

THE SEVENTY-FIRST DAY

CARSON CITY (Monday), April 18, 2005

Senate called to order at 11:03 a.m.

President Hunt presiding.

Roll called.

All present except Senators Schneider and Tiffany, who were excused.

Prayer by the Chaplain, Pastor Stan Pesis.

Almighty God,

Bless this Nation and its people. Grant its leaders and Legislators vision, wisdom and compassion that thereby we may learn to live together in justice and peace.

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 Finance, to which were referred Senate Bill No. 4; Assembly Bill No. 97, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Finance, to which was rereferred Senate Bill No. 43, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

WILLIAM J. RAGGIO, *Chair*

Madam President:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 150, 198, 201, 316, 331, 347, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARK E. AMODEI, *Chair*

Madam President:

Your Committee on Taxation, to which were referred Senate Bills Nos. 181, 307, 339, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MIKE MCGINNESS, *Chair*

Madam President:

Your Committee on Transportation and Homeland Security, to which was referred Senate Bill No. 472, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DENNIS NOLAN, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 15, 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. 49.

Also, I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bills Nos. 28, 52, 63.

DIANE KEETCH

Assistant Chief Clerk of the Assembly

WAIVERS AND EXEMPTIONS

WAIVER OF JOINT STANDING RULE(S)

A Waiver requested by Senate Standing Committee on Finance.

For: Senate Bill No. 484.

To Waive:

Subsections 1 and 2 of Joint Standing Rule No. 14 and Joint Standing Rule Nos. 14.2 and 14.3.

Has been granted effective: April 15, 2005.

WILLIAM J. RAGGIO

Senate Majority Leader

RICHARD D. PERKINS

Speaker of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Raggio moved that for this legislative day, the Secretary of the Senate dispense with reading the histories and titles of all bills and resolutions.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 28.

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

Motion carried.

Assembly Bill No. 49.

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

Motion carried.

Assembly Bill No. 52.

Senator Nolan moved that the bill be referred to the Committee on Transportation and Homeland Security.

Motion carried.

Assembly Bill No. 63.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 13.

Bill read second time.

The following amendment was proposed by the Committee on Transportation and Homeland Security:

Amendment No. 279.

Amend section 1, page 2, by deleting lines 15 and 16 and inserting:

"(g) Failure or refusal to comply with any signal of an authorized flagman in violation of NRS 484.254;

(h) Altering, defacing, injuring, knocking down or removing any official traffic-control device or railroad sign or signal in violation of NRS 484.289;

(i) Failure to yield the right-of-way to a blind person in violation of NRS 484.328;

(j) Overtaking or proceeding past a school bus that is stopped to receive or discharge pupils in violation of NRS 484.357;

(k) Proceeding or traveling through an administrative roadblock or a temporary roadblock or disobeying the lawful orders or directions of a police officer at an administrative roadblock or a temporary roadblock in violation of NRS 484.3595;

(l) Speeding in a school zone or school crossing zone in violation of NRS 484.366, if any pupil is endangered by the violation;

(m) A violation for which a person may be subject to the additional penalty set forth in NRS 484.3667, if any worker who is performing the construction, maintenance or repair of a highway in a temporary traffic control zone is endangered by the violation;

(n) Aggressive driving in violation of NRS 484.3765;

(o) Operating a motor vehicle without a required device to prevent a person who has consumed alcohol from starting the motor vehicle or tampering with such a device in violation of NRS 484.3945;

(p) Drinking an alcoholic beverage while driving a motor vehicle or having an open container of an alcoholic beverage within the passenger area of a motor vehicle in violation of NRS 484.448;

(q) Throwing or depositing upon a highway any glass bottle, glass, nails, tacks, wire, cans or any other substance likely to injure any person, animal or vehicle, or failing to remove any destructive or injurious material, any glass or any injurious substance that is dropped on the highway in violation of NRS 484.465;"

Amend section 1, page 2, line 17, by deleting "(i)" and inserting "(r)".

Amend section 1, page 2, line 20, by deleting "(j)" and inserting "(s)".

Amend section 1, page 2, by deleting lines 26 and 27 and inserting: "case of ~~either of~~ the offenses designated in paragraphs (e) ~~and (f)~~ to (s), inclusive, of subsection 1, a peace officer has the".

Amend sec. 2, page 2, line 31, after "chapter" by inserting: "or chapter 482, 483, 485 or 486 of NRS".

Amend sec. 2, page 3, line 9, by deleting "~~or~~" and inserting "or".

Amend sec. 2, page 3, by deleting lines 13 through 18 and inserting "the magistrate."

Amend the title of the bill by deleting the fourth through seventh lines and inserting: "traffic laws; revising the provisions pertaining to the offenses for which a person halted by a peace officer may, in the discretion of the peace officer, be given a traffic citation or be taken before a magistrate; and".

Senator Nolan moved the adoption of the amendment.

Remarks by Senators Nolan and Care.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 20.

Bill read second time and ordered to third reading.

Senate Bill No. 30.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 263.

Amend section 1, page 2, line 2, by deleting "13," and inserting "11,".

Amend sec. 2, page 2, line 4, by deleting "13," and inserting "11,".

Amend sec. 2, page 2, line 6, by deleting "8," and inserting "6,".

Amend the bill as a whole by deleting sec. 5 and renumbering sections 6 and 7 as sections 5 and 6.

Amend the bill as a whole by deleting sec. 8 and renumbering sections 9 through 14 as sections 7 through 12.

Amend sec. 9, page 2, line 36, by deleting "The" and inserting: "*Except as otherwise provided in this section, the*".

Amend sec. 9, page 2, line 37, after "three" by inserting: "*in a county whose population is 400,000 or more*".

Amend sec. 9, page 3, by deleting lines 1 through 9 and inserting:
"↪ *for the enhancement of the telephone system for reporting an emergency in the city.*

2. *A city council may not impose a surcharge pursuant to this section unless the city council first adopts a 5-year master plan for the enhancement of the telephone system for reporting emergencies in the city. The master plan must include an estimate of the cost of the enhancement of the telephone system and all proposed sources of money for funding the enhancement.*".

Amend sec. 9, page 3, line 13, by deleting "75" and inserting "25".

Amend sec. 9, page 3, line 28, by deleting "13" and inserting "11".

Amend sec. 10, page 3, line 44, by deleting "9" and inserting "7".

Amend sec. 10, page 4, by deleting lines 3 and 4 and inserting: "*pursuant to section 7 of this act, to enhance the telephone system for reporting an emergency in the city and to*".

Amend sec. 10, page 4, line 20, by deleting "9" and inserting "7".

Amend sec. 10, page 4, by deleting lines 21 through 23 and inserting: "*the fund must be used only to enhance the telephone system for reporting an*

emergency so that the number and address from which a call received by the system is made may be determined, including only:".

