

THE EIGHTIETH DAY

CARSON CITY (Wednesday), April 25, 2007

Assembly called to order at 11:05 a.m.

Madam Speaker presiding.

Roll called.

All present except Assemblyman Marvel, who was excused.

Prayer by the Chaplain, Reverend Louie Locke.

Lord, as we gather today, we give You thanks and praise, for You are good and You are a stronghold in the day of trouble; and You know those who trust in You. "He has shown you, O man, what is good. And what does the Lord require of you? But to do justly, to love mercy, and to walk humbly with your God." (Micah 6:8)

May these qualities shape our lives as we walk with You: justice, mercy, and humility.

Lord, please bless the man and women of this Assembly, their families and staff, and protect our military as they serve our nation.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Ocegueda moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Madam Speaker:

Your Committee on Judiciary, to which were referred Senate Bills Nos. 34, 57, 70, 177, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BERNIE ANDERSON, *Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 24, 2007

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 42.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 41, 48, 52, 60, 106, 112, 180, 199, 201, 203, 216, 222, 230, 234, 242, 265, 269, 274, 280, 292, 293, 299, 302, 307, 312, 317, 325, 337, 354, 366, 374, 377, 394, 401, 412, 415, 417, 432, 436, 448, 452, 483, 487, 489, 495, 502, 509, 511, 516, 548, 549; Senate Joint Resolution No. 3.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Grady, Allen, Anderson, Arberry, Atkinson, Beers, Bobzien, Buckley, Carpenter, Christensen, Claborn, Cobb, Conklin, Denis, Gansert, Gerhardt, Goedhart, Goicoechea, Hardy, Hogan, Horne, Kihuen, Kirkpatrick, Koivisto, Leslie, Mabey, Manendo, Marvel, McClain, Mortenson, Munford, Ocegvera, Ohrenschall, Parks, Parnell, Pierce, Segerblom, Settlemeyer, Smith, Stewart, Weber, and Womack; Senators Amodei, Beers, Care, Carlton, Cegavske, Coffin, Hardy, Heck, Horsford, Lee, Mathews, McGinness, Nolan, Raggio, Rhoads, Schneider, Titus, Townsend, Washington, Wiener, and Woodhouse:

Assembly Concurrent Resolution No. 21—Commending the Nevada Division of the National Pony Express Association for its efforts in keeping the memory of the Pony Express alive in Nevada.

WHEREAS, With the discovery of gold in the West in 1848 and the increasing political tensions of the 1850s, it became imperative to keep California aligned with the Union by providing a faster and more dependable source of information from the northeastern states; and

WHEREAS, William H. Russell, Alexander Majors and William B. Waddell took on the challenge and, in the short span of 2 months, set up a mail delivery system that was named the Pony Express; and

WHEREAS, The sacrifice of the station masters, many of whom gave their lives, and the dedication, bravery and horsemanship of the wiry riders as they carried the mail for almost 2,000 miles from St. Joseph, Missouri, to Sacramento, California, across scorching deserts and through deep snow in 10 days is legendary, and the tales of their daring and loyalty are part of the history and lore of the American West; and

WHEREAS, Although in operation for only 18 months, this amazing venture bound the ragged edges of a rising nation and stands in history as a monumental example of the vision, courage and character of the men and women who built the West; and

WHEREAS, The route of the Pony Express runs through portions of eight states, and in Nevada roughly parallels U.S. Highway 50, the surrounding area of which has been dubbed “Pony Express Territory” by the Commission on Tourism; and

WHEREAS, In addition to being part of a reenactment ride held each year in June, the members of the Nevada Division of the National Pony Express Association keep the story and spirit of the Pony Express alive by marking and preserving the Nevada portion of the trail, participating in community events and giving educational presentations to schools and other groups; and

WHEREAS, Principally through the efforts of Larry McPherson, past President of the Nevada Division, a historical marker consisting of a silhouette depicting a Pony Express rider and horse will soon stand along U.S. Highway 50 east of Carson City as a reminder of this important part of Nevada history; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the 74th Session of the Nevada Legislature commends the Nevada Division of the National Pony Express Association for its contributions toward preserving the history and making visible the spirit of the Pony Express in 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 Steve Notterman, President of the Nevada Division of the National Pony Express Association.

Assemblyman Grady moved the adoption of the resolution.

Remarks by Assemblymen Grady and Carpenter.

Resolution adopted.

