

**THE EIGHTH DAY**

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CARSON CITY (Monday), February 12, 2007

Senate called to order at 11:14 a.m.

President Krolicki presiding.

Roll called.

All present except Senator Washington, who was excused.

Prayer by the Chaplain, Dr. Ken Haskins.

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

Cast Your light upon the issues facing these lawmakers today. Grant these servants of Yours clarity of vision, understanding and wisdom in order for them to make good decisions that will benefit the lives of many.

I pray in the Name of the Light of the world, Jesus.

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

*Mr. President:*

Your Committee on Transportation and Homeland Security, to which was referred Senate Bill No. 39, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DENNIS NOLAN, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, February 9, 2007

*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. 2.

SUSAN FURLONG REIL  
*Chief Clerk of the Assembly*

MOTIONS, RESOLUTIONS AND NOTICES

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

Senate Concurrent Resolution No. 2—Recognizing February as American Heart Month and advocating support for Go Red for Women Day in Nevada.

WHEREAS, Diseases of the heart are the nation's leading cause of death, and stroke is the third leading cause of death; and

WHEREAS, Cardiovascular disease claims the lives of more than 460,000 American women, about one death per minute, each year; and

WHEREAS, Each year, 53 percent of all deaths from cardiovascular disease occur in women, compared to 47 percent in men, and about 32,800 more women than men die from stroke; and

WHEREAS, In 2007, the direct and indirect cost of cardiovascular disease and stroke in the United States is estimated at \$431.8 billion; and

WHEREAS, More women die of cardiovascular disease than the next five leading causes of death combined, including all cancers; and

WHEREAS, Only 13 percent of women consider cardiovascular disease their greatest health risk; and

WHEREAS, Go Red for Women Day is the American Heart Association's national call to increase awareness of heart disease, the leading cause of death for women, and to inspire women to take care of their heart health; and

WHEREAS, All women should learn their own personal risk for heart disease, using tools such as the American Heart Association's Go Red for Women Heart CheckUp and by talking to their health care providers; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the Nevada Legislature, in recognition of the importance of the ongoing fight against heart disease and stroke, does hereby support Go Red for Women Day; and be it further

RESOLVED, That the Legislature recognizes February as American Heart Month; and be it further

RESOLVED, That the Legislature urges all residents of this State to show their support for women and the fight against heart disease by wearing the color red on Go Red for Women Day; and be it further

RESOLVED, That the Legislature recognizes that by increasing awareness and empowering women to reduce their risk for cardiovascular disease, we can save thousands of lives each year; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Western States Affiliate of the American Heart Association, the Nevada Women's Lobby and the Chronic Disease Section of the Health Division of the Nevada Department of Health and Human Services.

Senator Wiener moved the adoption of the resolution.

Remarks by Senators Wiener, Raggio, Cegavske and Titus.

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

SENATOR WIENER:

Heart disease is the number one killer of women in this State and in this Country. Unfortunately, the majority of women today do not realize how prevalent heart disease is. In fact, more women die of heart disease than from all forms of cancer and the next five leading causes of death in women combined.

Having said this, please join me in a moment of silence to remember the thousands of women who died in Nevada in 2006 as a result of heart disease.

Prevention is the key to over coming heart disease. It is essential that we promote healthy eating, exercise, weight maintenance, smoking cessation, blood-pressure control and blood-cholesterol management in order to fight this disease.

I am not proud to share with you, today, that Nevada is currently ranked second out of all of the states in having the highest percentage of women between the ages of 45 and 64 who have been diagnosed with high blood cholesterol. In addition, Nevada has the fifth highest number of female smokers within this same age group. Studies show that high blood cholesterol and smoking significantly increase the chances of a woman being diagnosed with heart disease.

We need to do something to change this horrific trend, and it is through efforts such as "Go Red for Women Day" that we can accomplish this.

"Go Red for Women Day" is one of the American Heart Association's nationwide efforts to promote heart-disease education and prevention. Every year, the American Heart Association sponsors this special day on which people across the Country wear red in support of heart-disease education and prevention. What a simple, yet powerful, way to spotlight heart disease and its impact on our Nation's women.

Although "Go Red for Women Day" was nationally observed on February 2, I encourage us all to continue our own advocacy for the crucial awareness, education and prevention of heart disease. I also ask my colleagues to join me, today and in the future, in wearing red on each annual "Go Red for Women Day."