Amend sec. 10, page 4, lines 26, 29 and 31, by deleting "service;" and inserting: "enhanced telephone system;".

Amend sec. 10, page 4, line 34, by deleting "service." and inserting: "enhanced telephone system.".

Amend sec. 11, page 4, line 42, by deleting "9" and inserting "7".

Amend sec. 11, page 5, lines 8 and 16, by deleting "10" and inserting "8".

Amend sec. 12, page 5, line 19, by deleting "9" and inserting "7".

Amend sec. 12, page 6, line 1, by deleting: "a cause of" and inserting "an".

Amend sec. 12, page 6, line 3, by deleting "9" and inserting "7".

Amend sec. 13, page 6, line 6, by deleting "9" and inserting "7".

Amend the title of the bill by deleting the third through sixth lines and inserting: "services for the enhancement of the telephone system for reporting emergencies in certain incorporated cities; requiring a city council which imposes such a surcharge to create an advisory committee to develop a plan for the enhancement of the city's telephone service for reporting emergencies; and".

Amend the summary of the bill to read as follows:

"SUMMARY—Authorizes certain cities to impose surcharge on telephone services for enhancement of telephone system for reporting emergencies. (BDR 21-740)".

Senator Hardy moved the adoption of the amendment.

Remarks by Senator Hardy.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 77.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 280.

Amend section 1, page 2, line 28, by deleting "For" and inserting: "~~For~~ Except as otherwise provided in this subsection, for".

Amend section 1, page 2, by deleting lines 29 and 30 and inserting: "in weekly counseling sessions of not less than 1 1/2 hours per week for not less than 6 months,".

Amend section 1, page 2, line 34, by deleting "For" and inserting: "~~For~~ Except as otherwise provided in this subsection, for".

Amend section 1, page 2, by deleting lines 35 and 36 and inserting: "participate in weekly counseling sessions of not less than 1 1/2 hours per week for 12 months,".

Amend section 1, page 2, between lines 39 and 40, by inserting:
" ➔ If the person resides more than 50 miles from the nearest location at which counseling services are available, the court may allow the person to

participate in counseling sessions of not less than 6 hours per month for the number of months required pursuant to paragraph (a) or (b)."

Amend section 1, page 3, by deleting line 34 and inserting:

"8. On or before January 15 of each year, the clerk of each court shall submit to the Office of Court Administrator created pursuant to NRS 1.320 a written report concerning the persons who were allowed by the court to attend the required counseling sessions on a nonweekly basis pursuant to subsection 2. The report must include, without limitation:

(a) The number of persons who were allowed by the court during the preceding year to attend the required counseling sessions on a nonweekly basis; and

(b) For the persons who have been allowed by the court to attend the required counseling sessions on a nonweekly basis:

(1) The number of such persons who actually attended the counseling sessions as required by the court; and

(2) The number of persons who were subsequently convicted of a battery which constitutes domestic violence pursuant to NRS 33.018.

9. As used in this section:"

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

"Sec. 2. NRS 1.360 is hereby amended to read as follows:

1.360 Under the direction of the Supreme Court, the Court Administrator shall:

1. Examine the administrative procedures employed in the offices of the judges, clerks, court reporters and employees of all courts of this State and make recommendations, through the Chief Justice, for the improvement of those procedures;

2. Examine the condition of the dockets of the courts and determine the need for assistance by any court;

3. Make recommendations to and carry out the directions of the Chief Justice relating to the assignment of district judges where district courts are in need of assistance;

4. Develop a uniform system for collecting and compiling statistics and other data regarding the operation of the State Court System and transmit that information to the Supreme Court so that proper action may be taken in respect thereto;

5. Prepare and submit a budget of state appropriations necessary for the maintenance and operation of the State Court System and make recommendations in respect thereto;

6. Develop procedures for accounting, internal auditing, procurement and disbursement for the State Court System;

7. Collect statistical and other data and make reports relating to the expenditure of all public money for the maintenance and operation of the State Court System and the offices connected therewith;

8. Compile statistics from the information required to be maintained by the clerks of the district courts pursuant to NRS 3.275 and make reports as to the cases filed in the district courts;

9. Formulate and submit to the Supreme Court recommendations of policies or proposed legislation for the improvement of the State Court System;

10. On or before January 1 of each year, submit to the Director of the Legislative Counsel Bureau a written report compiling the information submitted to the Court Administrator pursuant to NRS 3.243, 4.175 and 5.045 during the immediately preceding fiscal year;

11. On or before January 1 of each odd-numbered year, submit to the Director of the Legislative Counsel Bureau a written report concerning:

(a) The distribution of money deposited in the special account created pursuant to NRS 176.0613 to assist with funding and establishing specialty court programs;

(b) The current status of any specialty court programs to which money from the account was allocated since the last report; and

(c) Such other related information as the Court Administrator deems appropriate;

12. On or before February 15 of each odd-numbered year, submit to the Governor and to the Director of the Legislative Counsel Bureau for transmittal to the next regular session of the Legislature a written report compiling the information submitted by clerks of courts to the Court Administrator pursuant to NRS 630.307 and 633.533 which includes only aggregate information for statistical purposes and excludes any identifying information related to a particular person; ~~and~~

13. *On or before February 15 of each odd-numbered year, submit to the Director of the Legislative Counsel Bureau a written report compiling the information submitted by the clerks of the courts to the Court Administrator pursuant to NRS 200.485 which includes only aggregate information for statistical purposes and excludes any identifying information related to a particular person; and*

14. Attend to such other matters as may be assigned by the Supreme Court or prescribed by law."

Amend the title of the bill, fourth line, after "violence;" by inserting: "requiring a court to submit to the Court Administrator certain statistical information relating to such counseling prescribed on a nonweekly basis; requiring the Court Administrator to compile such information and submit a report concerning the information to the Director of the Legislative Counsel Bureau;"

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. 80.

Bill read second time.

The following amendment was proposed by the Committee on Commerce and Labor:

Amendment No. 245.

Amend section 1, page 2, line 2, by deleting "18," and inserting "12,".

Amend the bill as a whole by deleting sec. 2 and renumbering sec. 3 as sec. 2.

Amend sec. 3, page 2, line 12, by deleting lines 12 through 17 and inserting:

"Sec. 2. *"Security freeze" means a notice that is placed in the file of a consumer at the request of the consumer pursuant to section 3 of this act.*"

Amend the bill as a whole by deleting sections 4 through 8 and renumbering sections 9 through 19 as sections 3 through 13.

Amend sec. 9, page 5, line 1, by deleting "14" and inserting "8".

Amend sec. 9, page 5, line 2, by deleting "15" and inserting "9".

Amend sec. 9, page 5, line 5, by deleting "14" and inserting "8".

Amend sec. 9, page 5, line 7, by deleting "15" and inserting "9".

Amend sec. 9, page 5, line 8, by deleting "10" and inserting "4".

Amend sec. 9, page 5, line 14, by deleting "5" and inserting "10".

Amend sec. 9, page 5, line 20, by deleting: "14, 15 and 16" and inserting: "8, 9 and 10".

Amend sec. 10, page 6, line 20, after "to" by inserting: "certain persons, including".

Amend sec. 11, page 6, by deleting lines 26 through 34 and inserting:

"(a) A reporting agency may charge a consumer a reasonable fee, not to exceed \$15, to place a security freeze in his file.

(b) After a security freeze has been placed in the file of a consumer, a reporting agency may charge the consumer a reasonable fee:

(1) Not to exceed \$18, to remove a security freeze from his file pursuant to section 9 of this act.

(2) Not to exceed \$18, to temporarily release his consumer report for a specific period pursuant to section 8 of this act.

(3) Not to exceed \$20, to temporarily release his consumer report to a specific person pursuant to section 8 of this act.

2. A reporting agency may not charge a consumer the fee set forth in paragraph (a) of subsection 1 to place a security freeze in his file if the consumer is a victim of identity theft and the consumer submits, at the time the security freeze is requested, a valid".

Amend sec. 11, page 7, by deleting lines 1 through 3.

Amend sec. 13, page 7, lines 24 and 25, by deleting: "14, 15 and 16" and inserting: "8 to 11, inclusive,".

Amend sec. 13, page 7, by deleting lines 28 through 30 and inserting:

"2. If, in connection with an application for credit or any other use, a third party requests access to a consumer report on which a security freeze is

in effect and the consumer does not allow his consumer report to be accessed for that specific third party or period of time, the third party may treat the application as incomplete."

Amend sec. 14, page 7, line 41, by deleting "9" and inserting "3".

Amend sec. 15, page 8, line 22, by deleting "9" and inserting "3".

Amend sec. 15, page 8, line 28, by deleting "Provide" and inserting "Send".

Amend sec. 16, page 9, by deleting lines 2 through 5 and inserting:

"2. If a reporting agency intends to remove a security freeze from the file of a consumer pursuant to subsection 1, the reporting agency shall send written notice to the consumer before removing the security".

Amend sec. 17, page 9, line 25, by deleting "14" and inserting "8".

Amend sec. 17, page 9, line 28, after "report" by inserting: "or the credit score of the consumer".

Amend sec. 17, page 9, by deleting lines 31 through 37.

Amend sec. 17, page 9, line 38, by deleting "9." and inserting "8."

Amend sec. 17, page 9, line 40, by deleting "10." and inserting "9."

Amend sec. 17, page 9, after line 44, by inserting:

"10. A person holding a license issued by the Nevada Gaming Commission pursuant to title 41 of NRS, or the subsidiary, affiliate, agent, assignee or prospective assignee of that person, for purposes relating to any activities conducted pursuant to the license.

11. An employer, or the subsidiary, affiliate, agent, assignee or prospective assignee of that employer, for purposes of:

(a) Preemployment screenings relating to the consumer; or

(b) Decisions or investigations relating to the consumer's current or former employment with the employer."

Amend sec. 18, page 10, line 2, by deleting: "security alert or a".

Amend sec. 18, page 10, between lines 13 and 14, by inserting:

"3. A reporting agency which acts only as a reseller of credit information by assembling and merging information contained in the database of another reporting agency or in the databases of multiple reporting agencies and which does not maintain a permanent database of consumer credit information from which new consumer reports are produced. Such a reporting agency shall honor any security freeze placed on a consumer report by another reporting agency."

Amend sec. 19, page 10, line 17, by deleting: "sections 2 and 3" and inserting "section 2".

Amend the title of the bill to read as follows:

"AN ACT relating to personal identifying information; providing that a consumer may place a security freeze in certain files maintained by a credit reporting agency; providing for certain requirements and procedures relating to a security freeze; requiring a credit reporting agency to make certain disclosures relating to a security freeze; providing civil remedies; and providing other matters properly relating thereto."

Amend the summary of the bill to read as follows:

"SUMMARY—Establishes requirements and procedures for consumers to place security freezes in certain files maintained by credit reporting agencies. (BDR 52-284)".

Senator Lee moved the adoption of the amendment.

Remarks by Senators Lee and Carlton.

Conflict of interest declared by Senator Raggio.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 107.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 228.

Amend section 1, page 2, by deleting lines 3 through 5 and inserting:

"1. The Chief shall, for each fiscal year, compile a report concerning the".

Amend section 1, page 2, line 6, by deleting "State" and inserting "State."

Amend section 1, page 2, by deleting lines 7 and 8.

Amend section 1, page 2, by deleting lines 10 through 31 and inserting: *"to subsection 1 must be prepared in such detail as is required by generally accepted accounting principles.*

3. The Chief shall submit, in any format including an electronic format, a copy of the report compiled".

Amend section 1, page 2, lines 32 and 33 by deleting "odd-numbered".

Amend section 1, pages 2 and 3, by deleting lines 36 through 42 on page 2 and lines 1 through 6 on page 3.

Amend the bill as a whole by deleting sections 3 through 6, renumbering sections 7 and 8 as sections 4 and 5 and adding a new section designated sec. 3, following sec. 2, to read as follows:

"Sec. 3. Chapter 341 of NRS is hereby amended to read as follows:

1. The Board shall, for each fiscal year, compile a report concerning projects of construction of state buildings that are financed by general obligation bonds, revenue bonds or medium-term obligations.

2. The report required to be compiled pursuant to subsection 1 must include:

(a) The source and amount of money received from the bonds and obligations during the fiscal year;

(b) A list of the projects completed during the fiscal year, including, without limitation, any change in the estimated cost of such a project and any change in the date for completion for such a project; and

(c) A list of projects under construction, the estimated cost of each of those projects, the date for completion of each of those projects and any changes in the estimated cost or date for completion of those projects.

3. *The Board shall submit, in any format including an electronic format, a copy of the report compiled pursuant to subsection 1 on or before February 1 of the year next succeeding the period to which the report pertains to the Director of the Legislative Counsel Bureau for distribution to each regular session of the Legislature."*

Amend sec. 7, page 7, by deleting lines 20 through 22 and inserting: "*governing body of each local government shall, for each fiscal year,*".

Amend sec. 7, pages 7 and 8, by deleting lines 26 through 44 on page 7 and lines 1 and 2 on page 8, and inserting: "*to subsection 1 must be prepared in such detail as is required by generally accepted accounting principles.*".

Amend sec. 7, page 8, line 3, by deleting "*submit*" and inserting: "*submit, in any format including an electronic format,*".

Amend sec. 7, page 8, line 5, by deleting "*odd-numbered*".

Amend sec. 7, page 8, by deleting lines 8 through 20.

Amend the bill as a whole by renumbering sections 9 and 10 as sections 7 and 8 and adding a new section designated sec. 6, following sec. 8, to read as follows:

"Sec. 6. NRS 354.5945 is hereby amended to read as follows:

354.5945 1. Except as otherwise provided in subsection ~~[6.]~~ 7, on or before July 1 of each year, each local government shall prepare, on a form prescribed by the Department of Taxation for use by local governments, a capital improvement plan for the *fiscal year ending on June 30 of that year and the ensuing 5 fiscal years.*

2. Each local government shall submit a copy of the capital improvement plan of the local government to the:

(a) Department of Taxation; ~~[and]~~

(b) Debt management commission of the county in which the local government is located ~~[]~~; *and*

(c) *Director of the Legislative Counsel Bureau.*

3. Each local government shall file a copy of the capital improvement plan of the local government for public record and inspection by the public in the offices of:

(a) The clerk or secretary of the governing body; and

(b) The county clerk.

4. The total amount of the expenditures contained in the capital improvement plan of the local government for the next ensuing fiscal year must equal the total amount of expenditures for capital outlay set forth in the final budget of the local government for each fund listed in that budget.

5. *The capital improvement plan must include the estimated or actual revenues and expenditures for each capital project and the estimated or actual date for completion of each capital project.*

6. The capital improvement plan must reconcile the capital outlay in each fund in the final budget for the first year of the capital improvement plan to the final budget in the next ensuing fiscal year. The reconciliation must

identify the minimum level of expenditure for items classified as capital assets in the final budget and the minimum level of expenditure for items classified as capital projects in the capital improvement plan. The reconciliation of capital outlay items in the capital improvement plan must be presented on forms created and distributed by the Department of Taxation.

~~{6.}~~ 7. Local governments that are exempt from the requirements of the Local Government Budget and Finance Act pursuant to subsection 1 of NRS 354.475 are not required to file a capital improvement plan."

Amend sec. 9, page 8, line 27, by deleting "*shall biennially*" and inserting: "*shall, for each fiscal year,*".

Amend sec. 9, pages 8 and 9, by deleting lines 31 through 44 on page 8 and lines 1 through 7 on page 9, and inserting: "*to subsection 1 must be prepared in such detail as is required by generally accepted accounting principles.*".

Amend sec. 9, page 9, by deleting line 9 and inserting: "*each year, submit, in any format including an electronic format, a copy of the report compiled*".

Amend sec. 9, page 9, by deleting lines 12 through 21.

Amend the title of the bill to read as follows:

"AN ACT relating to capital improvements; requiring local governments to report certain information concerning capital improvements owned, leased or operated by the local governments; requiring certain entities of the State to report certain information concerning capital improvements owned, leased or operated by the State; requiring local governments and those entities of the State to submit a report concerning that information to the Legislature; requiring the State Public Works Board to compile a report concerning projects of construction of state buildings that are financed by certain bonds or obligations; and providing other matters properly relating thereto."

Amend the summary of the bill to read as follows:

"SUMMARY—Requires state and local governments to report certain information concerning capital improvements. (BDR 27-31)".

Senator Hardy moved the adoption of the amendment.

Remarks by Senator Hardy.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 110.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 227.

Amend section 1, page 2, line 5, after "*otherwise*" by inserting: "*determined by the Board or*".

Amend section 1, page 2, by deleting lines 11 through 16 and inserting: "*into by the Board if the Board:*

(a) *Complies with the provisions of subsection 3; and*

(b) *Finances the contract, project, acquisition, works or improvement by means of:*

(1) *Revenue bonds issued by the Authority; or*

(2) *An installment obligation of the Authority in a transaction in which:*

(I) *The Authority acquires real or personal property".*

Amend section 1, page 2, line 19, by deleting "(2)" and inserting "(II)".

Amend section 1, page 2, by deleting lines 23 through 25 and inserting:
"section must:

(a) *Contain a provision stating that the requirements of NRS 338.010 to 338.090, inclusive, apply to any construction work performed pursuant to the contract; and*

(b) *If the contract is with a design professional who is not a member of a design-build team, comply with the provisions NRS 338.155. As used in this paragraph, "design professional" has the meaning ascribed to it in subsection 7 of NRS 338.010.*

3. *For contracts entered into pursuant to this section that are exempt from the provisions of chapters 322, 338 and 339 of NRS pursuant to subsection 1, the Board shall adopt regulations pursuant to subsection 4 which establish:*

(a) *One or more competitive procurement processes for letting such a contract; and*

(b) *A method by which a bid on such a contract will be adjusted to give a 5 percent preference to a contractor who would qualify for a preference pursuant to NRS 338.147, if:*

(1) *The estimated cost of the contract exceeds \$250,000; and*

(2) *Price is a factor in determining the successful bid on the contract.*

4. *The Board:*

(a) *Shall, before adopting, amending or repealing a permanent or temporary regulation pursuant to subsection 3, give at least 30 days' notice of its intended action. The notice must:*

(1) *Include:*

(I) *A statement of the need for and purpose of the proposed regulation.*

(II) *Either the terms or substance of the proposed regulation or a description of the subjects and issues involved.*

(III) *The estimated cost to the Board for enforcement of the proposed regulation.*

(IV) *The time when, the place where and the manner in which interested persons may present their views regarding the proposed regulation.*

(V) *An exact copy of the provisions of subsection 2 of NRS 233B.064.*

(VI) *A statement indicating whether the regulation establishes a new fee or increases an existing fee.*

(2) *State each address at which the text of the proposed regulation may be inspected and copied.*

(3) *Be mailed to all persons who have requested in writing that they be placed upon a mailing list, which must be kept by the Authority for that purpose.*

(b) *May adopt, if it has adopted a temporary regulation after notice and the opportunity for a hearing as provided in this subsection, after providing a second notice and the opportunity for a hearing, a permanent regulation, but the language of the permanent regulation must first be approved or revised by the Legislative Counsel and the adopted regulation is subject to review by the Legislative Commission.*

(c) *Shall, in addition to distributing the notice to each recipient of the Board's regulations, solicit comment generally from the public and from businesses to be affected by the proposed regulation.*

(d) *Shall, before conducting a workshop pursuant to paragraph (g), determine whether the proposed regulation is likely to impose a direct and significant economic burden upon a small business or directly restrict the formation, operation or expansion of a small business. If the Board determines that such an impact is likely to occur, the Board shall:*

(1) *Insofar as practicable, consult with owners and officers of small businesses that are likely to be affected by the proposed regulation.*

(2) *Consider methods to reduce the impact of the proposed regulation on small businesses.*

(3) *Prepare a small business impact statement and make copies of the statement available to the public at the workshop conducted pursuant to paragraph (g) and the public hearing held pursuant to paragraph (h).*

(e) *Shall ensure that a small business impact statement prepared pursuant to subparagraph (3) of paragraph (d) sets forth the following information:*

(1) *A description of the manner in which comment was solicited from affected small businesses, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.*

(2) *The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:*

(I) *Both adverse and beneficial effects; and*

(II) *Both direct and indirect effects.*

(3) *A description of the methods that the Board considered to reduce the impact of the proposed regulation on small businesses and a statement regarding whether the Board actually used any of those methods.*

(4) *The estimated cost to the Board for enforcement of the proposed regulation.*

(5) *If the proposed regulation provides a new fee or increases an existing fee, the total annual amount the Board expects to collect and the manner in which the money will be used.*

(f) *Shall afford a reasonable opportunity for all interested persons to submit data, views or arguments upon the proposed regulation, orally or in writing.*

(g) Shall, before holding a public hearing pursuant to paragraph (h), conduct at least one workshop to solicit comments from interested persons on the proposed regulation. Not less than 15 days before the workshop, the Board shall provide notice of the time and place set for the workshop:

(1) In writing to each person who has requested to be placed on a mailing list; and

(2) In any other manner reasonably calculated to provide such notice to the general public and any business that may be affected by a proposed regulation which addresses the general topics to be considered at the workshop.

(h) Shall set a time and place for an oral public hearing, but if no one appears who will be directly affected by the proposed regulation and requests an oral hearing, the Board may proceed immediately to act upon any written submissions. The Board shall consider fully all written and oral submissions respecting the proposed regulation.

(i) Shall keep, retain and make available for public inspection written minutes of each public hearing held pursuant to paragraph (h) in the manner provided in subsections 1 and 2 of NRS 241.035.

(j) May record each public hearing held pursuant to paragraph (h) and make those recordings available for public inspection in the manner provided in subsection 4 of NRS 241.035.

(k) Shall ensure that a small business which is aggrieved by a regulation adopted pursuant to this subsection may object to all or a part of the regulation by filing a petition with the Board within 90 days after the date on which the regulation was adopted. Such petition may be based on the following:

(1) The Board failed to prepare a small business impact statement as required pursuant to subparagraph (3) of paragraph (d); or

(2) The small business impact statement prepared by the Board did not consider or significantly underestimated the economic effect of the regulation on small businesses.

➤ After receiving a petition pursuant to this paragraph, the Board shall determine whether the petition has merit. If the Board determines that the petition has merit, the Board may, pursuant to this subsection, take action to amend the regulation to which the small business objected.

5. The determinations made by the Board pursuant to this section are conclusive unless it is shown that the Board acted with fraud or a gross abuse of discretion."

Senator Hardy moved the adoption of the amendment.

Remarks by Senator Hardy.

Conflict of interest declared by Senator Raggio.

Conflict of interest declared by Senator Mathews.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 126.

Bill read second time and ordered to third reading.

Senate Bill No. 136.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 154.

Amend section 1, page 2, between lines 38 and 39, by inserting:

"3. *If any claim, including a counterclaim or cross-claim, is brought in a civil action which is filed in a party state and which is:*

(a) Brought against a present or former officer or employee of another party state or an agency or political subdivision of that other party state; and

(b) Based on any alleged act or omission that is related to his official duties or employment and conducted under the authority of this compact,

the claim is subject to the conditions and limitations on civil actions, including, without limitation, the provisions regarding sovereign immunity, established by the party state in which that officer or employee is or was an officer or employee."

Amend the title of the bill to read as follows:

"AN ACT relating to the Interstate Compact for Jurisdiction on the Colorado River; revising the provisions of the Compact to grant certain law enforcement officers concurrent jurisdiction to arrest offenders for prohibited conduct in certain circumstances; providing that certain claims brought against officers or employees of a party state or agency or political subdivision of a party state are subject to the conditions and limitations on civil actions established by the party state of that officer or employee; and providing other matters properly relating thereto."

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. 167.

Bill read second time and ordered to third reading.

Senate Bill No. 187.

Bill read second time and ordered to third reading.

Senate Bill No. 290.

Bill read second time and ordered to third reading.

Senate Bill No. 304.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 155.

Amend section 1, page 1, by deleting lines 13 through 15 and inserting:

"person who is a victim of identity theft."

Amend section 1, page 2, line 22, after "8." by inserting: "*The Attorney General may accept gifts, grants and donations from any source for the purpose of carrying out the provisions of this section.*
9."

Amend the title of the bill by deleting the fifth and sixth lines and inserting: "requiring the Attorney General to adopt regulations relating to the issuance of identify theft passports; authorizing the Attorney General to accept gifts, grants and donations to carry out the provisions relating to the issuance of identity theft passports; and".

Senator Amodei moved the adoption of the amendment.

Remarks by Senator Amodei.

Amendment adopted.

Senator Raggio moved that Senate Bill No. 304 be rereferred to the Committee on Finance upon return from reprint.

Remarks by Senator Raggio.

Motion carried.

Bill ordered reprinted, engrossed and to the Committee on Finance.

Senate Bill No. 306.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 262.

Amend sec. 9, page 3, by deleting lines 26 through 30 and inserting: "*no retailers will have maintained or will be maintaining a fixed place of business within the district on or within the 120 days immediately preceding the date of the adoption of the ordinance; or*

(b) Amends the boundaries of the district to add any additional area, the governing body has determined that no retailers will have maintained or will be maintaining a fixed place of business within that area on or within 120 days immediately preceding the date".

Amend sec. 9, page 3, line 34, by deleting "*determination*" and inserting: "*determination, based upon one or more reports provided by independent consultants to both the governing body and the board of trustees of the school district in which the tourism improvement district is or will be located,*".

Amend sec. 9, page 3, line 42, by deleting "*and*".

Amend sec. 9, page 4, by deleting lines 1 and 2 and inserting: "*education, including operational and capital costs, and services for police protection and fire protection, as a result of the project and the development of land within the district; and*

(d) Estimates of any increases in the proceeds from sales and use taxes collected by retailers located outside of the district and of any displacement of the proceeds from sales and use taxes collected by those retailers, as a result of the properties and businesses expected to be located in the district."

Amend sec. 13, page 7, by deleting line 18 and inserting: "*cost of acquiring, improving or equipping*,".

Senator Hardy moved the adoption of the amendment.

Remarks by Senator Hardy.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 311.

Bill read second time and ordered to third reading.

Senate Bill No. 327.

Bill read second time and ordered to third reading.

Senate Bill No. 382.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 162.

Amend the bill as a whole by deleting sections 2 through 10.

Amend the title of the bill by deleting the sixth line and inserting "and".

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. 395.

Bill read second time.

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

Amendment No. 271.

Amend the bill as a whole by renumbering sections 32 through 34 as sections 34 through 36 and adding new sections designated sections 32 and 33, following sec. 31, to read as follows:

"Sec. 32. NRS 349.957 is hereby amended to read as follows:

349.957 1. The Board for Financing Water Projects is hereby created. The Board consists of one ex officio member and five members appointed by the Governor.

2. The Governor shall appoint to the Board:

(a) One member who is a representative of the county with the largest population in the State;

(b) One member who is a representative of the county with the second largest population in the State; and

(c) Three members who are representatives of counties in the State whose populations are less than 100,000,

↳ of whom one member is knowledgeable in the field of municipal finance and the remaining members are knowledgeable in the fields of planning and the development and reclamation of water resources.

3. The Administrator of the [~~Health Division of the State Department of Human Resources,~~] *Division of Environmental Protection of the State Department of Conservation and Natural Resources*, or a person he designates, shall serve ex officio as a nonvoting member of the Board.

4. Not more than three voting members of the Board may be members of the same political party , and not more than two may be residents of the same county.

Sec. 33. NRS 349.961 is hereby amended to read as follows:

349.961 1. When any municipality or other obligor desires to undertake a water project , it may present its preliminary plan to the Board for approval. If the proposed water project affects drinking water, the Board shall request *that* the Administrator of the [~~Health Division of the Department of Human Resources to~~] *Division of Environmental Protection of the State Department of Conservation and Natural Resources* submit comments and recommendations regarding the project. The Board shall analyze the potential yield of the water project, and may tentatively approve it if it will preserve or increase the water available for beneficial use in this State.

2. If the Board, after a public hearing on the issue, tentatively approves the water project, the municipality or other obligor may proceed to prepare a final plan and submit it for final approval. If the Board finally approves the water project, the cost of the final plan may be included in the cost of the water project. If the Board does not finally approve the water project, the Director may, within the limits of money available for this purpose in the Account for the Financing of Water Projects, reimburse a municipality for the costs incurred after the tentative approval."

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. 398.

Bill read second time and ordered to third reading.

Senate Bill No. 428.

Bill read second time and ordered to third reading.

Senate Bill No. 438.

Bill read second time and ordered to third reading.

Senate Bill No. 443.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 157.

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

"Sec. 2. NRS 480.200, 480.210 and 480.220 are hereby repealed."

Amend the bill as a whole by adding the text of repealed sections, following sec. 2, to read as follows: "

TEXT OF REPEALED SECTIONS

480.200 "Public safety telecommunications operator" defined. As used in this section and NRS 480.210 and 480.220, "public safety telecommunications operator" means a person who operates a telecommunications system for emergencies and public safety.

480.210 Committee for Public Safety Telecommunications Operators: Creation; appointment of members; terms of members; compensation.

1. The Committee for Public Safety Telecommunications Operators is hereby created in the Department.

2. The Governor shall appoint to the Committee nine members who possess knowledge, skill and experience in the fields of law enforcement, fire service, public safety telecommunications or highway safety as follows:

- (a) Two members from the field of law enforcement;
- (b) Two members from the field of fire service;
- (c) Two members from the field of public safety telecommunications;
- (d) One member who is a dispatcher in the field of highway safety;
- (e) One member who represents a community college; and
- (f) One member from any field set forth in paragraph (a), (b), (c) or (d).

3. Members serve terms of 2 years after the date of appointment.

4. Members serve without compensation but are entitled to the per diem allowance and travel expenses provided for state officers and employees generally.

480.220 Committee for Public Safety Telecommunications Operators: Duties; adoption of regulations by Director.

1. The Committee for Public Safety Telecommunications Operators shall:

- (a) Elect a Chairman from its members;
- (b) Meet at the call of the Chairman;
- (c) Provide for and encourage the training and education of public safety telecommunications operators; and
- (d) Adopt minimum standards for the certification and training of public safety telecommunications operators.

2. The Director may adopt regulations necessary for the operation of the Committee."

Amend the title of the bill to read as follows:

"AN ACT relating to the Department of Public Safety; eliminating the provision requiring the principal office of the Chief Parole and Probation Officer to be in Carson City; repealing the provisions relating to the Committee for Public Safety Telecommunications Operators; and providing other matters properly relating thereto."

Amend the summary of the bill to read as follows:

"SUMMARY—Makes various changes to provisions relating to Department of Public Safety. (BDR 16-405)".

Senator Amodei moved the adoption of the amendment.

Remarks by Senators Amodei and Coffin.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Senate Bill No. 475.

Bill read second time and ordered to third reading.

Senate Bill No. 479.

Bill read second time and ordered to third reading.

Senate Bill No. 489.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 266.

Amend sec. 2, page 3, line 42, by deleting "*reasonable*" and inserting "*due*".

Amend sec. 5, page 7, lines 1 and 2, by deleting: "*creates a probability of confusion or of misunderstanding as to*" and inserting "*misrepresents*".

Amend sec. 5, page 7, line 11, after "*interest.*" by inserting: "*This subsection does not apply to a person who is holding a deposit, down payment or other payment on behalf of another if all parties to the transaction have not agreed to the release of the deposit, down payment or other payment.*".

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. 491.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 303.

Amend section 1, page 1, line 8, by deleting "50" and inserting "63.2".

Amend section 1, page 1, line 10, by deleting: "*and capital improvements to*".

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. 504.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Raggio moved that Senate Bills Nos. 29, 139, 250, 255, 318, 409, 410, 415, 423, 466 be taken from the General File and placed on the General File for the next legislative day.

Remarks by Senator Raggio.

Motion carried.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 18, 2005

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 18.

DIANE KEETCH

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 18—Commending the achievements of Bob Tallman, "The Voice of Professional Rodeo."

WHEREAS, Winnemucca native, Bob Tallman has become a legend in the world of rodeo, his is the voice people recognize and trust as "The Voice of Professional Rodeo"; and

WHEREAS, Bob Tallman's involvement in the rodeo began in 1960 competing as a team roper and tie-down roper, and his first taste of announcing came in 1969 when he was offered \$100 to announce a rodeo in Fallon, Nevada, since then, he has been a commentator on ESPN, Fox Sports Network and TNN; and

WHEREAS, During a career that has spanned more than 3 decades and 15,000 performances in the United States and Canada, and such other places as Mexico, Australia and New Zealand, Bob Tallman now announces more than 100 rodeos each year; and

WHEREAS, On August 14, 2004, on its 25th anniversary, nine rodeo luminaries and one bareback bronc were inducted into the Pro Rodeo Hall of Fame, one such luminary was Bob Tallman; and

WHEREAS, In December 2004, Bob Tallman announced the Wrangler National Finals Rodeo for a record 18th time, and he is also the first person in the 45-year history of the Finals to announce the Finals nine times in a row; and

WHEREAS, Bob Tallman has been named the prestigious Pro Rodeo Cowboy's Association's "Announcer of the Year" seven times, in 1982, 1987, 1997, 1999, 2000, 2001 and 2004; and

WHEREAS, The Reno Rodeo has had the honor of Bob Tallman's presence as its announcer for 28 years, and he is scheduled to be there again in 2005; and

WHEREAS, Rodeo announcer is only one of the many hats Bob Tallman wears, as he also raises cattle at his ranch in North Texas, hosts television shows, is cofounder of Buckers, Inc., offering breeders the opportunity to introduce World Champion bloodlines into their bucking bull breeding programs, has developed a line of Texas-style seasonings, Bob Tallman's Ranch Fixin's and, in December 2004, he joined the Gold Buckle Network's Key Industry Advisory Board, to advise the Network on a variety of technical rodeo operations issues; and

WHEREAS, In addition to his many rodeo-related activities, Bob established his own foundation in 2000, Bob Tallman's Charities, which divides proceeds from an annual golf tournament, the Pasture Pool Golf Classic, between two charities, the Justin Cowboy Crisis Fund and the Pediatric Programs at the University of Texas M. D. Anderson Cancer Center; and

WHEREAS, When asked about his achievements, Bob Tallman has said he is the "most overawarded, blessed person in the world" and that the biggest reward he can receive is to see one child or one injured cowboy benefit from the endeavors of his charitable organization; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Nevada Legislature hereby commends Bob Tallman for his many contributions to the world of rodeo and the State of Nevada; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to Bob Tallman.

Senator Rhoads moved the adoption of the resolution.

Remarks by Senators Rhoads, Raggio, McGinness, Townsend, Nolan and Titus.

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

SENATOR RHOADS:

As the resolution states, Bob began announcing in the 1970s an amazing 35 years out of his 57. It is interesting to note that Bob's grandfather served in the Nevada Senate from 1941 to 1951.

In 1976, he did more than announce rodeos. He created two radio shows, the Great American Cowboy and the American Farmer. He did interviews for 13 years. With five million listeners per week, his audience was second only to Paul Harvey during that time. He worked for most of the major networks and was on the road for 270 days a year. Today, I asked him if he was slowing down, and he said, no, but he should.

He has announced the National Finals Rodeo in Las Vegas 18 times. This June will be the 29th time he has announced the Reno Rodeo. He was the Professional Rodeo Cowboy Announcer (PRCA) of the Year 7 times. He was elected to the PRCA Hall of Fame in Colorado Springs in 2004. His peers have said he is the greatest rodeo announcer who has ever lived. Most announcers perform; Bob presents a picture with words. He has reshaped the profession by bringing a play-by-play aspect to rodeo. Bob has helped raise the professional rodeo cowboy to a higher level.

In 1984, the year I first ran for the Nevada Senate, I was running against an outstanding person in Elko who was giving me a close race. I got Bob to do the radio ads because in rural Nevada everyone listens to the radio. We worked for days on 21 one-minute radio ads and thought we really had them down to perfection. We drove to Boise, ID, for the recording session, because Bob was doing a Dodge Truck commercial there at that time. We gave him the scripts we were proud of; he took one look at the subject matter then did his own version for each spot. He completely changed what we had written. The ads turned out good, and I won the race by a comfortable margin. Many people have said that Bob Tallman got Rhoads elected to the Senate. I think they are right.

Thank you, Bob, for being a great Nevadan and a great American. We are proud to honor you today.

SENATOR RAGGIO:

Bob Tallman has a magnificent voice. I have a particular appreciation for him because when I was just beginning in the Senate, I was talked into participating in an amateur contest where something was pinned on the tail of a calf. I only entered this event once for I was not too adept at it. Bob Tallman was considerate in his remarks about my performance, and I appreciated his kindness.

Mr. Tallman really deserves this recognition. He is a Nevadan who has made professional rodeo an event to enjoy. The Reno Rodeo is attended by many of us each year and is made even more enjoyable by Mr. Tallman's participation as the announcer. It is a rodeo that has grown in stature. He makes the events understandable to those of us who do not quite know what it is all about. We appreciate him and the years he has given to professional rodeo.

SENATOR MCGINNESS:

I rise in support of this resolution. Bob Tallman also had a hand in getting me here as well. I bring greetings from another Winnemucca native, my wife, Deanna Pierce. The Pierce family started KWNA radio. The Tallman Lumber Company advertised on KWNA. My wife's mother grew up on a homestead in Orovada. Bob is a great horseman, rodeo cowboy, great announcer, but not too speedy. My wife said in third grade they used to chase her around the playground. I am happy you did not catch her.

SENATOR TOWNSEND:

I have been to the rodeo a number of times. The first time, however, was the most unique. My friend and business partner had a deep interest in a young lady who he knew was going to be at the rodeo. He wanted me to go with him so it would not look like he was actually trying to meet this girl. I was not certain about going to the rodeo, but it turned out to be a wonderful experience. It was for them too. They have been married for over ten years and have a wonderful family.

Because of Bob, I learned what great athletes those who participate in rodeos are. For someone who was blessed to participate at the professional level driving against the world's best, I appreciate what I have seen at rodeos. I have been to Las Vegas to see the rodeo there. For anyone who has ever heard Bob, particularly for those of us who do not have a background in rodeo, he makes it alive, real and personal helping the listener to understand the athletes. I thank you, Bob, on behalf of all the people who do not know much about rodeo but who have a great experience when they hear you announce the events. Thank you.

SENATOR NOLAN:

Eighteen years ago when the National Finals Rodeo first came to Las Vegas, I was a paramedic. I was asked to be a stand-by paramedic behind the bull shoots. At that time, not too many Las Vegans had heard of this rodeo. When this rodeo opened at Thomas & Mack, this was the best production ever seen. Part of what made the show great was the booming voice of Bob Tallman.

I met many interesting people at the rodeo including Charlie Sampson and Ty Murray. As a paramedic, I usually get to meet people at the wrong end of a stretcher. They were great people. One time, Ty Murray was knocked unconscious, and when he came to in the ambulance, he wanted out and back into the arena. That is how tough the cowboy spirit is in America.

When the National Finals Rodeo was wooed away from Oklahoma City to Las Vegas, it turned the rodeo world upside down. Because of legends like Bob Tallman and Cotton Rosser, much revenue has been brought to this State. They are involved in what is truly an icon event for Nevada. Much work has been done to keep the Pro Bull Riders event coming here, and we appreciate all the work done by you, Bob. Thank you.

SENATOR TITUS:

I would like to thank Bob Tallman for his support of the teams at the University of Nevada at Las Vegas and at Reno. There are great activities and good teams. I have had a few students who were on those teams. They are good students though sometimes they come to class limping, but they always wear those great hats, and they call me ma'am, and I really like that a lot.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 18, 2005

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 19.

DIANE KEETCH

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 19—Recognizing the value of and the need for the study of the arts in public education.

WHEREAS, The study of the arts in public education stimulates the school setting and enhances the morale of pupils, as well as the quality of the school environment; and

WHEREAS, Because studies indicate that there is a direct correlation between the study of the arts and aptitude in math and science, and because pupils tend to understand history and culture better through the study of the arts, arts education promotes the academic curriculum in a meaningful way; and

WHEREAS, The study of the arts also develops the personal confidence of pupils as they acquire skills by participating in concerts, musical productions and plays, by writing books and poems, and by participating in other cultural events, such as art shows and photography exhibits; and

WHEREAS, It has been recognized that the study of the arts can expand the horizons of even very young children and often leads to a lifelong thirst for knowledge of other cultures, other countries and other philosophies; and

WHEREAS, Organizations such as the Chicago Arts Partnerships in Education have proven that the study of the arts contributes to the overall development of young people in a powerful way by teaching them creativity, teamwork, discipline, self-expression, critical thinking, problem solving, understanding of others as well as other skills; and

WHEREAS, Studies in Chicago and Minneapolis have proven that test scores rise dramatically in schools that integrate the arts into the curriculum, with the greatest impact on disadvantaged learners; and

WHEREAS, In recent years, many public school districts have drastically reduced budgets for arts education in an effort to save money, which fails to acknowledge the important role of the study of the arts in developing in children a passion for learning; and

WHEREAS, For many children, the only opportunity to learn about the arts is through school programs; and

WHEREAS, Studies have shown that the integration of the arts into the school curriculum also energizes and challenges teachers, providing opportunities for rewarding professional developmental experiences; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the Nevada Legislature believe that it is vital for every pupil in the public schools in this State to have the opportunity to study the arts; and be it further

RESOLVED, That it is important to recognize the benefits of the study of the arts in public education for pupils and for our society in general and to encourage a coalition of educators, artists, parents, children and community members to create a network to support the study of the arts; and be it further

RESOLVED, That the members of the 73rd Session of the Nevada Legislature recognize and support the efforts of all those who encourage the study of the arts in public education.

Senator Horsford moved the adoption of the resolution.

Remarks by Senator Horsford.

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

Thank you, Madam President. Arts and musical education is critical in providing every child the opportunity to reach their potential and to integrate the physical sciences, language arts, culture and social studies with music and art.

With me today are Bill Zabelsky from Douglas High School and Chuck Fletcher from Fernley High School. All arts educators have given outstanding direction to their students over the years in both vocal and band direction. In fact, Mr. Zabelsky and Mr. Moffitt have both been previously invited to have their bands march in Presidential Inaugural Parades.

For those of you who had the opportunity to hear the students from Douglas High School sing earlier, it is not difficult to see the outstanding work that our musical educators are doing in Nevada. In honor of the resolution, we invite everyone to take a few minutes to enjoy the music of vocal, jazz, hand bell and string ensembles.

Throughout the week, music groups from the area public high schools will be performing in the building and across the street at Comma Coffee. At this time, I would like to thank those students for their hard work and dedication.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

REMARKS FROM THE FLOOR

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

Madam President, everyone who knows me knows how much I love the great game of baseball. As colleagues, we have a great time, sometimes even on the floor of the Senate, kidding one another about our baseball loyalties.

In a way that nothing else can, baseball allows us to escape the burdens and challenges of daily life.

However, 58 years ago, last Friday, April 15, 1947, an event occurred on a baseball field that forever changed not only our national past time but also our national perceptions.

As the Senate's resident baseball fanatic, I would be remiss if I failed to stand and acknowledge both the event and the individuals who inspired it.

Fifty eight years ago last Friday, Jack Roosevelt Robinson created what Howard Cosell called "a bloodless social revolution," simply by stepping onto a baseball field.

Jackie Robinson was born on January 31, 1919, in rural Georgia. In 1945, he played the key role, along with Branch Rickey, in what was called "a noble experiment." For several years, Mr. Rickey, as the players always called him, then General Manager of the Brooklyn Dodgers, had been searching for an African-American player who possessed not only the talent but the courage and self restraint to become the first African American to play in the major leagues. In Jackie Robinson, he found that man.

On the opening day of baseball, April 15, 1947, Jackie Robinson took the field for the Brooklyn Dodgers against the Boston Braves. He played first base and batted second. He went 0-for-3, grounding out, flying out, laying down a sacrifice bunt and hitting into a double play.

In spite of such a humble beginning to what went on to be a great professional career, the die was cast; the blow was struck, and the Nation could not ignore the achievement.

That year Robinson went on to win the Rookie of the Year award and within two years was voted the league's most valuable player. He went on to a lifetime batting average of .311, and he was voted into the Hall of Fame in 1962, his first year of eligibility, with 77.5 percent of the vote.

While he is now enshrined among the games greatest players, no one who loves the game of baseball will dispute that Jackie Robinson's greatest achievement remains that cloudy day in April, 1947, when he did a mighty thing.

He stepped onto a baseball field and single handedly, alone in that historic moment of time, challenged the misguided values, morals and perceptions of a nation. In my humble opinion, he accomplished a feat that was essential in our history; a feat without which we could never even begin to consider, let alone realize our greatness as a nation.

Jackie Robinson died October 24, 1972, in Stamford, Connecticut, but not before he changed the world he lived in and made it a better place than he found it.

Jackie Robinson once said, "A life is not important, except in the impact it has on other lives."

His impact on the game endures. Milton Bradley, who now plays center field for the Dodgers, requested to wear Jackie's number 42. When informed that he could not because the number has been retired. Bradley responded, "Then give me number 21." When asked why, he said, "Because, if I can be half the man Jackie Robinson was, my life will be well spent."

I hope the legacy of Jackie Robinson will endure beyond the game of baseball and that his unique contribution to our society will never be forgotten.

Madam President, as my small contribution to that endeavor I would respectfully request that we adjourn this legislative day in memory of the great Jackie Robinson.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Horsford, the privilege of the floor of the Senate Chamber for this day was extended to Douglas High School Band Director, Bill Zabelsky; and Fernley High School Band Director, Chuck Fletcher.

On request of Senator Rhoads, the privilege of the floor of the Senate Chamber for this day was extended to Bob Tallman, Dave Abel, Sue Abel and C. J. Hadley.

On request of Senator Townsend, the privilege of the floor of the Senate Chamber for this day was extended to the following students and teacher from the Double Diamond Elementary School: Devon Bannister, Karissa Christensen, Tom Ferguson, Andy Garcia, Brad Garlick, Kylee Hardy, Alan Higgins, Michaela Hughes, Kalani Martin, Christina Mederos, Alexis Pinguelo, Alexis Rice, Kami Rushing, Josh Sabels, Marcus Sam, Jasmine Scott, Indervir Singh, Jordan Skipwith, Priscilla Vidales, Tony Woolley, Karrah Bissett and teacher: Jennifer Luna.

Senator Raggio moved that the Senate adjourn until Tuesday, April 19, 2005, at 11 a.m. and that it do so in memory of baseball great, Jackie Robinson, as requested by Senator Hardy.

Motion carried.

Senate adjourned at 12:15 p.m.

Approved:

LORRAINE T. HUNT
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate