

THE THIRTY-EIGHTH DAY

CARSON CITY (Wednesday), March 14, 2007

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

President pro Tempore Amodei presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Louie Locke.

Lord God, as we gather today we call upon Your Name knowing that the *Psalms* declare, "The Lord is near to all who call upon Him, to all who call upon Him in truth (*Psalms 145:180*)."

We call upon You on behalf of the people of the State of Nevada that we might live quiet and peaceable lives;

On behalf of our Legislators, grant them knowledge and wisdom in all things during this Legislative Session;

On behalf of our national leaders, give them wisdom and help them make good decisions; and

On behalf of our military personnel, protect them as they serve our Country.

We give You thanks, Lord, as we pray.

AMEN.

Pledge of Allegiance to the Flag.

Senator Raggio moved that further reading of the Journal be dispensed with, and the President pro Tempore and Secretary be authorized to make the necessary corrections and additions.

Motion carried.

REPORTS OF COMMITTEES

Mr. President pro Tempore:

Your Committee on Taxation, to which was referred Senate Bill No. 147, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MIKE MCGINNESS, *Chair*

Mr. President pro Tempore:

Your Committee on Transportation and Homeland Security, to which was referred Senate Bill No. 42, 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, March 13, 2007

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Joint Resolutions Nos. 10, 16 of the 73rd Session.

LUCINDA BENJAMIN

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Joint Resolution No. 10 of the 73rd Session.

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

Motion carried.

Assembly Joint Resolution No. 16 of the 73rd Session.

Senator Nolan moved that the resolution be referred to the Committee on Taxation

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Finance:

Senate Bill No. 282—AN ACT making supplemental appropriations to the Department of Corrections for increased costs at various facilities; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Rhoads and Mathews:

Senate Bill No. 283—AN ACT relating to economic development; establishing the Nevada Air Service Development Commission; setting forth the duties of the Commission; establishing the Nevada Air Service Development Fund; requiring the Commission to administer the Fund; establishing the criteria for awarding grants to certain airports from the Fund; making an appropriation to the Fund; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Nolan:

Senate Bill No. 284—AN ACT relating to education; authorizing the boards of trustees of school districts to prescribe fees for the participation of pupils in organized athletic activities and sports; making an appropriation to establish a pilot program to reinstate athletic programs in the public middle schools and junior high schools; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Beers:

Senate Bill No. 285—AN ACT relating to the practice of medicine; revising the requirements for a restricted license to practice medicine as a psychiatrist in a mental health center of the Division of Mental Health and Developmental Services of the Department of Health and Human Services; revising the requirements for a psychiatrist to provide supervision for a person practicing medicine under a restricted license; requiring a supervising psychiatrist to file certain reports with the Board of Medical Examiners; and providing other matters properly relating thereto.

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

Motion carried.

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

Motion carried.

Senate in recess at 11:16 a.m.

SENATE IN SESSION

At 11:17 a.m.

President pro Tempore Amodei presiding.

Quorum present.

By Senator Beers:

Senate Bill No. 286—AN ACT relating to concealed firearms; authorizing teachers who hold permits to carry concealed firearms and who have completed a specified program of firearm training to carry concealed firearms on school grounds under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Care moved that Senate Bill No. 87 be taken from the General File and placed on the General File for the next legislative day.

Remarks by Senator Care.

Motion carried.

Senator Raggio moved that Senate Bill No. 135 be taken from the Second Reading File and rereferred to the Committee on Finance.

Remarks by Senator Raggio.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 37.

Bill read second time and ordered to third reading.

Senate Bill No. 93.

Bill read second time and ordered to third reading.

Assembly Bill No. 47.

Bill read second time and ordered to third reading.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 14, 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. 14.

LUCINDA BENJAMIN

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 14—Commemorating the 100th anniversary of the incorporation of the City of Yerington.

WHEREAS, On March 14, 1907, Governor John Sparks signed into law a bill that incorporated Yerington as a city, defined its boundaries and established its governmental structure, and March 14, 2007, marks the 100th anniversary of that event; and

WHEREAS, The origins of Yerington can be traced back to the 1850s when N. H. A. "Hock" Mason settled in the valley that now bears his name, and in 1871, the Mason Valley Post Office was established in the town near the Walker River; and

WHEREAS, The town was referred to by many as "Pizen Switch," which folklore traces to the inferior grade of whiskey (tasted like poison or "pizen") sold in a local saloon that was constructed of willow branches ("switches"), and in 1879, the town was rechristened "Greenfield," but the name of the local post office was not officially changed; and

WHEREAS, In 1880, Henry Marvin Yerington, the General Superintendent of the Virginia and Truckee Railroad, founded the Carson and Colorado Railroad that soon extended from Mound House through Dayton, Fort Churchill, Wabuska in northern Mason Valley and Schurz to places farther south in both Nevada and California; and

WHEREAS, By 1894, the residents officially changed the names of the town and its post office to Yerington, in an unsuccessful effort to flatter Henry Yerington so that he would extend his rail line 12 miles south of Wabuska through the town named after him; and

WHEREAS, The county seat of Lyon County was moved from Dayton to the thriving and growing City of Yerington in 1911; and

WHEREAS, Joseph E. Dini, Jr., the longest serving Assemblyman and Assembly Speaker in Nevada history and the State's first and only Speaker Emeritus, is a Yerington native who continues to reside in his hometown and is just one of many prominent Nevada residents from Yerington; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 74th Session of the Nevada Legislature recognize the 100th anniversary of the incorporation of the City of Yerington and applaud the efforts of those men, women and children who helped shape Yerington into a vibrant city of over 3,000 residents in the heart of a valley of 9,000 proud Nevadans; and be it further

RESOLVED, That the residents of Yerington, Mason Valley, Lyon County and the State of Nevada are urged to join together in the celebrations to commemorate the colorful and rich history of Yerington, one of Nevada's truly special places; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the City of Yerington through its Mayor Doug Homestead.

Senator McGinness moved the adoption of the resolution.

Remarks by Senators McGinness, Raggio and Horsford.

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

SENATOR MCGINNESS:

Thank you, Mr. President Pro Tempore. Those of us who know Yerington know what a great community it is. It always pulls together for all of its residents, and the Yerington Lyons teams are always out to embarrass anyone who comes onto the field with them.

SENATOR RAGGIO:

I remember when Yerington was referred to as "Pizen Switch." Ruth Deskin, who wrote for Hank Greenspun, always referred to Yerington as "Pizen Switch." I did not realize where that name came from until I read this. The Switch was the name of the local saloon, which was constructed of willow branches. That is where the "switch" came from. The "pizen" tasted like poison, which was apparently an inferior grade of whiskey. Yerington is a great area of our State with many beautiful scenic areas. We are pleased to be a part of this recognition.

SENATOR HORSFORD:

Thank you, Mr. President Pro Tempore. I would like to congratulate the City of Yerington on their wonderful birthday anniversary. I have visited Yerington many times, and I think it is a beautiful community with many beautiful people in it. I always felt welcome when I visited.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President pro Tempore and Secretary signed Assembly Bill No. 26; Assembly Concurrent Resolution No. 11.

REMARKS FROM THE FLOOR

Senator Titus requested that her remarks be entered in the Journal.

I would like to read this proclamation into the record.

The Nevada Society of Association Executives (NSAE) provide educational services to Nevada's trade and professional associations; and

The NSAE raises the competence, increases the contributions, and strengthens the ethics of associations throughout Nevada; and

The NSAE supports its member associations through a network of association executives and staff; and

The NSAE uses its dues, donations, and grant money to provide services in conjunction with State and local governments; and

The NSAE spends 94 percent of its dues educating its members, therefore, be it

That the Nevada Society of Association Executives is honored for its contributions to Nevada's economy and ethical climate; and be it further

The professional activities of the NSAE serve as a model for all Nevada businesses to emulate.

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 Doug Homestead and Jim Sanford.

On request of Senator Cegavske, the privilege of the floor of the Senate Chamber for this day was extended to Marolyn Mann and former Assemblyman John Dubois.

On request of Senator Heck, the privilege of the floor of the Senate Chamber for this day was extended to Denise Selleck-Davis.

On request of Senator Horsford, the privilege of the floor of the Senate Chamber for this day was extended to Nikki Peterson.

On request of Senator Lee, the privilege of the floor of the Senate Chamber for this day was extended to John "Buck" Lee, Kelly Lee, Connor Lee and Lacey Lee.

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

On request of Senator Nolan, the privilege of the floor of the Senate Chamber for this day was extended to Andy Sinclair, Chris Hasbrouck and Elissa Gysi.

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to former Assembly Speaker Joseph E. Dini Jr. and former Assembly Chief Clerk Mouryne Dini.

On request of Senator Schneider, the privilege of the floor of the Senate Chamber for this day was extended to Christian Wallace Kolberg.

On request of Senator Titus, the privilege of the floor of the Senate Chamber for this day was extended to Maury Astly, Marilyn Koschella, Cherie Williams, Marsha Hayes, Mike Hayes, Steve Neiger, Kammy Bridge, Karly Bridge, Brian Patchett, Ruby Sidnor, Jessica Torerro and Scott Mullen.

Senator Raggio moved that the Senate adjourn until Thursday, March 15, 2007, at 11 a.m.

Motion carried.

Senate adjourned at 11:50 a.m.

Approved:

MARK E. AMODEI
President pro Tempore of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate