9 of Article 8 of this Constitution, such money may be invested in a company, association or corporation that is not formed for educational or charitable purposes if determined by the State Treasurer to be in the best interest of the State.*

6. *The Legislature may provide for the establishment of additional accounts within the Governor Guinn Millennium Scholarship Trust Fund from other sources of money. Money in such accounts, if established, must be used to award scholarships other than the Governor Guinn Millennium Scholarships. If the source of the money is a gift, grant, donation, bequest or devise, the money must be expended, to the extent permitted by law, in accordance with the terms of the gift, grant, donation, bequest or devise.*

7. *All interest and income earned on the money in the Governor Guinn Millennium Scholarship Trust Fund must, after deducting any applicable charges, be credited to the Trust Fund.*

Senator Smith moved that the resolution be referred to the Committee on Finance.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Brower:

Senate Bill No. 112—AN ACT relating to health care; exempting certain imaging facilities from certain permitting provisions; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hammond, Jones, Hutchison, Roberson, Hardy, Brower, Cegavske, Denis, Segerblom; Assemblymen Paul Anderson, Hardy, Hickey and Ohrenschall:

Senate Bill No. 113—AN ACT relating to domestic relations; requiring the Health Division of the Department of Health and Human Services to establish a Registry of Putative Fathers; providing for a summary petition for termination of parental rights in certain circumstances; revising various provisions governing the termination of parental rights and adoption of

children of putative fathers; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Roberson and Atkinson:

Senate Bill No. 114—AN ACT relating to insurance; revising provisions relating to the filing of rates for insurance with the Commissioner of Insurance; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hardy, Spearman, Goicoechea, Hutchison, Jones, Segerblom; Assemblymen Hardy, Hickey, Stewart and Woodbury:

Senate Bill No. 115—AN ACT relating to public safety; prohibiting the parent or legal guardian of a minor from knowingly allowing the minor to operate certain skateboards unless the minor wears a protective helmet; requiring a person or an agent or employee of a person engaged in the business of renting out certain skateboards to provide a protective helmet to a minor who will operate such a skateboard; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy:

Senate Bill No. 116—AN ACT relating to public health; requiring the State Board of Health to establish an electronic death registry system; requiring that the statement of the cause of death in a medical certificate of death be submitted to the electronic death registry system; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Smith, Denis, Jones, Kihuen, Parks, Atkinson, Ford, Hardy, Kieckhefer, Manendo, Spearman, Woodhouse; Assemblymen Kirkpatrick, Eisen and Dondero Loop:

Senate Bill No. 117—AN ACT relating to taxation; prohibiting the Department of Taxation from issuing a subpoena to compel the production of books and papers that contain individually identifiable health information; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Brower:

Senate Bill No. 118—AN ACT relating to forfeiture; revising provisions relating to the standard of proof in proceedings for forfeiture; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Hardy and Assemblyman Hardy:

Senate Bill No. 119—AN ACT relating to public lands; transferring public lands administered by Clark County under the Fort Mohave Valley Development Law from Clark County to the State of Nevada; transferring the powers and duties of the Board of County Commissioners of Clark County under the Fort Mohave Valley Development Law to the Colorado River Commission of Nevada; requiring the transfer of the money in the Fort Mohave Valley Development Fund in the County Treasury of Clark County to the Fort Mohave Valley Development Account in the State General Fund; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Goicoechea:

Senate Bill No. 120—AN ACT relating to wildlife; converting the Department of Wildlife into the Division of Wildlife of the State Department of Conservation and Natural Resources; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Goicoechea; Assemblymen Oscarson and Ellison (by request):

Senate Bill No. 121—AN ACT relating to state lands; authorizing the State Land Registrar to transfer the Belmont Courthouse to Nye County without consideration; setting forth the conditions pursuant to which such transfer is to be made; and providing other matters properly relating thereto.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 23.

Bill read second time and ordered to third reading.

UNFINISHED BUSINESS
SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary of the Senate signed Senate Resolution No. 4.

REMARKS FROM THE FLOOR

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

SENATOR SETTELMEYER:

Earlier this morning there was a breakfast for Kiwanis and CASA. Kiwanis is a great organization that seeks to change lives one life at a time. CASA, the Court Appointed Special Advocates, is the eyes and ears for the courts on behalf of children.

PRESIDENT KROLICKI:

Miss Emily M. Gardner, who led us in the Pledge of Allegiance today, is a graduate of Spanish Springs High School Class of 2010. Petty Officer Third Class Gardner also graduated from the Naval Nuclear Power Training Command in Charleston, South Carolina and qualified as a Nuclear Mechanical Operator at the Nuclear Power Training Unit in Ballston Spa, New York. Emily will continue her service on board the carrier, USS Carl Vinson, later this month. Her proud parents are Tab and Melissa Gardner and our own Senate History Clerk, Lydia Lee, and her husband, Jim, are Emily's grandparents. Godspeed, Emily.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of President Krolicki, the privilege of the Floor of the Senate Chamber for this day was extended to Emily M. Gardner.

On request of Senator Gustavson, the privilege of the Floor of the Senate Chamber for this day was extended to Tab and Melissa Gardner.

On request of Senator Kieckhefer, the privilege of the Floor of the Senate Chamber for this day was extended to his intern Kathryn Merrill.

On request of Senator Settelmeyer, the privilege of the Floor of the Senate Chamber for this day was extended to Caroline Panches and Dr. Susan Pintar.

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

On request of Senator Spearman, the privilege of the Floor of the Senate Chamber for this day was extended to Yindra Cotman-Dixon.

Senator Denis moved that the Senate adjourn until Monday, February 18, 2013, at 11:00 a.m.

Motion carried.

Senate adjourned at 11:33 a.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: DAVID A. BYERMAN
Secretary of the Senate