

THE FIFTY-SEVENTH DAY

CARSON CITY (Monday), March 30, 2009

Assembly called to order at 11:06 a.m.

Madam Speaker presiding.

Roll called.

All present except Assemblyman Horne, who was excused.

Prayer by the Chaplains, Bishops Randolph Calvo and Joseph Anthony Pepe.

Almighty and Everlasting God, from the abundance of Your mercy, enrich and safeguard Your civil servants. Strengthen them by Your blessings. May they always be thankful to You and bless You with unending joy. Lord, let the effect of your blessings remain with Your faithful servants, to give them new life and strength of spirit so that the power of Your love will enable them to accomplish what is right and good.

Almighty God, You have given all people one common origin and Your will is to gather them into one family. Fill the hearts of these legislators here present with the desire to ensure justice for all the citizens of this state. By their prudent deliberations and decisions, may they secure justice, equality for every man and woman; end all division; and build a human society of peace and love. We ask this in His Name.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Conklin 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.

Madam Speaker appointed Assemblymen Atkinson and Woodbury as a committee to invite the Senate to meet in Joint Session with the Assembly to hear an address by United States Representative Shelley Berkley.

REPORTS OF COMMITTEES

Madam Speaker:

Your Committee on Education, to which was referred Assembly Bill No. 96, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BONNIE PARNELL, *Chair*

Madam Speaker:

Your Committee on Government Affairs, to which was referred Assembly Bill No. 180, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARILYN K. KIRKPATRICK, *Chair*

Madam Speaker:

Your Committee on Judiciary, to which was referred Assembly Bill No. 477, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Judiciary, to which was referred Assembly Bill No. 164, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BERNIE ANDERSON, *Chairman*

Madam Speaker:

Your Committee on Transportation, to which was referred Assembly Bill No. 127, has had the same under consideration, and begs leave to report the same back with the recommendation: Without recommendation, and rerefer to the Committee on Ways and Means.

KELVIN ATKINSON, *Chairman*

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ocegüera moved that Assembly Bill No. 127 be rereferred to the Committee on Ways and Means.

Motion carried.

NOTICE OF EXEMPTION

March 26, 2009

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Senate Bill No. 226.

GARY GHIGGERI
Fiscal Analysis Division

March 26, 2009

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 195, 212, 242, 283, 288 and 331.

GARY GHIGGERI
Fiscal Analysis Division

March 30, 2009

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Assembly Bill No. 295.

MARK STEVENS
Fiscal Analysis Division

March 30, 2009

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Assembly Bills Nos. 215, 227, 273, 279, 298, 323, 349, 365, 386, 387, 391, 392, 394, 396, 422, 424, 430, 434, 435, 441, 448, 460, 488 and 489.

MARK STEVENS
Fiscal Analysis Division

March 30, 2009

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 232, 256, 260, 281, 285, 303, 317, 330, 341, 358, 373, and 374.

GARY GHIGGERI
Fiscal Analysis Division

By Assemblymen Smith, Aizley, Anderson, Arberry, Atkinson, Bobzien, Buckley, Carpenter, Christensen, Claborn, Cobb, Conklin, Denis, Dondero Loop, Gansert, Goedhart, Goicoechea, Grady, Gustavson, Hambrick, Hardy, Hogan, Horne, Kihuen, Kirkpatrick, Koivisto, Leslie, Manendo, Mastroluca, McArthur, McClain, Mortenson, Munford, Ocegüera, Ohrenschall, Parnell, Pierce, Segerblom, Settlemeyer, Spiegel, Stewart and Woodbury; Senators

Amodei, Breeden, Care, Carlton, Cegavske, Coffin, Copening, Hardy, Horsford, Lee, Mathews, McGinness, Nolan, Parks, Raggio, Rhoads, Schneider, Townsend, Washington, Wiener and Woodhouse:

Assembly Concurrent Resolution No. 21—Commending the extraordinary work of the Angel Kiss Foundation in helping families of children with cancer.