Assemblyman Grady moved that all rules be suspended and that Assembly Concurrent Resolution No. 21 be immediately transmitted to the Senate.

Motion carried.

By the Committee on Elections, Procedures, Ethics, and Constitutional Amendments:

Assembly Resolution No. 9—Providing for the appointment of an additional attaché for the Assembly.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Darlene Rubin is elected as an additional attaché of the Assembly for the 74th Session of the Nevada Legislature.

Assemblywoman Koivisto moved the adoption of the resolution.

Remarks by Assemblywoman Koivisto.

Resolution adopted.

Senate Joint Resolution No. 3.

Assemblyman Ocegüera moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

Assemblyman Ocegüera moved that the reading of Histories on all bills and resolutions be dispensed with for this legislative day.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 41.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 42.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

Senate Bill No. 48.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

Senate Bill No. 52.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 60.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

Senate Bill No. 106.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 112.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

Senate Bill No. 180.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Transportation.

Motion carried.

Senate Bill No. 199.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 201.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 203.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 216.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 222.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 230.

Assemblyman Ocegueda moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

Senate Bill No. 234.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 242.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 265.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 269.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 274.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 280.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 292.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 293.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

Senate Bill No. 299.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 302.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 307.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 312.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Education.

Motion carried.

Senate Bill No. 317.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 325.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 337.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 354.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 366.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

Senate Bill No. 374.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 377.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

Senate Bill No. 394.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

Senate Bill No. 401.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

Senate Bill No. 412.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 415.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

Senate Bill No. 417.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

Senate Bill No. 432.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 436.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 448.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 452.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

Senate Bill No. 483.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

Senate Bill No. 487.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 489.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

Senate Bill No. 495.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

Senate Bill No. 502.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Taxation.

Motion carried.

Senate Bill No. 509.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 511.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 516.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

Senate Bill No. 548.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

Senate Bill No. 549.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 151.

Bill read second time and ordered to third reading.

JOURNAL OF THE ASSEMBLY

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 25, 2007

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 23.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 23.

Assemblyman Christensen moved the adoption of the resolution.

Remarks by Assemblyman Christensen.

Resolution adopted.

Madam Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 11:53 a.m.

ASSEMBLY IN SESSION

At 12:01 p.m.

Madam Speaker presiding.

Quorum present.

REPORTS OF COMMITTEES

Madam Speaker:

Your Committee on Ways and Means, to which was re-referred Assembly Bill No. 190, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY JR., *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

SENATE CHAMBER, Carson City, April 25, 2007

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 24.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 24.

Assemblyman Carpenter moved the adoption of the resolution.

Remarks by Assemblymen Carpenter and Mabey.

Resolution adopted.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Roseann Carpenter, Mary Cashman, Ronda Cashman, Tim Cashman, Denise Cashman, Leah Benjamin, Mike Benjamin, Mary Kaye Cashman, Rhonda Cashman Evans and Rhonda Evans.

On request of Assemblyman Christensen, the privilege of the floor of the Assembly Chamber for this day was extended to Tito Tiberti, Sandra Tiberti, Andra Maffey, Paul Maffey, Renaldo Tiberti, Sandee Tiberti and Tiffany Tiberti.

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to Steve Notterman and Larry McPherson.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to the following students from Martha P. King Elementary School: Troy Graham, Elizabeth Karol, Melissa O'Berto, Seth Kermonde, April Oliver, Annabelle Shattler, Dylan Bylund, Trenton Carmell, Meghan Chase, Jimmie Flores, David Duncan, Katlyn Flores, Brittney Galland, Bradley Henderson, Tyler Hinson, Kaja Obermiller, Arcadia Pacini, Christian Shamo, Kinsey Smyth, Jacson Tenny, Brittany Tippetts, Jack Wagner, Zachary West, Lauren Axelson, Nicole Benson, Bailey Buttacavoli, Kaitlyn Chymych, Ashley Denney, Laura LeFebvre, Justin Miller, Tyler Roberts, Charlotte Wall, Gabrielle Wylupski, Jesse Bradley, Patrick Garvin, Nicholas Giunta, Alexandria Hubel, Alexa Moreno, Aubrey Klouse, Kailynn Mantia, Devin Desmond, Joseph Pando, Justin Rockenfeller, Jack Rozycki, Aubrianna Spragno, Gunna Stanton, Nelson VanDiest, Miranda Westmoreland; teachers Marcella Posthuma, Lee Esplin, Terry Willis, Debbie Cattoir, Lee Esplin, Mary Scialabba, Josh Newkirk; chaperones Cindi Graham, Susan Gelecht, Marianne Oliver, Staci Shattler, James Carmell, Elizabeth Chase, Janis Daly, Michael Pacini, Eric Shamo, Lora Smyth, Dianna Tenny, Christine Tippetts, Michele Axelson, Arthur Wilke, Amy Denney, Deborah Wall, Theodore Wylupski, Lori Giunta, Nancy Ward, Stacy Mantia, Shelby Spragno, and Olaf Stanton.

On request of Assemblywoman Kirkpatrick, the privilege of the floor of the Assembly Chamber for this day was extended to Ruben Cruz and Cameron Castro.

On request of Assemblywoman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to the following students, teachers, and chaperones from Lemon Valley Elementary School: Patrick Amos, Alejandro Arellano, Vidal Avila, Jared Brose, Ana Chavarria Soto, Harold Child, Peter Cytanovic, Austin Dutra, James Ellis, Angel Estrada, Ana Flores, Jay Hale, Cody Hildenstab, Khalid Huddleston, Champagne

James, Alexander LaClare, Colton Matschke, Jason Miller, Tiara Morgan, Raul Nava, Eithan Pacheco-Dashiell, Manuel Pan, Arturo Rangel, Justin Rucker, Jessica Santella, Joseph Teetor, Jari Telliano, Sydney Villarreal, Chad Whitney, Makayla Zeigler, Megan Ahmadzai, Kendeli Ayala, Steven Bermudez, Tejay Bernardo, Giselle Camacho, Kelsey Darby, Michael Decker, Mazzie Ehmcke, Jamie Ellis, Dillon Jordan Flores, Antonio Garcia, Jocelyn Garcia, Joshua Karpchuk, Daniel Lewis, Emmanuel Lopez, Anayeli Lozada, Miguel Machuca, Jorge Martinez, Kimberly Miller, Chloe Mitchell, Justin Moore Cory Perks, Tadas Pranskevicius, Isaach Rosales, Giovanni Rubio, Kyle Schilling, Anastasia Schostag, Oscar Segoviano, Jose Torres-Caro, Yen Vong, Jeramy Ager, Journey Aney, Tulsa Beck, Jared Bishop, Brandon Butler, Alexis Cusato, Jose Diaz-Rubio, Francesca Franco, Edgar Gonzalez, Kennedy Harmon, Karlos Hernandez, Eric Kennedy, Fred Lar-Vargas, Steffen Laundenslager, Kristin Lemos, Zachery Mead, Mercedes Miller, Demas Montes, Melissa Norman, Dylan Parry, Johanna Rayner, Kimberly Rodriguez, Rebekah Sims, Tyler Smythe, Domanic Toussaint, Manuel Villasenor-Melo, Shedrick Bowens, Steven Buitron, Frankie Capucci, Domitri Carlson, Marcus Curry, Lucas Cusato, Nicholas Everton, Cody Griener, Hayden Harmon, Sabrina Helmers, Andrew Johnson, Benjamin Lapham, Madison Marable, Alana McCoy, Edward Minard, Jiseall Nicholson, Omar Paredes, Elizabeth Peterson, Timothy Poeschel, Brooke Sterrett, Mikayla Stevens, Mickey Thompson, Dakota Vanderhoef, Patricia Villanueva, Dana Galvin, Lance Ferguson, KayCee Goman, Elizabeth Schroeder, Cindy Laudenslager, Sherry Cusato, Darren Harmon, James Minard, Natasha Gonzales, Christina Dutra, Melissa Sims, Diana Morris, Lori Rayner, Sherry Cusato, Tori Anderson, Sarah Davis, Cecilia Bermudez, Rita Moore, Evelyn Camacho, Robert Thompson, Ernie Johnson, Elaine Sterrett, Patrick Griener, Karen Bradfute, Jordan Lemos-Estabrook and Alfredo Virgen Magallanes.

Assemblyman Ocegüera moved that the Assembly adjourn until Thursday, April 26, 2007, at 11 a.m.

Motion carried.

Assembly adjourned at 12:13 p.m.

Approved:

BARBARA E. BUCKLEY
Speaker of the Assembly

Attest: SUSAN FURLONG REIL

Chief Clerk of the Assembly