We must make an ongoing commitment to this awareness, education and prevention effort. It is imperative that we make a conscious effort to embrace and elevate the cause of women and heart disease. Thank you.

SENATOR RAGGIO:

Thank you, Mr. President. I rise to join in support for the resolution. It is important to recognize American Heart Month and "Go Red for Women Day" in Nevada. Many of us have had personal experience concerning heart disease. In my family, I lost my father at the age of 55, far too young. I lost my son at the age of 42 to heart disease. I am standing here, today, because of the skill of cardiologists and a cardiac surgeon. I went through a six-way bypass. I am not alone in recognizing that this is a serious disease in America. As the previous speaker pointed out, it affects women more than men and thus points out the need to observe "Go Red for Women Day."

We recently had a benefit to raise funds to fight this dreaded disease. Before coming to Nevada, my wife, Dale, was a worker in the vineyards of the American Heart Association for nearly 22 years. She is very persistent. She convinced the Mayor of Reno to have the city change the lights on the arch to red to remind people to be aware of heart disease. Some of the hotels are using red on their outside lights in observance to remind people to go red for heart disease in women. I cannot emphasize how important this resolution is for us to pass. I want to thank all of those who work in research and treatment of heart disease. It is one of the most important responsibilities that we have to America. I am honored to join in this recognition.

SENATOR CEGAVSKE:

Thank you, Mr. President. I rise in support of Senate Concurrent Resolution No. 2. Two weeks ago, I had the privilege of witnessing open-heart surgery on a four-month-old baby. It was one of the most incredible events I have ever witnessed. I watched the perfusionist who actually operates the heart-lung machine during the operation. It was incredible to watch a doctor take a tiny heart that would fit into the palm of your hand and perform a miracle to make it pump correctly. Not only did it mean a lot to me to have witnessed such an operation, but also I have had family members with heart disease placed on a heart-lung machine. There will be a bill this Session dealing with this subject. Many people, including a reporter who called me, do not know what it is. The reporter thought it had to do with perfume because the person did not know what a perfusionist was. There is so much involved in heart surgery. I thank all who are here, today, for letting us know more about recognizing this day.

Thank you.

SENATOR TITUS:

Thank you. I am also pleased to rise in support of this resolution. I am delighted to look around the room to see so many of my female colleagues wearing red and so many of the gentlemen showing their support with red neckties. Thank you all for doing that for us today.

It is not enough to celebrate this one day, we need to do things all throughout the year to help our hearts. We can celebrate our birthdays with annual checkups. We need to get up off the couch, forget about the remote and to get up and change the channel. We need to do more exercise. If you still smoke, quit. Drop a pound or two. I can identify with this after all the pancakes and spareribs I have eaten over the course of this past year. Finally, eat healthy and

drink in moderation. This is good advice all of the time but especially during the Legislative Session. Thank you.

Resolution adopted.

Senator Wiener moved that all necessary rules be suspended and that Senate Concurrent Resolution No. 2 be immediately transmitted to the Assembly.

Motion carried unanimously.

By the Committee on Legislative Operations and Elections:

Senate Joint Resolution No. 1—Proposing to amend the Nevada Constitution to remove requirements concerning affidavits that must be affixed to referendum petitions and initiative petitions.

RESOLVED BY THE SENATE AND ASSEMBLY OF THE STATE OF NEVADA, JOINTLY, That Section 3 of Article 19 of the Nevada Constitution be amended to read as follows:

Sec. 3. 1. Each referendum petition and initiative petition shall include the full text of the measure proposed. Each signer shall affix thereto his or her signature, residence address and the name of the county in which he or she is a registered voter. The petition may consist of more than one document. ~~but each document shall have affixed thereto an affidavit made by one of the signers of such document to the effect that all of the signatures are genuine and that each individual who signed such document was at the time of signing a registered voter in the county of his or her residence. The affidavit shall be executed before a person authorized by law to administer oaths in the State of Nevada.~~ The enacting clause of all statutes or amendments proposed by initiative petition shall be: "The People of the State of Nevada do enact as follows:"

2. The Legislature may authorize the Secretary of State and the other public officers to use generally accepted statistical procedures in conducting a preliminary verification of the number of signatures submitted in connection with a referendum petition or an initiative petition, and for this purpose to require petitions to be filed no more than 65 days earlier than is otherwise required by this Article.

