

THE SIXTY-SIXTH DAY

CARSON CITY (Wednesday), April 13, 2005

Senate called to order at 11:09 a.m.

President Hunt presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Alan Dorway.

Almighty God, in Jesus Christ, You have ordered us to live as loving neighbors. Though we come from different communities, races and socio-economic backgrounds, give us common concern so that we may be one people. Bless these Senators that they may do their work in a spirit of wisdom, kindness and justice. Help them use their authority to serve faithfully and to promote the general welfare of all people in this State. May greed, lust for power and petty arguing be curbed for Your greater good where all enter and are included in the community of love.

AMEN.

Pledge of allegiance to the Flag.

Senator Raggio 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

Madam President:

Your Committee on Commerce and Labor, to which was referred Senate Bill No. 381, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Commerce and Labor, to which were referred Senate Bills Nos. 188, 256, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

RANDOLPH J. TOWNSEND, *Chair**Madam President:*

Your Committee on Finance, to which was referred Senate Bill No. 5, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

WILLIAM J. RAGGIO, *Chair**Madam President:*

Your Committee on Human Resources and Education, to which were referred Senate Bills Nos. 146, 260, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MAURICE E. WASHINGTON, *Chair**Madam President:*

Your Committee on Judiciary, to which was referred Senate Bill No. 272, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARK E. AMODEI, *Chair**Madam President:*

Your Committee on Legislative Operations and Elections, to which were referred Senate Bill No. 346; Senate Joint Resolution No. 8; Assembly Joint Resolution No. 13 of the 72nd Session,

has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BARBARA K. CEGAVSKE, *Chair*

Madam President:

Your Committee on Natural Resources, to which were referred Senate Bills Nos. 26, 293, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DEAN A. RHOADS, *Chair*

Madam President:

Your Committee on Taxation, to which was referred Senate Bill No. 482, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Taxation, to which was referred Senate Bill No. 391, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass and rerefer to the Committee on Finance.

Also, your Committee on Taxation, to which was referred Senate Bill No. 352, has had the same under consideration, and begs leave to report the same back with the recommendation: Rerefer to the Committee on Finance.

MIKE MCGINNESS, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 12, 2005

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 106.

Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bills Nos. 21, 26, 64, 89, 92, 112, 124, 159, 162, 295.

DIANE KEETCH

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 15.

Resolution read.

Senator Rhoads moved the adoption of the resolution.

Remarks by Senator Rhoads.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

Senator Raggio moved that Senate Bill No. 32 be taken from the General File and placed on the Secretary's desk.

Remarks by Senator Raggio.

Motion carried.

Senator McGinness moved that Senate Bill No. 352 be rereferred to the Committee on Finance.

Remarks by Senator McGinness.

Motion carried.

Senator McGinness moved that Senate Bill No. 391 be rereferred to the Committee on Finance.

Remarks by Senator McGinness.

Motion carried.

Senator Raggio moved that for this legislative day the Secretary of the Senate dispense with reading the histories of Assembly bills for introduction.

Motion carried.

Senator Nolan moved that the Senate recess subject to the call of the Chair.

Motion carried.

Senate in recess at 11:32 a.m.

SENATE IN SESSION

At 11:41 a.m.

President Hunt presiding.

Quorum present.

Senator Nolan moved that Senate Bill No. 55 be taken from the Secretary's desk and placed on the Second Reading File for the next legislative day.

Remarks by Senator Nolan.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 21.

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

Motion carried.

Assembly Bill No. 26.

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

Motion carried.

Assembly Bill No. 64.

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

Motion carried.

Assembly Bill No. 89.

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

Motion carried.

Assembly Bill No. 92.

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

Motion carried.

Assembly Bill No. 106.

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

Motion carried.

Assembly Bill No. 112.

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

Motion carried.

Assembly Bill No. 124.

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

Motion carried.

Assembly Bill No. 159.

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

Motion carried.

Assembly Bill No. 162.

Senator Nolan moved that the bill be referred to the Committee on Human Resources and Education.

Motion carried.

Assembly Bill No. 295.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 16.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources:

Amendment No. 100.

