

THE FORTY-FIFTH DAY

CARSON CITY (Wednesday), March 23, 2005

Senate called to order at 10:36 a.m.

President pro Tempore Amodei presiding.

Roll called.

All present.

Prayer by the Chaplain, Dr. Stanley Friend.

Gracious God, we are grateful that Your living word is at work in us to prepare us for worthy service as leaders within the State of Nevada. We express our gratitude to You by committing ourselves to Your guidance in our decision making with this State Senate. In Your Name, we pray.

AMEN.

Pledge of allegiance to the Flag.

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

Motion carried.

Senate in recess at 10:37 a.m.

SENATE IN SESSION

At 10:38 a.m.

President Hunt presiding.

Quorum present.

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 was referred Assembly Bill No. 204, 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 Human Resources and Education, to which was referred Senate Bill No. 120, 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*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 22, 2005

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bill No. 114; Assembly Bills Nos. 79, 141, 164.

DIANE KEETCH

Assistant Chief Clerk of the Assembly

a question," he stated. He fired a question at me, and I was amazed wondering how did he think of that? I thought he was asleep and not listening. I could not answer and, boy, did I sweat. When I moved to the Senate and sat next to him on a few committees, again, I could swear he was sleeping. However, here, again, came that question, "Mister Chairman." Pity the poor lobbyist who did not have their homework done.

The first session I spent in the Senate, I was the Minority Whip. I had to get the votes together. The Governor called me once and asked me to get the votes on an issue. Sometimes, Senator Neal and I did not get along, but I told the Governor I would get the vote from him. I asked Senator Neal for his vote on the issue. He said he would give me his vote. The Governor's people called me during that week to see if I had the vote. I told them, yes. He gave me his word. A week later, we had the vote. The Governor called me after the floor session and asked how I got Senator Neal's vote. I told him I asked him for it. It was easy. I found out with Senator Neal, once he gave you his word, that was it. If you asked him to be there next month, you did not have to remind him; he would be there. I appreciated working with him. I know that I am the minor league even though I sit in this seat. Senator Neal went past the major league. He is the Hall of Fame.

Resolution adopted.

Senator Raggio requested that the remarks of former Senator Joseph M. Neal Jr. be entered in the Journal.

FORMER SENATOR NEAL:

Thank you, Madam President, the Majority Leader, Minority Leader and members of the Senate. I am humbled by your remarks today. I remind you to remain true to the process. Also, remember the people who elected you and treat them well. Do not treat them as a horse would do to a cold wind. If you do not know what that means, ask Senator Rhoads.

I thank you for this honor. I am pleased to be here. I have part of my family here, today. My daughter, the doctor, could not make it because she could not get off work and my daughter in pharmacy could not make it here because of the rainstorm. However, my older daughter, Cherisse, and my younger daughter, the lawyer, Dena, are here. John, James, Alexandra and Estelle are my grandchildren and are pleased to be here to listen to what has been said today about their grandfather.

Thank you for this honor.

By Senators Raggio, Titus, Amodei, Beers, Care, Carlton, Cegavske, Coffin, Hardy, Heck, Horsford, Lee, Mathews, McGinness, Nolan, Rhoads, Schneider, Tiffany, Townsend, Washington and Wiener:

Senate Resolution No. 5—Inducting Dr. Raymond D. Rawson into the Senate Hall of Fame.

WHEREAS, The Senate of the Legislature of the State of Nevada has established a Senate Hall of Fame whose members are selected by leadership from those past Senators who have served with distinction and who have made exemplary contributions to the State of Nevada; and

WHEREAS, Raymond D. Rawson, D.D.S., M.A., who represented the residents of Clark County Senatorial District No. 6 in the Nevada Legislature for a total of 20 years, from 1985 to 2004, served in many leadership positions, including Chairman of both the Senate Committee on Human Resources and Facilities and the Legislative Committee on Health Care, as well as Vice Chairman of the Senate Committee on Finance; and

WHEREAS, Dr. Rawson also served as Chairman of the Task Force for the Fund for a Healthy Nevada and as Senate Assistant Majority Floor Leader and Assistant Minority Floor Leader, as well as a member of the Interim Finance Committee and numerous other standing and interim study committees; and

WHEREAS, Among his many accomplishments in the Nevada Legislature, Dr. Rawson sponsored legislation that resulted in class-size reduction in the public schools and served as an ardent supporter of and advocate for higher education; and

WHEREAS, Dr. Rawson also promoted programs to provide dental health services to children and other needy residents throughout the State, sponsored legislation that revised laws concerning communicable diseases and was the principal proponent of establishing the Fund to Stabilize the Operation of the State Government (the "Rainy Day Fund"); and

WHEREAS, Dr. Rawson, a nationally recognized expert in both education and public health, served in leadership positions of prominent public policy organizations, including serving as Chairman of the National Conference of State Legislatures' Committee on Children, Families, and Health, as an Executive Committee Member of the Education Commission of the States and as Executive Commissioner of the Western Interstate Commission for Higher Education; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That Raymond D. Rawson, D.D.S., M.A., with gratitude for his long and dedicated service to the legislative process and to the people of the State of Nevada, is hereby inducted into the Senate Hall of Fame of the Legislature of the State of Nevada.

Senator Raggio moved the adoption of the resolution.

Remarks by Senators Raggio, Hardy, Mathews, Nolan, Wiener, Titus, Washington and Horsford.

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

SENATOR RAGGIO:

Thank you, Madam President and members of the Senate. It gives me great personal pleasure to move for adoption of this resolution. Over the years, we have acknowledged many former members of the Senate. I do not know of any two people who have more deserved this recognition than Senator Rawson and Senator Neal.

Together, they comprise 52 years of service in this body. Senator Rawson served here for 20 years. He was born in Sandy, Utah, and moved to Las Vegas when he was ten. He attended school there and graduated in the first class at the University Nevada, Las Vegas (UNLV), with a Bachelor of Science degree in zoology and chemistry. At that time, he was active in student government at UNLV. He earned his M.A. degree in physical anthropology from UNLV. I think we can forgive him his first ten years and consider him a native Nevadan. He graduated from dental school at the University of California at Loma Linda. He returned to practice in Las Vegas. After ten years in private practice, he decided to work with the Community College System to develop a dental hygiene program where he could have a hand in training the best-qualified dental professionals. The dental program at the Community College of Southern Nevada is considered a model for other programs throughout the United States because it is coupled with a faculty practice where students get a real-life clinical experience. During his 25 years with that University and Community College System, Senator Rawson has always been an ardent supporter of higher education and was appointed Director of Dental Programs for the University System.

He was first elected to the Nevada Legislature from Clark County Senatorial District No. 6 in 1984. Senator Rawson served for 20 continuous years. His tenure as a Senator included ten regular sessions and five special sessions. Senator Rawson's leadership positions included serving as Senate Assistant Majority Floor Leader. He was truly a right arm for me during the time I served as Majority Leader. He served as Assistant Minority Floor Leader during the one year that the Democrats took over in 1991. He was Chair of the Senate Committee on Human Resources and Facilities in 1987-1989 and 1993-1994, 1997-1998 and 2001-2002. That is one of the hardest working committees in the Senate. He was Chair of the Legislative Committee on Health Care, Chair of the Task Force for the Fund for a Healthy Nevada and Vice Chair for the Senate Committee on Finance until the end of his service. Senator Rawson also served as a member of the Interim Finance Committee and numerous other standing and interim study committees.

Among his many accomplishments in the Legislature, Senator Rawson held a prominent role in overseeing the state budget and sponsored legislation resulting in class-size reduction in the

public schools. It was Senator Rawson who insisted on accountability in all programs dealing with grades K-12 and higher education. Anytime we had any issue involving health, we went to Senator Rawson. Senator Rawson championed programs for those who were disadvantaged or who needed services. I do not know of anyone who had more compassion in this Legislature during the years in which I have served than did Senator Rawson. He was not a Senator who arrived at 8:00 a.m. and left at 5:00 p.m. He was here full time. He met with people from early in the morning until late at night on issues that came before this Senate. He took time to meet with people day and night. He had time for everyone. I do not know of any Senator during the 32 years I have served who gave more of his time to issues, ideas, people needs than did he. He was always willing to participate. He could not say "no."

Senator Rawson revised Nevada's communicable disease statutes, promoted programs to provide dental-health services to children and other needy residents statewide. He was the principal proponent of establishing the State's Rainy Day Fund. It was a good thing we had it last session. Without Senator Rawson, we would not have had it. He was an advocate for keeping it until it was really needed. I think of Senator Rawson every time we put a dollar into the Fund.

He authored the legislation to acquire the land so necessary to the Community College program. In addition to all of his Senate service, Senator Rawson is a nationally recognized expert in both education and public health. He has served in leadership positions of prominent public-policy organizations all across this Country. There is a list of articles he has written, a list of affiliations, a list of recognitions that would take our full journal if we put all of his accomplishments in it. I do not know of anyone who has so many achievements. He has been given many prestigious awards. They include Legislator of the Year, Nevada Association of Social Workers; Dentist of the Year 1997; and Man of the Year, Family-to-Family Connection of Clark County. He served on the State Education Commission and the Western Interstate Commission of Higher Education. So much has depended on his commitment and purpose.

In addition, he is active in his church and his community. He reached one of the highest recognitions within his own church. His professional affiliations and achievements include awards in the fields of dentistry and involvement with the Boy Scouts of America and work with childhood diabetes. He received the distinguished award of the Silver Beaver for serving for over 40 years as a scoutmaster and board member. All of us who know him know of his dedication to his family. His family has always come first. That is a measure of a true individual.

He has served as an adjunct professor at both the University of Nevada, Reno, School of Medicine, and at UNLV. He continues to teach in a volunteer position at the Community College of Southern Nevada and is still an active voice in the challenges that face the State.

Senator Rawson is a quiet, soft-spoken person, but when he talks, you listen. He is one of the kindest people I have ever known. He is not only a colleague, but he is someone I look up to. When my temper gets out of hand, he calms me down. He is a conscience and a mentor. He is diligent, intelligent, introspective and always considers the feelings of others. He always wonders how a bill will affect one group or another. He is caring. He is recognized for having an ability to find common ground on which to build, rather than focusing on differences, while always upholding his personal motto of "character counts."

I am pleased to recognize both Senator Neal and Senator Rawson for their work. I did not know either of them before they came to the Senate, but I developed a great deal of respect for them both during the years we served together. They both have made this a far better place in which to serve.

Senator Rawson leaves a legacy to this State for his commitment to public purpose.

SENATOR HARDY:

It is an honor for me to be able to stand in support of this resolution. I can state, with a level of certainty, I would not be involved in the political process if it were not for Senator Rawson. I am not sure if I should hug him or slug him.

I broke into this game as a member of the Young Republicans in the 1980s. There was a group of us that decided we wanted to be involved in public life, and no one encouraged that more than Senator Rawson. He was always the one to stand up and say, "the young people of this State need to be involved in this process."

Senator Rawson was always someone I could turn to for support and advice. His support and advice continued when I was elected to the Assembly in 1991, and I appreciated his counsel, wisdom and experience of the process when I came to the Senate.

The one thing I never received from Senator Rawson was political advice. In all the years I sought out his guidance and advice, I never saw him consider the political consequences of what he was doing. Last session was my first term in the Senate but my 14th year in the building in one capacity or another. I knew we were headed for a difficult session, but I do not think any of us realized how difficult it would be. I benefited from Senator Rawson's counsel often during that session. One night while the two of us were alone in the caucus room discussing and debating the dilemma that was going on, I, as a young freshman, worried about my political career. I asked him about the political ramifications and consequences of what was going on. He genuinely looked at me as if he had no thought about the political ramifications and said, "It does not matter; you cannot consider it. You have to do what is right." I felt ashamed for bringing it up.

Senator Rawson's legacy in my life and career is that I will never again ask that question, and in Senator Rawson's honor, I will always endeavor to do what I think is right regardless of the consequences. I am a better Senator and man for having known Senator Rawson.

SENATOR MATHEWS:

I rise in support of this resolution. Senator Rawson is a special man to me. I first met Senator Rawson when we were both employees of the University and Community College System of Nevada. He was involved with the health science programs in the southern part of this State and I was director of the health science and nursing programs in the northern part. We would often meet in Las Vegas, probably because he was the doctor and I was the nurse.

When I came to the Senate, I was on my first Senate committee assignment to the Committee on Human Resources, and Senator Rawson was my chair. I could not have asked for a better chair. He was so kind and patient. I had a "potty" mouth at that time, and he would look over at me with a look that made me ashamed after I had spoken. His look would say, "Now, you know you should not have said that, Bernice. If only your father had heard you say that."

Senator Rawson tolerated me as a young Senator and permitted me to say some things that most people would not have permitted me to say. Senator Rawson allowed me to grow in that committee. I am not certain which direction I grew, but I did grow. You cannot be here ten years and not grow a little bit.

I can only remember Senator Rawson being angry once. I am not certain the word "angry" is a correct term either, but this one time, someone had pushed him to the wall, and Senator Rawson made it clear that his kindness did not mean he was weak. Sometimes people took that for granted. I will never forget that day he made it quite clear he was kind, in control and in no way weak.

Senator Rawson was a pleasure to work with. I epitomize Senator Rawson with a little saying that hangs on my wall at home. "And in quietness and in peace, shall be that peace," Senator Rawson.

SENATOR NOLAN:

I would like to rise in support of this resolution for Senator Rawson. As a freshmen ten years ago in the Assembly, and before they had orientation, I sat down in your seat a day before the session started, and it did not take me long before I realized I was a small ship in a big storm. I was constantly looking for a "port," someone who would give me good counsel and direction. Quite often, Senator Rawson would be that "port." He would look for freshmen who looked lost, and it did not matter whether you were in the Senate or the Assembly.

I remember bringing my first bill from the Assembly to the Senate for a committee hearing before Senator Rawson. He looked at me and then at what was to become a sorry piece of legislation. I do not think we got far into the hearing before he said we could go ahead and meet on this bill in his office afterwards. We met, and he gave me some excellent counsel on what to do with that piece of legislation. That moment started a wonderful relationship with Senator Rawson.

I looked to him not only for counsel on matters of legislation but because we had an interest in the medical field. I often sought his counsel on professional and personal matters. As it has

already been said, Senator Rawson is a quiet and soft spoken man with a deep-seeded wisdom he would share with you. That wisdom shared was rarely wrong.

When we would meet in caucus after floor sessions, the gloves would come off. Senator Rawson would sit patiently and quietly taking it all in, like he is doing now. Then when the smoke settled, Senator Rawson would clear his voice, and everyone would be quite. Timing was everything with Senator Rawson. He would make a remark that would put everyone at ease or bring the issue full circle, then give us counsel. We always found great solace in what Senator Rawson had to say.

As Senator Rawson came in to the Senate today, I wanted him to take his chair because I feel absolutely inadequate being here in this position. This position looked easy when Senator Rawson sat as the Assistant Majority Leader, but when you are sitting here, there is much more to it. With the Majority Leader on my side, I try to stay out of arms length, but I am never out of ear shot. I feel like an albatross in this position, a position that came so natural to Senator Rawson. I want you to know you were a mentor to me. You still are a mentor to me. I will always appreciate your counsel. You are considered one of the most honest, ethical and conscientious Senators that will ever serve in this body. Thank you for all you have given to me and this State.

SENATOR WIENER:

I rise in support of this resolution. Senator Rawson is known as a teacher but the ultimate teacher. He is known to be a listener, but he is the ultimate listener for those of us who need to spend a little less time talking and a lot more time listening. His quiet nature serves many purposes and a big part of that is to process, remember and to get perspective. No one that I have met in this building has greater perspective of past, present and, probably, future.

In terms of leadership, I want to give Linda a little credit for raising a family of 7 children with 21 grandchildren and 1 great grandchild. You have to be a leader in order to work with a family of that size. I want to thank Linda for lending her love and support to a man who shared that with us because he learned so much from her as well and is still learning.

Ray Rawson is a generous man, out of pocket and out of heart. I was pondering whether to share a story of a personal experience. I will so that you can know the depth of his commitment to the people that he calls friend. When we had a story in the newspaper about what would happen if we had to clear the building because of a terrorist attack, Senator Rawson and I were grabbing a bite to eat. He was quiet while we were parting company, and I was getting ready to go to my car. I knew he had something to share so I stopped and he did not say it in many words, but he knows I do not have much of a family to count on down south. Not having parents, husband or children, I am sort of out there like an island. Senator Rawson said, "If something happened here, I would make sure you get home." I cannot tell you how much that meant to me to know that I had a family in Senator Rawson.

Senator Rawson is generous with his knowledge, insights and his heart. One Friday, Senator Rawson had talked to me earlier about chairing the committee that day. As everyone was announcing the committee meetings, I stood and announced Human Resources would meet directly following floor session. You reminded me that we would not be able to take votes without the chair and vice chair. I was not planning on it, but I thought it was nice to be reminded, and you understood that Senator Rawson was allowing me to have the opportunity to take a leadership role in a committee that I love.

Senator Rawson was the chair for four sessions of the Committee on Human Resources, a committee that I love. Through his encouragement to grow and explore that committee, I experienced an adventure where he nurtured our opportunities to explore and go where we would not have gone with only the letter of the law in front of us. He allowed the witnesses to bring forth the humanity and the human connection to the legislation we considered; those are the adventures I remember.

Senator Rawson is a man who is consistently solution oriented but never forgets the importance of the process to get there equitably and honorably. It is such a privilege to know Senator Rawson, another Las Vegas High School graduate, a man who would probably be proud to wear red and black wherever he goes. It has been a privilege for the first eight years to serve with Senator Rawson and to know that not only those of us in these halls have the pride of the

work that you have shared with us. What an honor it is to recognize the merit of what you have contributed to our State and to know that other Nevadans who will follow us and visit this building will be able to recognize and appreciate your service to Nevada.

SENATOR TITUS:

I, too, rise in support of this resolution recognizing the many accomplishments of Senator Rawson. He is truly an honorable man who served with distinction. With his quiet voice, his unassuming demeanor and his steady hand, he moved this State forward in many policy areas, ranging from higher education to aid for the disabled which directly affect the lives of every Nevadan.

We are all indebted to him and are privileged to have had him as a colleague, both in the Senate and in academe.

SENATOR WASHINGTON:

I also rise in support of this resolution. I want to honor Senator Rawson and to let him know it is a privilege to actually chair his committee. I learned a lot from Senator Rawson, watching him work. He is a tactician, knows exactly what he is doing, and he is well versed on the issues and in the subject matter. My first term here, I was pretty fiery and brash and my temper was showing disdain towards colleagues as they spoke on an issue. Senator Rawson took me aside one day and said, "Young man, you do not need to be as harsh and brash as you are. You can still get your point across with a still, small and quiet voice." I took that advice to heart and tried to learn from it. I try to operate in a manner that I think would be honorable to Senator Rawson. I was fortunate to have served as his vice-chair and to have learned much from him. I will try to follow in his footsteps in a manner that he would be proud of. Thank you, Senator Rawson.

SENATOR HORSFORD:

I also rise in support of this resolution. I would be remiss if I did not stand and congratulate Senator Rawson and all he has done for our State, specifically, as it relates to education and health care. I can honestly say as members of this body have already indicated his commitment to these issues is preceded only by his desire to help those who are less fortunate. Senator Rawson respects others even when he does not agree with them. He knows how to bring people together. I think he is a great man of integrity. His wife, Linda Rawson, deserves some honor here, today, as well for her service to our community. I had the opportunity to serve with her on the Board of the National Conference of Community Injustice. Getting to know her was a great privilege for me, and she deserves some appreciation for sharing Senator Rawson with us these many years.

Resolution adopted.

Senator Raggio requested that the remarks of former Senator Raymond D. Rawson be entered in the Journal.

FORMER SENATOR RAWSON:

Thank you, Madam President, the Majority Leader, Minority Leader and to all of you, today.

It is interesting to see the phases of our lives. I thought college was the greatest time of my life; then, I was married, and we started our family, and I thought that was the greatest time. However, the Senate was an exceptional time, a time of growth, one full of meaning to me. My wife and I are in a new phase now. Just like all of the others, we did not know what it would be like. It is turning out to be the greatest time of all.

I would like to introduce my brother, Glen, and his wife, Cheryl. Glen lives in Logandale and can build anything with his hands. My daughter, Kristi, is here with her husband, Dave Cheval, and with our grandchild, Kendall. My son, Rick, and his wife, Lisa, drove here for this. My sister, Cleo, and her husband, Doc Brown, are here, today, as well as my sister-in-law, Honey Rawson, and her daughter, Gisela. I appreciate Linda Chapman coming here, today. She keeps me straightened out and organized.

It must be remembered that this is an important institution. We can aggrandize things if we are involved with it. Maybe that makes us feel more important, but there is something about this

process that we should recognize as key and fundamental and so important to the State. I appreciate the opportunity to serve and thank you for the recognition.

Senator Raggio requested that the remarks of Governor Kenny Guinn be entered in the Journal.

GOVERNOR GUINN:

I, too, rise in support of these resolutions. I have never felt so calm and as restful as I have, today, sitting here in these hallowed halls. I have not heard a negative word spoken. Only the truth has been told today. I wish I had this environment in the Office of the Governor. I sit alone without the comradery I see here.

Today, I am here because of these two gentlemen. I have known them both during my 40 years in this great State. I have worked with them in the community and as a school superintendent, as an elected officer and as a businessperson. I know of no other two people who could match their integrity, honesty and the forthrightness of these two individuals.

I believe they will walk side by side for their hands have always been out for those who have been less fortunate. They have both served as chair of the Committee on Human Resources. They both worked in the health areas. In all the conversations I have had with them, they never asked me about the budget; instead, they asked me about what I could do for those who are less fortunate.

I am here, today, to acknowledge this special privilege that will stay with them and their families for the rest of their lives. I am pleased to announce we are to name the new Mental Health Facility in Clark County the Neal-Rawson Facility. I think the naming of this great new facility will memorialize what they have done for so many people who are less fortunate than many of us. It is a pleasure for me to be a part of today's very important induction into the Senate Hall of Fame.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Concurrent Resolution No. 11; Assembly Bill No. 55.

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.

On request of Senator Care, the privilege of the floor of the Senate Chamber for this day was extended to Jenny Care.

On request of Senator Mathews, the privilege of the floor of the Senate Chamber for this day was extended to the following students and chaperones from the Bernice Mathews Elementary School: Michelle Foncault, Ena Montes, Angelina Chavez, Rosa Gomez, Ricardo Chavez, Leobarda Reyes, Sonia Baltazar, Brittney Bradley, Jon Bradley, Alexis Chavez, Andrea Contreras, Francisco Del Rio, Daniel Dominguez, Ashley Eckman, Celia Gonzalez, Jacky Guan, O'Dell Hare, Mark Landeros, Nancy Le, Edward McConnell, Roy McConnell, Daniel Moreland, Adriana Perez, Carlos Perez, Julio Rivas, Samantha Salmoran-Guillen, Johnathan Saucedo, Christian Segura, Ali Vargas, Marco Vargas, Yuxiang Wu, Juttland Alsaybar, Jeimico King Bocalig, Ryan Buzick, Michelle Cardenas, Sharayia Carter, Alejandra Estrada, Sarah Faz, Ian Fitzpatrick, Ixian Gonzalez, Evan Guido Diaz, Brenda Hernandez-Lopez, Rosio Izquierdo, Nestor Lara-Gomez, Lupita