Senator Cegavske moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

Assembly Concurrent Resolution No. 2.

Senator Raggio moved the adoption of the resolution.

Remarks by Senator Raggio.

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

Members of the Senate, this is the usual resolution we have adopted over a number of years to recognize the service of those who work in the Session as attachés. Legislative employees are asked to commit full time, not only for the 120-day Session, but they work prior to the Session and often for long periods afterwards. As a result of the time constraints, there are extraordinary demands placed upon them. This recognizes the efforts and the dedication of those individuals and grants administrative leave to those employees. I ask this resolution to be unanimously approved.

Resolution adopted unanimously.

Resolution ordered transmitted to the Assembly.

## INTRODUCTION, FIRST READING AND REFERENCE

By Senator Washington:

Senate Bill No. 76—AN ACT relating to transportation; requiring employees of the Transportation Services Authority and the Taxicab Authority to wear identifying uniforms and use marked vehicles when exercising enforcement powers in certain circumstances; requiring such employees to have probable cause when stopping or detaining a vehicle while exercising enforcement powers; making such employees who are also peace officers eligible for certain retirement benefits; requiring the Transportation Services Authority and the Taxicab Authority to adopt policies and procedures governing their organizations and operations; requiring notice to be provided before the examination of certain records; requiring the Transportation Services Authority to bring a civil action to recover certain civil penalties instead of imposing certain administrative fines; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Care, Amodei and Assemblyman Horne:

Senate Bill No. 77—AN ACT relating to support; amending the Uniform Interstate Family Support Act; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 78—AN ACT relating to petitions; revising the provisions relating to misconduct in the signing or filing of petitions; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Legislative Operations and Elections:

Senate Bill No. 79—AN ACT relating to elections; requiring the use of the permanent paper record produced by a mechanical voting system for the recount of ballots cast at an election; and providing other matters properly relating thereto.

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

Motion carried.

By Senator McGinness:

Senate Bill No. 80—AN ACT relating to elections; designating certain elective offices as nonpartisan offices; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Titus, Townsend and Wiener:

Senate Bill No. 81—AN ACT relating to emergency management; requiring state and local plans for emergency management to address the needs of persons with pets or service animals during and after an emergency or disaster; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Titus, Wiener, Care, Carlton, Coffin, Horsford, Lee, Mathews, Schneider and Woodhouse:

Senate Bill No. 82—AN ACT relating to trade practices; providing that charging an unconscionable price for certain goods and services immediately before or during an emergency constitutes a deceptive trade practice; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

#### SECOND READING AND AMENDMENT

Senate Bill No. 9.

Bill read second time and ordered to third reading.

Senate Bill No. 28.

Bill read second time and ordered to third reading.

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

Motion carried.

Senate in recess at 11:44 a.m.

#### SENATE IN SESSION

At 11:47 a.m.

President Krolicki presiding.

Quorum present.

#### UNFINISHED BUSINESS

##### SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Concurrent Resolution No. 1.

#### 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 Karen Rudd.

On request of Senator Cegavske, the privilege of the floor of the Senate Chamber for this day was extended to Patty Wade.

On request of Senator McGinness, the privilege of the floor of the Senate Chamber for this day was extended to Julie Birnburg.

On request of Senator Nolan, the privilege of the floor of the Senate Chamber for this day was extended to Nicholas Marquart.

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to former Senator Sue Lowden.

On request of Senator Titus, the privilege of the floor of the Senate Chamber for this day was extended to Denisse Roldán Newell and Stephanie Forbes.

On request of Senator Townsend, the privilege of the floor of the Senate Chamber for this day was extended to Rebecca Jean Venis and Charles Johns.

On request of Senator Wiener, the privilege of the floor of the Senate Chamber for this day was extended to Janet Linder, Ann Lynch and Charlene Herst.

Senator Raggio moved that the Senate adjourn until Tuesday, February 13, 2007, at 11 a.m., and that it do so in memory of the many individuals who have suffered from heart disease and in memory of our sixteenth President, Abraham Lincoln.

Motion carried.

Senate adjourned at 11:52 a.m.

Approved:

BRIAN K. KROLICKI  
*President of the Senate*

Attest: CLAIRE J. CLIFT  
*Secretary of the Senate*