Amend section 1, page 2, by deleting line 3 and inserting:
"Notwithstanding any provision of NRS 590.700 to 590.920, inclusive, to the contrary, and except as otherwise provided in this section:

1. The Division may expend not more than \$250,000 from the".

Amend section 1, page 2, by deleting lines 6 through 9 and inserting:
"involving petroleum, including discharges from a storage tank and discharges from a mobile tank that occur during the transportation of petroleum on roads and highways. If the discharge involving petroleum also involves".

Amend section 1, page 2, line 12, after *"material."* by inserting: *"The Division shall not expend money from the Fund pursuant to this section to clean up discharges involving petroleum from pipelines."*

Amend section 1, page 2, between lines 22 and 23, by inserting:

"3. If the Division expends money pursuant to this section to clean up a discharge involving petroleum, the operator of the tank shall reimburse the Division for his share of the costs for cleaning up the discharge. The

Division shall, upon being reimbursed by the operator of the tank pursuant to this subsection, deposit that money in the Fund.

4. *As used in this section:*

(a) *"Discharge" means any release, leaking or spilling from a tank into water or soil, unless the discharge is authorized by state or federal law.*

(b) *"Operator" means a person who owns, controls or is responsible for the operation of a tank.*

(c) *"Tank" means a storage tank or a mobile tank used to transport petroleum received for sale or use in this State."*

Amend the bill as a whole by renumbering sections 2 and 3 as sections 3 and 4 and adding a new section designated sec. 2, following section 1, to read as follows:

"Sec. 2. NRS 590.515 is hereby amended to read as follows:

590.515 1. In addition to any other regulations it is authorized or required to adopt, the Board shall adopt such other regulations as are reasonably necessary for the:

(a) Protection of the health, welfare and safety of the public and persons using liquefied petroleum gases;

(b) Provision of reasonable and adequate service to those persons using liquefied petroleum gases; and

(c) Regulation of the removal of a tank from a customer's premises and the maximum time allowable between the request and the removal. The Board shall consider the presence of fences or other physical impediments to the removal of the tank in determining reasonable exceptions to the time allowed for removal.

2. All regulations adopted by the Board relating to safety must be in substantial conformity with the generally accepted standards of safety concerning the same subject matter. ~~The Board shall adhere to the following conditions in this regard:~~

~~(a) The regulations]~~ *Regulations adopted by the Board* relating to safety in the storage, distribution, dispensing, transporting and utilization of LPG in this State and in the manufacture, fabrication, assembly, sale, installation and use of LPG systems, containers, apparatus or appliances must be just and reasonable and must conform, as nearly as possible, to the standards of the National Fire Protection Association, relating to the design, construction, installation and use of systems, containers, apparatus, appliances and pertinent equipment for the storage, transportation, dispensation and utilization of LPG.

~~[(b) Before any regulations are adopted, the Secretary of the Board shall give at least 10 days' notice to all applicants and licensees under NRS 590.465 to 590.645, inclusive, by mailing an accurate copy of the new, revised or amended regulations which the Board proposes to adopt together with a written notice signed by the Secretary. Any person affected is entitled to appear at the public hearing on the regulation in person and by counsel. A certificate reciting the adoption and the effective date must be signed by the~~

~~members comprising a majority of the Board. Within 10 days after the adoption of the regulation the Secretary shall cause to be mailed to each applicant or licensee under NRS 590.465 to 590.645, inclusive, a true and correct copy of the regulation. A facsimile of any member's signature may be used under this paragraph if authorized by the member.]~~

3. In addition, the Board shall adopt regulations which:

(a) Provide for the Board, through its staff, to:

(1) Respond to inquiries and complaints from persons who use liquefied petroleum gas;

(2) Assist persons who use liquefied petroleum gas in obtaining liquefied petroleum gas in an emergency; and

(3) Facilitate the resolution of disputes between licensees and their customers.

The provisions of this paragraph do not impose a duty upon the Board to provide financial assistance to any person.

(b) Provide for the hearing and mediation of complaints filed by persons who use liquefied petroleum gas. Any such hearing must be open to the public, recorded on tape and prior notice thereof must be mailed by the Board to any person who requests to receive notice of such hearings.

(c) Require each licensee to disclose uniformly information which the Board determines is necessary to disseminate to the licensees' customers and prospective customers. The Board may adopt forms for such disclosures, but shall also require each licensee to post its rates and, upon request, disclose by telephone its applicable rates to existing and potential customers who so inquire."

Amend the bill as a whole by renumbering sections 4 and 5 as sections 7 and 8 and adding new sections designated sections 5 and 6, following sec. 3, to read as follows:

"Sec. 5. NRS 590.850 is hereby amended to read as follows:

590.850 1. Except as otherwise provided in subsection 2, the Division shall collect for deposit in the Fund an annual fee not to exceed \$100, set by the Board, for the registration of each storage tank.

2. No fee is to be collected, and no registration is required, with respect to a storage tank used to store heating oil for consumption on the same premises where the oil is stored, or a storage tank operated by a person not required to pay the fee for petroleum produced in or imported into this state.

3. The operator of a storage tank required to be registered pursuant to this section who fails to register that tank or to pay the annual fee when required shall reimburse the Division for any expense incurred by the Division in cleaning up a discharge from that storage tank and for any discharge of liability to a third person. *If, in cleaning up the discharge from that storage tank, the Division expends money from the Fund in accordance with section 1 of this act, the Division shall, upon being reimbursed by the operator of the storage tank pursuant to this subsection, deposit that money in the Fund.*

Sec. 6. NRS 590.870 is hereby amended to read as follows:

590.870 1. The operator of every storage tank, and every person who for compensation puts petroleum into a storage tank, shall report to the Division every discharge from that tank of which he is aware or has reason to believe has occurred. The Division shall undertake or contract for cleaning up the discharge unless the operator or another person is already acting properly to clean it up. If the Division cleans up the discharge, the operator shall reimburse the Division for his share of the costs. *If, in cleaning up the discharge, the Division expends money from the Fund in accordance with section 1 of this act, the Division shall, upon being reimbursed by the operator of the storage tank pursuant to this subsection, deposit that money in the Fund.*

2. Each operator who is required or who chooses to register a tank must, unless the tank has been tested for tightness under the federal standards embodied in 40 C.F.R. § 280.43c since July 1, 1988, test the tank pursuant to those standards before it is eligible for the coverage provided by NRS 590.880 and 590.890."

Amend sec. 4, page 3, by deleting lines 5 and 6 and inserting:

"590.920 1. ~~[The]~~ *Except as otherwise specifically provided in section 1 of this act, the provisions of NRS 590.850 to 590.910, inclusive, do not apply to any tank which:*"

Amend the title of the bill to read as follows:

"AN ACT relating to petroleum products; authorizing the Division of Environmental Protection of the State Department of Conservation and Natural Resources to expend money from the Fund for Cleaning Up Discharges of Petroleum for the cleanup of discharges involving petroleum and other discharges under certain circumstances; providing for the reimbursement of money from the Fund that is expended by the Division; deleting certain provisions that require the Secretary of the Board for the Regulation of Liquefied Petroleum Gas to provide notice to applicants and licensees before the Board adopts regulations; and providing other matters properly relating thereto."

Amend the summary of the bill to read as follows:

"SUMMARY—Makes various changes relating to regulation of petroleum products. (BDR 51-662)".

Senator Rhoads moved the adoption of the amendment.

Remarks by Senator Rhoads.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 177.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 85.

Amend the bill as a whole by renumbering sections 1 through 3 as sections 2 through 4 and adding a new section designated section 1, following the enacting clause, to read as follows:

"Section 1. NRS 12.015 is hereby amended to read as follows:

12.015 1. Any person who desires to prosecute or defend a civil action may ~~file~~ :

(a) *File an affidavit with the court setting forth with particularity facts concerning his income, property and other resources which establish that he is unable to prosecute or defend the action because he is unable to pay the costs of so doing* ~~[-]~~ ; or

(b) *Submit a statement or otherwise indicate to the court that he is a client of a program for legal aid.*

2. If the ~~judge~~ court is satisfied that ~~the~~ a person who files an affidavit pursuant to subsection 1 is unable to pay the costs ~~[-, he]~~ of prosecuting or defending the action or if the court finds that a person is a client of a program for legal aid, the court shall order:

(a) The clerk of the court:

(1) To allow the person to commence or defend the action without costs; and

(2) To file or issue any necessary writ, process, pleading or paper without charge.

(b) The sheriff or other appropriate public officer within this State to make personal service of any necessary writ, process, pleading or paper without charge.

~~{2-}~~ 3. If the person is required to have proceedings reported or recorded, or if the court determines that the reporting, recording or transcription of proceedings would be helpful to the adjudication or appellate review of the case, the court shall order that the reporting, recording or transcription be performed at the expense of the county in which the action is pending but at a reduced rate as set by the county.

~~{3-}~~ 4. If the person prevails in the action, the court shall enter its order requiring the losing party to pay into court within 5 days the costs which would have been incurred by the prevailing party, and those costs must then be paid as provided by law.

~~{4-}~~ 5. Where the affidavit establishes that the person is unable to defend an action, the running of the time within which to appear and answer or otherwise defend is tolled during the period between the filing of the affidavit and the ruling of the court thereon.

~~{5-}~~ 6. An affidavit filed pursuant to this section, and any application or request for an order filed with the affidavit, does not constitute a general appearance before the court by the affiant or give the court personal jurisdiction over him.

~~{6-}~~ 7. The order of the court to which application is made pursuant to this section is not appealable.

8. *As used in this section, "client of a program for legal aid" means a person:*

(a) Who is represented by an attorney who is employed by or volunteering for a program for legal aid organized under the auspices of the State Bar of Nevada, a county or local bar association, a county or municipal program for legal services or other program funded by this State or the United States to provide legal assistance to indigent persons; and

(b) Whose eligibility for such representation is based upon indigency."

Amend sec. 3, page 5, by deleting lines 9 and 10.

Amend the bill as whole by renumbering sec. 4 as sec. 6 and adding a new section designated sec. 5, following sec. 3, to read as follows:

"Sec. 5. NRS 4.060 is hereby amended to read as follows:

4.060 1. Except as otherwise provided in this section and NRS 33.017 to 33.100, inclusive, each justice of the peace shall charge and collect the following fees:

(a) On the commencement of any action or proceeding in the justice's court, other than in actions commenced pursuant to chapter 73 of NRS, to be paid by the party commencing the action:

If the sum claimed does not exceed \$1,000	\$28.00
If the sum claimed exceeds \$1,000 but does not exceed \$2,500.....	50.00
If the sum claimed exceeds \$2,500 but does not exceed \$4,500....	100.00
If the sum claimed exceeds \$4,500 but does not exceed \$6,500....	125.00
If the sum claimed exceeds \$6,500 but does not exceed \$7,500....	150.00
If the sum claimed exceeds \$7,500 but does not exceed \$10,000..	175.00
In all other civil actions	28.00

(b) For the preparation and filing of an affidavit and order in an action commenced pursuant to chapter 73 of NRS:

If the sum claimed does not exceed \$1,000	25.00
If the sum claimed exceeds \$1,000 but does not exceed \$2,500.....	45.00
If the sum claimed exceeds \$2,500 but does not exceed \$5,000.....	65.00

(c) On the appearance of any defendant, or any number of defendants answering jointly, to be paid by him or them on filing the first paper in the action, or at the time of appearance:

In all civil actions	12.00
For every additional defendant, appearing separately.....	6.00

(d) No fee may be charged where a defendant or defendants appear in response to an affidavit and order issued pursuant to the provisions of chapter 73 of NRS.

(e) For the filing of any paper in intervention..... 6.00

(f) For the issuance of any writ of attachment, writ of garnishment, writ of execution or any other writ designed to enforce any judgment of the court..... 6.00

(g) For filing a notice of appeal, and appeal bonds..... 12.00

One charge only may be made if both papers are filed at the same time.