WHEREAS, The Angel Kiss Foundation was originally created in Virginia in 1990 by David and Barbara Rosin, in memory of five-year-old Jarryd, their grandson, who was diagnosed in 1987 with leukemia, and after they relocated to Reno, they saw the need for an organization to help families in Nevada, and they established the Angel Kiss Foundation in 1997; and

WHEREAS, Frequently, families with children in Northern Nevada who have cancer must travel out of state to access treatment, which often results in an additional burden on families who are already facing the challenges of maintaining a household, caring for other children, making medical decisions and paying the astronomical costs associated with cancer; and

WHEREAS, Since its inception, the Foundation has provided more than \$587,000 in direct assistance to more than 205 families in northern Nevada; and

WHEREAS, The Foundation serves northern Nevada as well as parts of central Nevada and the eastern Sierras in California; and

WHEREAS, In addition to financial assistance, the Foundation provides emotional support to children and families through its Connecting Families program, available to all families affected by pediatric cancer at no charge, with the goal of providing a safe social environment where children and families bond and parents keep abreast of all available resources through sharing experiences, ideas and information; and

WHEREAS, The Kids Club, one of the two subprograms of Connecting Families, allows children affected by pediatric cancer and their siblings to participate in activities such as pizza parties, art projects, cooking nights, pool tournaments, outings and games, while providing parents with some downtime without the need to pay child care costs; and

WHEREAS, Courage Together, the other subprogram, is a collaborative effort with the Keaton Raphael Memorial Foundation and provides peer support groups for children with cancer and their families in a safe, professionally supervised environment; and

WHEREAS, In addition to the core programs, which provide financial assistance and emotional support, the Angel Kiss Foundation offers many more services to children affected by cancer and their families, including professional referral services and an on-line community forum, and also hosts social events such as holiday parties; and

WHEREAS, The Angel Kiss Foundation's commendable work generously provides invaluable financial assistance and emotional support to cancer-stricken children and their families in times of their greatest need, ensuring that children in northern Nevada have access to treatment, regardless of their families' financial situations; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 75th Session of the Nevada Legislature hereby express their sincere gratitude to the Angel Kiss Foundation; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Rosin Family and to Julie Tholl DeJan, Executive Director of the Angel Kiss Foundation.

Assemblywoman Smith moved the adoption of the resolution.

Remarks by Assemblymen Smith, Bobzien, and Gansert.

Resolution adopted and ordered transmitted to the Senate.

The President of the Senate and members of the Senate appeared before the Bar of the Assembly.

Madam Speaker invited the President of the Senate to the Speaker's rostrum.

Madam Speaker invited the Members of the Senate to chairs in the Assembly.

IN JOINT SESSION

At 11:24 a.m.

President of the Senate presiding.

The Secretary of the Senate called the Senate roll.

All present except Senator Nolan, who was excused.

The Chief Clerk of the Assembly called the Assembly roll.

All present except Assemblyman Horne, who was excused.

The President of the Senate appointed a Committee on Escort consisting of Senator Woodhouse and Assemblywoman Pierce to wait upon Representative Berkley and escort her to the Assembly Chamber.

The Committee on Escort in company with The Honorable Shelley Berkley, United States Representative from Nevada, appeared before the Bar of the Assembly.

The Committee on Escort escorted the Representative to the rostrum.

Madam Speaker welcomed Representative Berkley and invited her to deliver her message.

Shelley Berkley, United States Representative, delivered her message as follows:

MESSAGE TO THE LEGISLATURE OF NEVADA SEVENTY-FIFTH SESSION, 2009

Thank you, Madam Speaker. I have to say what a pleasure it is to be here with all of you. It was awfully wonderful walking around the halls and seeing everyone and having an opportunity to talk, and to kiss, and to get reacquainted. I think it is just wonderful that today was "Matzo ball Monday" at your lunch in my honor. I appreciated that very, very much. I wanted to acknowledge and thank all of you for giving me the opportunity to speak with you. You know we have this lovely tradition, here in Nevada, where your federal officials come during your legislative session and speak with you. It was much easier when there were only three of us. Our numbers are growing, which is a good thing. I know how busy you all are, and I know how much time this takes. I will do my best not to take up too much of your time.

A special thank you goes to Speaker Buckley for opening up her House to me. I appreciate it. Of course, Majority Leader Horsford, it was lovely to see you. Senator Raggio, a pleasure always. Assembly Minority Leader Heidi Gansert, it's a pleasure to see you, as well. And, of course, Lt. Governor Krolicki, thank you for being here. Attorney General Catherine Cortez Masto, thank you again. Treasurer Kate Marshall, it is always a pleasure to see you. Controller Kim Wallin, it is lovely to see you and thank you for coming. Justices Hardesty and Cherry, thank you so much for taking time out of your busy schedules to be here.

There are a couple of other people I would love to acknowledge, if you would give me the opportunity. One is Bishop Pepe from Las Vegas. He is here and he and I have worked very, very closely together. He is accompanied by Bishop Calvo, as well. It is lovely to have spoken to them. I understand that this is Canada Day, and the Consul General from Canada is here with a delegation. It is always a pleasure to see our neighbors and good friends from the north. I thank them very much for being here, as well.

I served in this body 26 years ago. It is very easy for me to know the number of years because I had just had my son Max. Max is now 26 years old and has one more semester left at the Boyd School of Law. So I actually see a paycheck in his future, which makes me very happy. I am now serving in my sixth term as a member of the House of Representatives. Just like for you, the years go by very quickly. It means that this is the sixth time that I have had an opportunity to speak with all of you here in this body.

There is no question that these are very challenging times in our nation—difficult times for our constituents and our fellow citizens. Nevada has been particularly hard hit. We have the highest mortgage foreclosure rate in the country. One out of every 76 people have received foreclosure notices in Nevada. Over 14,000 of our fellow Nevadans have received foreclosure notices in January alone. We have one of the highest unemployment rates in the country. Officially, it is 10.1 percent, but I would argue with anyone that it is substantially higher. For the first time in decades, we are actually losing population in this state. Everything I do in Congress, every vote I cast, is cast with what's happening here at home paramount in my mind. My congressional district is one of the hardest hit in the country. It is my job to do everything I can to help create jobs, stimulate the economy, protect jobs here that people already have, and provide a safety net for those families who have lost their jobs and their homes. They have also lost hope in themselves and faith in the country. Because the mortgage foreclosure rate is so high, I have met both publicly and privately on numerous occasions with our new Housing Secretary, Secretary Donovan, to share with him what is going on in the State of Nevada. Our federal officials need to know what is happening on the ground.

Congress recently passed legislation to help homeowners stay in their homes. There were two components to the legislation that we passed. It will help a number of our fellow citizens. It will not be a panacea for everybody losing their homes. For those people that have loans that are held by Freddie Mac or Fannie Mae, if the mortgage is 105 percent of the value of the home, they are going to be able to refinance. For others that are significantly underwater, we are going to bring those mortgage payments down to 31 percent of their gross income. While we are helping, we need to make sure that people can actually afford the homes that they are living in.

The stimulus bill contained \$2 billion for neighborhood stabilization programs. That allows municipalities to buy up and rehabilitate these foreclosed homes and either sell or rent them. It is very important to do this because we are losing neighborhood after neighborhood. The values of the homes which are remaining are going down, and the revenue to the municipalities is going down, as well, so I think this is a very important program. It is incomprehensible to me that lending institutions will not willingly renegotiate these loans. It seems that if you can afford to stay in your home and pay a mortgage of \$1,100 a month and the mortgage is \$1,400 a month that the lending institution should want to keep you in your home and renegotiate that loan. We have had a dickens of a time encouraging the lending institutions, nationally, to do just that. They keep telling us that they do not want to cram down, which means that if you are in bankruptcy, the bankruptcy attorney can lower the principal and the interest rates to keep you in your home. A little help from our lending institutions to help these people stay in their homes would make it easier for us to figure how we are going to help our fellow citizens.

Because the unemployment rate is so high, providing extended and expanded unemployment benefits was very important to me—making sure families had money coming in every month so they could put food on the table. An additional \$100 a month is going to come to 195,000 of our fellow Americans, and as you well know, extended unemployment benefits are going to be given to an additional 40,000 laid off workers. Now, somebody said to me, "Congresswoman, it is only \$100 a month. Is it going to make a big difference?" If you have zero, a hundred dollars a month is a big deal. If you are trying to take care of your kids, and pay your rent, and pay your electric bill, and keep a roof over your head, that extra \$100 is important and is going to be a bridge that is going to help our fellow citizens that are unemployed get from here to there when there is an economic recovery in this country and in this state. And there will be.

Several weeks ago, Las Vegas became the target of every politician who had an axe to grind in Washington, D.C. The result of this barrage of anti-Las Vegas sentiment had a profoundly negative impact on the Las Vegas economy and, quite candidly, on our state's economy as well. The Las Vegas Valley lost 341 conventions and conferences since the beginning of the year. That has devastating consequences to our economy, and it means people get laid off because

those hotel rooms are not full. I finally had had enough of the attacks and of the reprehensible comments about my hometown and the district that I represent that encompasses Las Vegas. I went down to the floor of the House and I answered our critics, rather sharply, again and again and again. I grabbed ahold of people in the elevator and I grabbed ahold of people in the ladies room and any place that I found somebody that had said something negative about our state or the city of Las Vegas. I grabbed ahold of them and I told them how wrong they were.

Unfortunately, they are now avoiding me like the plague, but that is okay. The miracle of miracles it that after I started fighting back, the attacks stopped. Then we took to the floor last week—Congresswoman Dina Titus and a number of other people that come from tourist-based economy districts. We went down to the floor of the House to talk about the importance of tourism on this nation's economy. Nevada is still the best bang for the buck. Business travel must come back. They are not going to do better anyplace else but in the great State of Nevada. I am going to continue to promote our state and our largest industry. Why? It creates jobs and it keeps people working. It creates jobs and keeps those people that are still working, working some more. Until we stop the hemorrhaging and visitors start coming back to Nevada and businesses return to holding their conventions and conferences here in Nevada, I will continue to speak out on behalf of the people I represent—and on behalf of the Nevada State Legislature as well. You would expect nothing less from me.

I believe our nation has a remarkable opportunity to take this challenging time in our history and use it to implement long overdue changes that will enable us to come out of this recession stronger, more unified, healthier, better positioned to expand our economy and excel in the twenty-first century.

I am going to speak of three issues because each one of these will not only have a profound effect on our nation, they will have a profound effect on the State of Nevada and the people that we represent.

The first issue is health care. The way we do health care in this country, in my opinion, is “bass ackwards.” We spend a majority of our health care dollars on end-of-life care, taking care of people in the last six months of their lives. What we ought to be doing is shifting the paradigm so that we are putting our health care dollars at the beginning, frontloading the system so we can have early detection and prevention of diseases that are killing us. To me, it not only will keep people healthier and living longer, it will also save billions of taxpayer dollars if we change the way we deliver health care services to our fellow citizens.

Let me speak about an issue that has a profound impact on all of us and that is the 47 million Americans that are currently uninsured. Eighteen percent of the people we represent here in Nevada have no health insurance. If you back out our senior citizens, 33 percent of those people under the age of 65 have no health insurance in the State of Nevada. Now, we are going to provide some sort of baseline health insurance because people that do not have health insurance still get sick. They need to see a doctor. What ultimately happens is that they go to the emergency room. It takes twice as much effort and ten times as much money, and it takes a bed away from someone who truly does need the emergency room. The cost of uninsured citizens in this country is costing all of us that have health insurance billions of dollars more. We cannot continue like this. I am hoping that we will be able to provide something. I am not talking about single payer, but some sort of baseline health insurance for every American. We need to do this. We need to do this for ourselves as well as for our fellow citizens that do not have insurance.

I was so pleased that I was able to vote for the State Children's Health Insurance Program (SCHIP), which is Nevada Check Up here. We have provided enough money to insure 4 million more children in this country. We will be able, because of the SCHIP program, to enable 37,000 more Nevada children to be part of our Nevada Check Up program. Right now, the State of Nevada has 70,000 children that are currently eligible for the program. We only provide funding for 22,500, and there is a cap at 25,000. The federal government passed this law. We are going to be providing the resources. If you could look at lifting the cap, to be able to accommodate the funding for the 37,000 more children that would be covered under SCHIP, I think we are going to keep these kids a lot healthier and give their parents a little peace of mind that when their children get sick, even if they do not have health insurance, they are going to be able to see a doctor, and I cannot imagine not doing that.

Quickly, there are a couple of issues that we are grappling with in Congress. We will have a comprehensive health care bill before the August recess. We have about 90 days to craft this. The Sustainable Growth Rate, SGR, is the rate that doctors are reimbursed in providing care for Medicare patients. The SGR is not sustainable, and we have been kicking this can down the road and there is no more road. If Congress doesn't act in January, there will be a 21 percent cut in Medicare reimbursement to doctors. I believe in extending and expanding health care to our fellow Americans. We are not going to be able to do this if we do not have doctors to take care of these patients, so we are going to change the Sustainable Growth Rate. There has to be a better way of reimbursing these doctors and making sure that we can continue to provide for older Americans. Why is this important? We have the fastest growing senior population in the United States in Nevada Congressional District 1. Short of me going to medical school so that when I go home on weekends I could start examining my senior citizens, we better figure out a way of saving Medicare and providing for reimbursement to the doctors so they will continue to take care of Medicare patients—it is that important.

In primary care versus specialties, I think we can all agree that Nevada does not have enough doctors, period. Now, there is an issue in Congress that we are working on. Let me give full disclosure that my step-daughter is a primary care physician, and my husband is a kidney specialist. What Congress wants to do, and the administration proposed, is providing more reimbursement for primary care doctors to encourage doctors to go into primary care. That is a wonderful thing. I am sure that my step-daughter can use more money. Frankly, we are tired of supporting her. I am all for that. The only thing that I am concerned about is the method by which the proposal works. The proposal says that we are going to help primary care physicians by taking it away from the specialties. In a state like Nevada where we don't have enough endocrinologists, we don't have enough nephrologists, we obviously don't have enough gastro guys and enough surgeons, the idea that we are going to be taking money, robbing Peter to pay Paul, doesn't make any sense to me. These are both important—primary care and specialists. We need to adequately fund them both.

In regards to health information technology, the stimulus package contained funding to computerize health care in this country within the next five years. It is going to reduce medical errors. If you have ever seen a doctor's handwriting, this is going to be nirvana and it is going to end up saving billions of dollars. I was a great proponent of that and I'm glad that we were finally able to pass it.

Let me talk about another issue that I think is very important to our nation and certainly to Nevada and that is energy. This nation must become energy independent, and we need to do it as quickly as possible. In my mind, energy independence is not only an environmental necessity—we are choking on the fossil fuels that we are contaminating our air with—it is an economic necessity. We can create an entire green economy that would be wonderful for the State of Nevada. This is a national security imperative. The United States of America as a superpower cannot continue to rely on unstable and dangerous dictators and terrorist regimes—like the Saudis, like the Venezuelans, like the Nigerians—to satisfy our energy needs. It is foolish. We should have started doing these 20 years ago, but we didn't, and it is not too late now. That is why these energy issues and initiatives are so important to me. Harnessing sun, wind, and geothermal in northern Nevada—Nevada can be the epicenter of renewable energy and a net exporter to the other western states. What we need to do in addition to developing these resources, these renewable resources, is create the transmission lines that will carry the energy, not only to our fellow citizens here in Nevada but throughout the western United States. In the 1950s we developed a transportation highway system. My family came to Las Vegas on Route 66, which was one of those transcontinental highways that moved people from the East Coast to the West Coast. In the 1990s, we did a communications and information technology system. All of us are wired, and online, BlackBerry'd, and blueberryed. For this decade, what we need to do is develop an energy transmission system, and we can do it. American ingenuity and technology are there; we just have to have the will to do it.

In the stimulus package, we provided enough resources to double renewable energy generating capacity in three years and to be able to power 6 million American homes with renewable energy. I am not saying that this is the panacea that we are going to use to stop using all oil and fossil fuel. That foolish I'm not. Ought we not to be moving in this direction and as

quickly as possible? Renewable energy initiatives are what this Congress is going to be concentrating on in the later part of this year. We will be coming up with a comprehensive piece of legislation that will move us further along. I don't know the details now, but I know it is going to be big and it is going to be for the future of this great country.

Let me mention briefly Yucca Mountain. President Obama campaigned in Nevada and elsewhere that if he was elected President, Yucca Mountain would not be the national repository for nuclear waste. He is our elected President, and he stated there will be no nuclear waste stored at Yucca Mountain, Nevada. For those that keep talking about an amazing payday from the federal government, I invite you—when you are not looking at your budget's red ink—to look at the federal government's budget red ink. There is no money. If you have to have the federal government pay you for doing something, like storing this nation's nuclear waste, then there's got to be something wrong with it or we would dying to get this stuff for nothing. I think Yucca Mountain is dead. We have a commission that is being formed that is going to come up with alternatives to Yucca Mountain. If we are going to continue to generate nuclear energy, we simply must figure out what we do with the radioactive toxic byproduct. It is not coming to Yucca Mountain, Nevada.

The last of the three issues I wanted to talk to you about is education. Like many of you, I am a product of the Nevada education system. For me, personally, it was the Clark County school system. I graduated from John C. Fremont Jr. High School and Valley High School. I am the first person in my family to go to college. I started at Nevada Southern University, which is now the University of Nevada Las Vegas. My boys both graduated from Bonanza High School. Max, as I mentioned, has one more semester left at the Boyd School of Law, and my son Sam is in the school of hotel administration. I talk to you not only as your colleague and a Congresswoman, but as a mother who has two generations invested in this state and in our school system. There are thousands of our fellow Nevadans just like my family, like my dad, who was a waiter when I was growing up. He was sending his daughters to college. It was the biggest thing in my parents' lives the day that I started at UNLV. Thousands of our fellow Nevadans depend on our system of higher education to educate them, to upgrade their own skills. Our university and community college system is the very center and core of academics in this state, our cultural activities, and athletic activities. It is the very essence of our social life. Now we've been talking about quality education and adequate funding of our education system since I was sitting where all of you are. We can't keep talking about it; we've got to do something, and we've got to do it fast.

Our nation is in serious peril of losing its competitive and qualitative edge in science and technology. We are not only competing with Georgia, Montana, and New York, we are competing with China and India. They are outpacing us in a most profoundly frightening way. Our children are falling behind academically. The dropout rate is unacceptable. We are graduating kids that are have trouble doing addition, doing math, can't make change, can't read full sentences, and don't have good comprehensive skills. We can't continue to underfund our own state's education system and pretend that an undereducated population will have no impact on our future. It does and it will. If we don't do something now, it is going to take us decades to recover from this. Congress voted to provide a hundred billion dollars in this stimulus package for education. We are providing money for Head Start, tax credits for college, money for early childhood education, school renovation, elementary and secondary school education. Nevada has to do its fair share. We need to step up and support funding for our state's education system. Our democracy is depending on a well educated electorate that makes informed decisions. This is more than just helping a kid go to school and getting a good education. It is more than the future of our state. Our very democracy depends on educating our children in the United States.

I am hesitant to say this because I know you are faced with a huge hole in our state budget. I am sensitive to it, believe me. I am grappling with the same things in Washington, D.C. I implore you to do whatever you can. I know you will. You are all in the same position I'm in. We all know how important education is. I think we have put it on the back burner for far too long and did not make the tough decisions when we had the money to do it. Let's not make that mistake again.

I acknowledge and appreciate the challenges that we have in this state and the challenges you have as elected officials. We have a lot of tough choices to make and a lot of tough decisions to

make. I want you to consider me, as you always have, as a partner and as a resource to you. We are in this thing together, and we are going to need to work out of this thing together, as well. Many times our nation has faced adversity in our history. We have managed to pick ourselves up and dust ourselves off and come back stronger and better than ever. We will survive this financial crisis and be better for it. Recovery will require sacrifice on all of our parts, careful planning, enforcement of existing regulations, implementation of new regulations, the elimination of others that have been counterproductive, and a vision for the future—a vision that includes revamping our health care system, our energy system, our education system, and our transportation system. We need to prepare this nation, ourselves, and our fellow citizens to conquer and excel in a world that is far different than the one that all of us were born into. I have no doubt in my mind that we will, but I appreciate the challenges on a day-to-day basis, as you sit here, and try to figure out how you are going to manage and move this state into a brighter future and a brighter tomorrow. It is going to take us awhile. We are going to get there. I can't thank all of you enough for the extraordinary effort and the time that you spend working on behalf of our fellow citizens. It is not easy. I want to thank all of you for your kind attention. Thank you very much.

Senator Hardy moved that the Senate and Assembly in Joint Session extend a vote of thanks to Representative Berkley for her timely, able, and constructive message.

Seconded by Assemblywoman Spiegel.

Motion carried unanimously.

The Committee on Escort escorted Representative Berkley to the Bar of the Assembly.

Senator Breeden moved that the Joint Session be dissolved.

Seconded by Assemblywoman Mastroluca.

Motion carried.

Joint Session dissolved at 11:56 a.m.

ASSEMBLY IN SESSION

At 11:58 a.m.

Madam Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblywoman Pierce moved that Assembly Bill No. 75 be taken from the Chief Clerk's desk and placed on the Second Reading File.

Motion carried.

Assemblyman Anderson moved that Assembly Bill No. 33 be taken from the Second Reading File and rereferred to the Committee on Ways and Means.

Motion carried.

Assemblyman Arberry that Assembly Bill No. 139 be taken from the Second Reading File and rereferred to the Committee on Ways and Means.

Motion carried.

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

Assembly in recess at 12:01 p.m.

ASSEMBLY IN SESSION

At 12:03 p.m.

Madam Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Assembly Bill No. 214 be taken from the Second Reading File and rereferred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 109.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 2.

AN ACT relating to motor vehicles; authorizing the Department of Motor Vehicles to issue certain special license plates for use on motorcycles; prescribing the fees for special license plates for use on vehicles other than passenger cars and light commercial vehicles; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Under existing law, if the Department of Motor Vehicles issues special license plates for use on a passenger car or light commercial vehicle and if those special license plates generate financial support for a charitable organization, the Department is authorized to issue the special license plates for use on a trailer or other type of vehicle that is not a passenger car or light commercial vehicle, but is prohibited from issuing the special license plates for use on a motorcycle or heavy commercial vehicle. (NRS 482.3824) ~~[This]~~ **Effective July 1, 2010, this** bill removes the prohibition against the Department issuing such special license plates for use on motorcycles and provides further that the fees for special license plates issued for use on vehicles other than passenger cars or light commercial vehicles must be the same as if the special license plates were issued for use on a passenger car or light commercial vehicle.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 482.3824 is hereby amended to read as follows:

482.3824 1. Except as otherwise provided in NRS 482.38279, with respect to any special license plate that is issued pursuant to NRS 482.3667 to 482.3825, inclusive, and for which ~~an additional fee is~~ **additional fees are** imposed for the issuance of the special license plate to generate financial support for a charitable organization:

(a) The Director shall, at the request of the charitable organization that is benefited by the particular special license plate:

(1) Order the design and preparation of souvenir license plates, the design of which must be substantially similar to the particular special license plate; and

(2) Issue such souvenir license plates, for a fee established pursuant to NRS 482.3825, only to the charitable organization that is benefited by the particular special license plate. The charitable organization may resell such souvenir license plates at a price determined by the charitable organization.

(b) The Department may, except as otherwise provided in this paragraph and after the particular special license plate is approved for issuance, issue the special license plate for a trailer, **motorcycle** or other type of vehicle that is not a passenger car or light commercial vehicle, excluding ~~motorcycles and~~ vehicles required to be registered with the Department pursuant to NRS 706.801 to 706.861, inclusive, upon application by a person who is entitled to license plates pursuant to NRS 482.265 **or 482.272** and who otherwise complies with the requirements for registration and licensing pursuant to this chapter ~~or chapter 486 of NRS~~. The Department may not issue a special license plate for such other types of vehicles if the Department determines that the design or manufacture of the plate for those other types of vehicles would not be feasible. In addition, if the Department incurs additional costs to manufacture a special license plate for such other types of vehicles, including, without limitation, costs associated with the purchase, manufacture or modification of dies or other equipment necessary to manufacture the special license plate for such other types of vehicles, those additional costs must be paid from private sources without any expense to the State of Nevada.

2. *If, as authorized pursuant to paragraph (b) of subsection 1, the Department issues a special license plate for a trailer, motorcycle or other type of vehicle that is not a passenger car or light commercial vehicle, the Department shall charge and collect for the issuance and renewal of such a plate the same fees that the Department would charge and collect if the other type of vehicle was a passenger car or light commercial vehicle. As used in this subsection, "fees" does not include any applicable registration or license fees or governmental services taxes.*

3. As used in this section ~~["charitable"]~~:

(a) **"Additional fees"** has the meaning ascribed to it in NRS 482.38273.

(b) **"Charitable organization"** means a particular cause, charity or other entity that receives money from the imposition of ~~an additional fee~~ **additional fees** in connection with the issuance of a special license plate

pursuant to NRS 482.3667 to 482.3825, inclusive. The term includes the successor, if any, of a charitable organization.

Sec. 2. NRS 482.38274 is hereby amended to read as follows:

482.38274 "Charitable organization" has the meaning ascribed to it in ~~subsection 2 of~~ NRS 482.3824.

Sec. 3. This act becomes effective on July 1, 2010.

Assemblyman Atkinson moved the adoption of the amendment.

Remarks by Assemblyman Atkinson.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 218.

Bill read second time and ordered to third reading.

Assembly Bill No. 280.

Bill read second time and ordered to third reading.

Assembly Bill No. 306.

Bill read second time and ordered to third reading.

Assembly Bill No. 332.

Bill read second time and ordered to third reading.

Assembly Bill No. 412.

Bill read second time and ordered to third reading.

Assembly Bill No. 443.

Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 7.

Bill read second time and ordered to third reading.

Senate Bill No. 38.

Bill read second time and ordered to third reading.

Senate Bill No. 109.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 9 of the 74th Session.

Bill read second time and ordered to third reading.

Assembly Bill No. 75.

Bill read second time.

The following amendment was proposed by Assemblywoman Pierce:

Amendment No. 31.

SUMMARY—Requires the State Forester Firewarden to submit annual reports concerning fire prevention and forest health in the Nevada portion of the Lake Tahoe Basin to ~~the Governor, the Legislature, the Nevada Congressional Delegation and the Tahoe Regional Planning Agency.]~~ **certain persons and entities.** (BDR 47-439)

AN ACT relating to forestry; requiring the State Forester Firewarden to submit an annual report concerning fire prevention and forest health in the Nevada portion of the Lake Tahoe Basin to ~~the Governor, the Legislature, the Nevada Congressional Delegation and the Tahoe Regional Planning Agency;~~ certain persons and entities; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

This bill requires the State Forester Firewarden, who is the executive head of the Division of Forestry of the State Department of Conservation and Natural Resources, in coordination and cooperation with the Tahoe Regional Planning Agency and the fire chiefs within the Lake Tahoe Basin, to report annually to the Governor, the Legislature, the Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and the Marlette Lake Water System, the Nevada Congressional Delegation and the Tahoe Regional Planning Agency regarding plans and activities relating to fire prevention and forest health in the Nevada portion of the Lake Tahoe Basin.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 528 of NRS is hereby amended by adding thereto a new section to read as follows:

1. On or before January 1 of each year, the State Forester Firewarden shall, in coordination and cooperation with the Tahoe Regional Planning Agency and the fire chiefs within the Lake Tahoe Basin, submit a report concerning fire prevention and forest health in the Nevada portion of the Lake Tahoe Basin to:

(a) The Legislative Committee for the Review and Oversight of the Tahoe Regional Planning Agency and Marlette Lake Water System created by NRS 218.53871 and to the Director of the Legislative Counsel Bureau for transmittal to the Legislature;

(b) The Governor;

(c) The Tahoe Regional Planning Agency; and

(d) Each United States Senator and Representative in Congress who is elected to represent the State of Nevada.

2. The report submitted by the State Forester Firewarden pursuant to subsection 1 must address, without limitation:

(a) The status of:

(1) The implementation of plans for the prevention of fires in the Nevada portion of the Lake Tahoe Basin, including, without limitation, plans relating to the reduction of fuel for fires;

(2) Efforts concerning forest restoration in the Nevada portion of the Lake Tahoe Basin; and

(3) Efforts concerning rehabilitation of vegetation, if any, as a result of fire in the Nevada portion of the Lake Tahoe Basin.

(b) Compliance with:

(1) The goals and policies for fire prevention and forest health in the Nevada portion of the Lake Tahoe Basin; and

(2) Any recommendations concerning fire prevention or public safety made by any fire department or fire protection district in the Nevada portion of the Lake Tahoe Basin.

(c) Any efforts to:

(1) Increase public awareness in the Nevada portion of the Lake Tahoe Basin regarding fire prevention and public safety; and

(2) Coordinate with other federal, state, local and private entities with regard to projects to reduce fire hazards in the Nevada portion of the Lake Tahoe Basin.

Assemblywoman Pierce moved the adoption of the amendment.

Remarks by Assemblywoman Pierce.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

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 Vicki Bates, Christie Aldinger, and Katherine Winans.

On request of Assemblyman Cobb, the privilege of the floor of the Assembly Chamber for this day was extended to Don Robak, Dianne Robak, and Sandy Masters.

On request of Assemblyman Conklin, the privilege of the floor of the Assembly Chamber for this day was extended to Alicia Taylor and Andrew Diss.

On request of Assemblywoman Gansert, the privilege of the floor of the Assembly Chamber for this day was extended to the following students from St. Teresa of Avila's Catholic School: Hannah Abbott, Nick Andreas, Brandon Basa, Tyler Bray, Aidan Cantwell, Mackenzie Cartier, Claire Cochrane, Khyle Dayao, Alejandro Escobar, Zachary Frewert, Brandon Gagnon, Nolan Hogan, Andrew Honein, Alek Henrickson, Olivia Larkin, Conner Larkin, Olivia Miller, Elaina Marchaegger, Stuart McElhaney, Ramneek Dahmi, Eddie Porter, Maggie Rich, Danny Rich, Derek Schafer, Kaitrin Wilde, and Mikaila Wilde; Denis Turcotte, Chantal Ramsay, Nadia Scipo del Campo, Yanick Godbout, Monica Arriola, Gayle Anderson, and Marc LePage.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Edward J. Cooper, Robert P. Bilbray, and Samuel C. C. Medrano.

On request of Assemblywoman Pierce, the privilege of the floor of the Assembly Chamber for this day was extended to Jon Sasser and Paul Bland.

On request of Assemblyman Segerblom, the privilege of the floor of the Assembly Chamber for this day was extended to Jennifer Breeden.

On request of Assemblyman Settlemeyer, the privilege of the floor of the Assembly Chamber for this day was extended to Marilyn McElhany.

On request of Assemblywoman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to Lorraine Garcia, Julie Tholl DeJan, Pete Parker, Carolyn Jensen, Lisa Fleck, and Michon Kessler.

Assemblyman Ocegüera moved that the Assembly adjourn until Tuesday, March 31, 2009, at 11 a.m.

Motion carried.

Assembly adjourned at 12:18 p.m.

Approved:

BARBARA E. BUCKLEY
Speaker of the Assembly

Attest: SUSAN FURLONG REIL

Chief Clerk of the Assembly