- (h) For issuing supersedeas to a writ designed to enforce a judgment or order of the court 12.00
- (i) For preparation and ~~transmittal of transcript and papers on appeal~~ *transfer of a case or file to the district court* ~~[12.00]~~ 16.00
- (j) For celebrating a marriage and returning the certificate to the county recorder 50.00
- (k) For entering judgment by confession 6.00
- (l) For preparing any copy of any record, proceeding or paper, for each page ~~[.30]~~ 1.00
- (m) For each certificate of the clerk, under the seal of the court 3.00
- (n) For *electronically* searching records or files ~~[in his]~~ *within the office*, for each ~~[year]~~ *search* 1.00
- (o) *For retrieving records or files in his office:*
For the first record or file 5.00
For each additional record or file 2.50
- (p) For filing and acting upon each bail or property bond 40.00

2. A justice of the peace shall not charge or collect any of the fees set forth in subsection 1 for any service rendered by him to the county in which his township is located.

3. A justice of the peace shall not charge or collect the fee pursuant to paragraph (j) of subsection 1 if he performs a marriage ceremony in a commissioner township.

4. Except as otherwise provided by an ordinance adopted pursuant to the provisions of NRS 244.207, the justice of the peace shall, on or before the fifth day of each month, account for and pay to the county treasurer all fees collected during the preceding month, except for the fees he may retain as compensation and the fees he is required to pay to the State Controller pursuant to subsection 5.

5. The justice of the peace shall, on or before the fifth day of each month, pay to the State Controller:

(a) An amount equal to \$5 of each fee collected pursuant to paragraph (j) of subsection 1 during the preceding month. The State Controller shall deposit the money in the Account for Aid for Victims of Domestic Violence in the State General Fund.

(b) One-half of the fees collected pursuant to paragraph ~~[(o)]~~ (p) of subsection 1 during the preceding month. The State Controller shall deposit the money in the Fund for the Compensation of Victims of Crime."

Amend the title of the bill to read as follows:

"AN ACT relating to courts; providing that a client of a legal aid program which provides services to indigent persons may be allowed to proceed as an indigent litigant without submitting further proof of indigency to the court; increasing certain fees charged in connection with a civil action in a district court; increasing certain fees that certain boards of county commissioners

may impose for the filing of certain actions in district courts and justices' courts; providing that certain fees charged in connection with a civil action in a district court may be used to support programs for alternative methods of resolving disputes; establishing and increasing certain fees for certain services provided in justices' courts; and providing other matters properly relating thereto."

Amend the summary of the bill to read as follows:

"SUMMARY—Makes various changes related to fees charged in district courts and justices' courts. (BDR 2-522)".

Senator Amodei moved the adoption of the amendment.

Remarks by Senator Amodei.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 234.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 212.

Amend section 1, page 2, line 5, by deleting "State" and inserting: "*State, another state or the District of Columbia*".

Amend section 1, page 2, lines 13 and 14, by deleting: "shall not be ineligible" and inserting: "~~{shall not be ineligible}~~ *is eligible*".

Amend sec. 2, page 2, line 19, by deleting "shall" and inserting "~~{shall}~~ *may*".

Amend sec. 2, page 2, line 25, by deleting "State" and inserting: "*State, another state or the District of Columbia*".

Amend sec. 2, page 2, lines 33 and 34, by deleting: "shall not be ineligible" and inserting: "~~{shall not be ineligible}~~ *is eligible*".

Amend sec. 3, page 2, line 39, by deleting "shall" and inserting "~~{shall}~~ *may*".

Amend sec. 3, page 2, line 43, by deleting: "shall not be ineligible" and inserting: "~~{shall not be ineligible}~~ *is eligible*".

Amend sec. 3, page 3, line 10, by deleting "State" and inserting: "*State, another state or the District of Columbia*".

Amend sec. 3, page 3, line 17, by deleting "State" and inserting: "*State, another state or the District of Columbia*".

Senator Amodei moved the adoption of the amendment.

Remarks by Senator Amodei.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 294.

Bill read second time and ordered to third reading.

Senate Bill No. 297.

Bill read second time and ordered to third reading.

Senate Bill No. 367.

Bill read second time.

The following amendment was proposed by Senator Horsford:

Amendment No. 302.

Amend sec. 2, page 4, line 20, after "386.580." by inserting: "*Upon request, the governing body of a charter school must be provided with access to the records of the pupil relating to his suspension or expulsion in accordance with applicable federal and state law before the governing body makes a decision concerning the enrollment of the pupil.*".

Amend sec. 3, page 5, line 14, after "386.580." by inserting: "*Upon request, the governing body of a charter school must be provided with access to the records of the pupil relating to his suspension or expulsion in accordance with applicable federal and state law before the governing body makes a decision concerning the enrollment of the pupil.*".

Senator Horsford moved the adoption of the amendment.

Remarks by Senators Horsford and Washington.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 445.

Bill read second time and ordered to third reading.

Senate Bill No. 456.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 13.

Resolution read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 52.

Bill read third time.

Roll call on Senate Bill No. 52:

YEAS—20.

NAYS—Care.

Senate Bill No. 52 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Raggio moved that Senate Bill No. 122 be taken from the General File and placed on the General File for the next legislative day.

Remarks by Senator Raggio.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 137.

Bill read third time.

Roll call on Senate Bill No. 137:

YEAS—21.

NAYS—None.

Senate Bill No. 137 having received a constitutional majority,
Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 147.

Bill read third time.

Roll call on Senate Bill No. 147:

YEAS—21.

NAYS—None.

Senate Bill No. 147 having received a constitutional majority,
Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 251.

Bill read third time.

Roll call on Senate Bill No. 251:

YEAS—19.

NAYS—Care, Titus—2.

Senate Bill No. 251 having received a constitutional majority,
Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 287.

Bill read third time.

Roll call on Senate Bill No. 287:

YEAS—20.

NAYS—Carlton.

Senate Bill No. 287 having received a constitutional majority,
Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 302.

Bill read third time.

Roll call on Senate Bill No. 302:

YEAS—20.

NAYS—None.

NOT VOTING—Raggio.

Senate Bill No. 302 having received a constitutional majority,
Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 354.

Bill read third time.

Roll call on Senate Bill No. 354:

YEAS—21.

NAYS—None.

Senate Bill No. 354 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 413.

Bill read third time.

Roll call on Senate Bill No. 413:

YEAS—21.

NAYS—None.

Senate Bill No. 413 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 424.

Bill read third time.

Roll call on Senate Bill No. 424:

YEAS—21.

NAYS—None.

Senate Bill No. 424 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

WAIVERS AND EXEMPTIONS

NOTICE OF EXEMPTION

April 13, 2005

The Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the exemption of: Senate Bill No. 454.

Also, the Fiscal Analysis Division, pursuant to Joint Standing Rule No. 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 259, 283, 392, 414, 476.

GARY GHIGGERI

Fiscal Analysis Division

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Amodei, the privilege of the floor of the Senate Chamber for this day was extended to former Senator Lawrence E. Jacobsen and the following Red Hat Members: Sharon Anderson, Terry Armstrong, Joanne Barr, Barbara Begley, Raona Bingham, Myna Christy, Jackie Funicello, Lorraine Hockett, Jeanne Printy, Coyla Struthers, Irene Masinelli, Fay Oberlander and students from the Gardnerville Pau-Wa-Lu Middle School.

On request of Senator Hardy, the privilege of the floor of the Senate Chamber for this day was extended to Mark S. Toohey.

On request of Senator Lee, the privilege of the floor of the Senate Chamber for this day was extended to the following students and teacher from the

Mojave High School: Kris Dalton, Kyle Ewing, Skye Edwards, Mildred DeLacruz, Alfonso Rashaun Greer, Brayhia Marshall, Teejay Lune, Elvin Monsalud, Julian Mitchell, Kevin Lainez, Barbara Perez, James Scheppard, Crystina Jackson, Andrew Hess, Daniel Ragalski, Wade Wagoner, Tyson Williams, Cory Crowther, Parker LaCates, Zach Guyman, Lacey Lee, Alana Lee and teacher: Tyron Armstrong.

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 Titus, the privilege of the floor of the Senate Chamber for this day was extended to Mary Yoshisato and Flora, the guide dog.

On request of President Hunt, the privilege of the floor of the Senate Chamber for this day was extended to Carol Edwards and Phillip Peckman.

Senator Raggio moved that the Senate adjourn until Thursday, April 14, 2005, at 11 a.m.

Motion carried.

Senate adjourned at 12:13 p.m.

Approved:

LORRAINE T. HUNT
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate