

THE EIGHTY-FIRST DAY

CARSON CITY (Thursday), April 23, 2009

Assembly called to order at 11:53 a.m.

Mr. Speaker pro Tempore presiding.

Roll called.

All present except Assemblymen Munford and Parnell, who were excused.

Prayer by the Chaplain, Pastor Monte Fast.

From our Creator, Psalm 1 sets high pattern for legislators. "Blessed is the person that walketh not in the council of the ungodly, or standeth in the way of sinners, or sitteth in the seat of the scornful. Their delight is in the law of the Lord and in His law do they meditate day and night."

Our work is but a development of the ten greatest laws given to Moses. May we be found faithful.

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.

REPORTS OF COMMITTEES

Madam Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 166, 392, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARILYN K. KIRKPATRICK, *Chair*

Madam Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 235, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BERNIE ANDERSON, *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 22, 2009

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolutions Nos. 24, 25.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

Mr. Speaker pro Tempore announced that pursuant to Assembly Standing Rule No. 1, section 2, subsection (d), Assemblyman Oceguela would act as presiding officer.

Assemblyman Oceguela presiding.

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 24.

Assemblyman Anderson moved the adoption of the resolution.

Remarks by Assemblyman Anderson.

Resolution adopted.

Assemblyman Anderson moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 12:12 p.m.

ASSEMBLY IN SESSION

At 12:13 p.m.

Madam Speaker presiding.

Quorum present.

By Assemblymen Buckley, Aizley, Anderson, Arberry, Atkinson, Bobzien, 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, Settelmeyer, Smith, Spiegel, Stewart and Woodbury:

Assembly Resolution No. 9—Expressing appreciation to the Chief Clerk and staff of the Assembly for their dedication and exceptional performance during the 75th Session of the Nevada Legislature.

WHEREAS, Each biennium, the Nevada Legislature convenes to address the challenging issues faced by this State; and

WHEREAS, With a constitutionally mandated 120-day limitation on the length of the legislative session, it is critical that the legislative session proceed in an effective and efficient manner; and

WHEREAS, This daunting task requires a dedicated and talented staff which is capable of performing a multitude of functions and responding promptly to the different challenges that arise during the legislative session; and

WHEREAS, The Chief Clerk of the Assembly, Assembly Front Desk Staff, Sergeant at Arms and his staff, Personal Attaches, Committee Services Staff, Administrative Services Staff, Bill Services Staff and other attaches of the Assembly have worked diligently and efficiently in providing exceptional service to the members of the Assembly; and

WHEREAS, The extraordinary people who have chosen to work with the Assembly during the 75th Session of the Nevada Legislature have carried out their duties on behalf of the residents of the State of Nevada with a professional attitude and tireless resolve; and

WHEREAS, Their herculean efforts earlier this week enabled the Assembly to coast to a smooth finish on a day that is typically one of the more arduous deadlines of the legislative session; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the members of the Assembly of the 75th Session of the Nevada Legislature do hereby express their sincere appreciation and commend the outstanding support staff of the Assembly, which includes Susan Furlong Reil, Diane Keetch, Lucinda Benjamin, Matthew Baker, Jeanne Douglass, Jason P. Hataway, Christie Peters, Terry Sullivan, Robin L. Bates, Rebecca Harris, Mary A. Matheus, Sharon P. Murphy, Jennifer D. Osheroff, Steven J. Sweeney, Marge Griffin, Sylvia Brown, Jasmine Shackley, Barbara L. Houger, Christina Bailey, Wendy Kameda, Erin Smith, Betty J.

Phenix, Laurel Armbrust, Leslie Danihel, Toshiko McIntosh, Alicia C. Taylor, Diane Jackson, Bonnie Borda Hoffecker, Nichole Bailey, Joyce Hess, Mark Sprinkle, Jaclyn Kaiser, Kathryn L. Alden, Lona M. Domenici, Judith Fisher, Harle Glover, Millicent Jorgenson, Jackie Valley, Cynthia Carter, Andrew Diss, Katherine Malzahn-Bass, Daniel Peltier, Patti Adams, Connie Davis, Christine Bashaw, Linda Blevins, Anne Bowen, Linda J. Smith, Carol J. Thomsen, Janice Wright, Victoria Kieffer, Theresa Horgan, Patricia A. Blackburn, Judith Coolbaugh, Karen Fox, Mary Garcia, Robert G. Gonzalez, Christopher Kanowitz, Julie Kellen, Kyle McAfee, Sharon McCallen, Sean McDonald, Earlene M. Miller, Emilie I. Reafs, Darlene A. Rubin, Marlen R. Schultz, Denise M. Sins, Scarlett Smith, Michelle Smothers, Karyn Werner, Cheryl L. Williams, Mary Bean, Jennifer A. Breeden, Christopher Caldwell, Bambi Chase, Stephany J. Corral, Dionny Fonseca, Cecilia Hackman, Donna Hancock, Patricia J. Hutson, Luanne King, Novella W. Kowallek, Denise A. Larsen, Patricia A. Manning, Ashley Massey, Carolyn J. Maynick, Connie Nellos, Diane O'Connor, Valerie Osgood, Sheree L. Rosevear, Christina L. Salerno, Cindy Southerland, Janet F. Stokes, Linda L. Utt, Brittany J. Walker, Olivia M. Lloyd, Cheryl Higgs McClellan, Steve Sisneros, Sally A. Stoner, Jocelyne Helzer, Carl C. Meier, David E. Moore, Evelyn Moser, Kathryn Moser, Larry Peri, Marcia Peterson, Frank Taylor, Ted Zuend, Deanna Keirstead, Sherwood Howard, June Bennett, Norman Budden, Mary Carel, Diane L. Bacus, Jack W. Cooke, John A. Davis, Jr., Mark S. Day, Gail A. Eller, Michael Feticc, Renee Ekleberry, Joyce E. Ghiselli, Don W. Hataway, Lois A. Lahair, Robert V. Maynick, Rick Redican, Paul Saucedo, Frank D. Tetz, Daniel D. Webster, Debra A. Williams and Lucille Zuend; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to each member of the staff of the Assembly.

Assemblyman Oceguela moved the adoption of the resolution.

Remarks by Assemblymen Oceguela, Gansert, and Madam Speaker.

Assemblyman Oceguela requested that the following remarks be entered in the Journal.

ASSEMBLYMAN OCEGUERA:

Madam Speaker, our staff does make us look so good. They put in so many hours and work so hard. I just cannot say enough. We wouldn't be able to do the job without them.

ASSEMBLYWOMAN GANSERT:

Thank you, Madam Speaker. I rise in support of Assembly Resolution 9. I, too, am so proud of our staff. I counted and I think there are about 130 of them to take care of 42 of us. So we all know we need a lot of help. You are always here for us. I appreciate how well everyone works together and the amount of work that you do in such a short period of time to make sure that we can get what we need done. Thank you so much.

Madam Speaker requested the privilege of the Chair for the purpose of making the following remarks:

I would also like to thank each and every one of you for everything that you do for us. Whether you are brand new or whether you have returned to us for so many years, we appreciate everything you do. We appreciate the herculean efforts it sometimes takes to do the People's business and to produce good legislation in these very tough economic and troubling times. One of the things that constantly impresses me about the staff that returns is that they put aside their regular job. There is a lot of sacrifice just like we, as legislators, have to make. You do it because you love the institution. You love what the legislative process represents and you pass that on to everyone that comes in. That is what makes this place so great. You so appreciate the legislative role in making our state work. You respect it and you spread that. That is why, I think, this place continues on even though the people change. The people change but the traditions continue. It is because you preserve those traditions. Thank you for all that you do.

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 1:40 p.m.

ASSEMBLY IN SESSION

At 1:45 p.m.

Madam Speaker presiding.

Quorum present.

Senate Concurrent Resolution No. 25.

Assemblywoman Leslie moved the adoption of the resolution.

Remarks by Assemblymen Leslie, Hardy, and Aizley.

Resolution adopted.

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

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 542—AN ACT relating to education; temporarily delaying the statutory deadline for notifying certain school employees of reemployment status for the 2009-2010 school year; and providing other matters properly relating thereto.

Assemblywoman Smith moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 139.

Bill read second time and ordered to third reading.

Assembly Bill No. 510.

Bill read second time and ordered to third reading.

Senate Bill No. 15.

Bill read second time and ordered to third reading.

Senate Bill No. 28.

Bill read second time and ordered to third reading.

Senate Bill No. 67.

Bill read second time and ordered to third reading.

Senate Bill No. 90.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 107.

Bill read third time.

Roll call on Assembly Bill No. 107:

YEAS—40.

NAYS—None.

EXCUSED—Munford, Parnell—2.

Assembly Bill No. 107 having received a constitutional majority, Madam Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 141.

Bill read third time.

Remarks by Assemblyman Conklin.

Roll call on Assembly Bill No. 141:

YEAS—39.

NAYS—None.

NOT VOTING—Arberry.

EXCUSED—Munford, Parnell—2.

Assembly Bill No. 141 having received a constitutional majority, Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 213.

Bill read third time.

Remarks by Assemblymen Anderson and Stewart.

Roll call on Assembly Bill No. 213:

YEAS—40.

NAYS—None.

EXCUSED—Munford, Parnell—2.

Assembly Bill No. 213 having received a constitutional majority, Madam Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ocegüera moved that Senate Bills Nos. 65 and 109; Senate Joint Resolution No. 9 of the 74th Session be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Aizley, the privilege of the floor of the Assembly Chamber for this day was extended to Denise Larsen.

On request of Assemblyman Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Laurel Armbrust, Katherine Malzahn-Bass, Steve Sisneros, Karyn Werner, Emilie Reafs, Stephanie

Hartman, Kenya Pierce, Daniel Wong, Senator Valerie Wiener, Ross Miller, and Margaret Branson.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Anne Bowen, Vickie Kieffer, Larry Peri, Linda Smith, Carol Thomsen, Janice Wright, Ted Zuend, Patti Adams, Connie Davis, William Webb, Violene Webb, Linda Blevins, and Christine Bashaw.

On request of Assemblyman Atkinson, the privilege of the floor of the Assembly Chamber for this day was extended to Sharon McCallen, Marlen Schultz, and Lona Domenici.

On request of Assemblyman Bobzien, the privilege of the floor of the Assembly Chamber for this day was extended to Ashley Massey.

On request of Assemblywoman Buckley, the privilege of the floor of the Assembly Chamber for this day was extended to Barbara Houger, Betty Phenix, Wendy Kameda, Erin Smith, Edith Duarte, Adrian Viesca, Terry Sullivan, Robin Bates, Rebecca Harris, Sharon Murphy, Steven Sweeney, Mary Matheus, Jennifer Osherhoff, Sherwood Howard, Deanna Keirstead, Jocelyne Helzer, Carl Meier, David Moore, Kathryn Moser, Evelyn Moser, Marcia Peterson, Frank Taylor, Norman Budden, Mary Carel, Diane Bacus, Jack Cooke, John Davis, Mark Day, Gail Eller, Michael Fetic, Renee Ekleberry, Joyce Ghiselli, Don Hataway, Lois Lahair, Robert Maynick, Rick Redican, Paul Saucedo, Frank Tetz, Daniel Webster, Debra Williams, Lucille Zuend, Sylvia Brown, Marge Griffin, and Kathryn Alden

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Donna Hancock.

On request of Assemblyman Christensen, the privilege of the floor of the Assembly Chamber for this day was extended to Mark Sprinkle and Cole Christensen.

On request of Assemblyman Claborn, the privilege of the floor of the Assembly Chamber for this day was extended to Millicent Jorgenson and Judith Coolbaugh.

On request of Assemblyman Cobb, the privilege of the floor of the Assembly Chamber for this day was extended to Diane O'Connor.

On request of Assemblyman Conklin, the privilege of the floor of the Assembly Chamber for this day was extended to Andrew Diss, Alicia Taylor, Karen Fox, Earlene Miller, and Patricia Blackburn.

On request of Assemblyman Denis, the privilege of the floor of the Assembly Chamber for this day was extended to Novella Kowallek.

On request of Assemblywoman Dondero Loop, the privilege of the floor of the Assembly Chamber for this day was extended to Luanne King.

On request of Assemblywoman Gansert, the privilege of the floor of the Assembly Chamber for this day was extended to Toshiko McIntosh.

On request of Assemblyman Goedhart, the privilege of the floor of the Assembly Chamber for this day was extended to Valerie Osgood.

On request of Assemblyman Goicoechea, the privilege of the floor of the Assembly Chamber for this day was extended to Jaclyn Kaiser.

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to Mary Bean.

On request of Assemblyman Gustavson, the privilege of the floor of the Assembly Chamber for this day was extended to the following students from Spanish Springs Elementary School: Nathan Bowser, Benjamin Czerwinsky, Patrick Durgin, Colby Green, Tyler Gunn, Jessica Herrick, Tyler Hobbs, Garrett Hueftle, Katarina Leyva, Kylie Means, Madison Munson, Gray Paholke, Colby Rohr, Logan Rudder, Daniel Sanchez, Tierra Smithson, Mathew Steinberg, Ziggy Terelak, Megan Tiscareno, Samuel Williams, Danny Wilson, Ben Yao, Devin Zinda, Alexander Roussell, Amar Barboza, Carley Miller, Cody Ford, Emily Pyrah, Jose Garcia, Joshua Patterson, Isaac Marroquin, Maxwell Rodriguez, Michael Slavik, Noah Soto, Rashaun Willis, Rianna Pimentle, Sean Slavik, Sierra Scott, Skyler Nichols, Spencer Flynn, Anthony Moran, Issac Marroquin, Roberto Bibriezea, Natalie Allen, Jacob Bohl, Adara Bryant, Jesse Carpio-Hernandez, Jonathan Colby, Austin Delaure, Jacob Gelinis, Caitlyn Greene, Sarah Greene, Elijah Harding, Amanda Ipsaro, Chase Martin, Lauren McDonald, Brenda Moreno, Kendyl Perkins, Nikki Piazza, Philip Sevesik, Isabelle Sutherland, Adrienne Tamayo-Prieto, Jillian Terry, Justin Vasquez, and Tommy Simkins; Jerry Stacey.

On request of Assemblyman Hambrick, the privilege of the floor of the Assembly Chamber for this day was extended to Sheree Rosevear.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Brittany Walker.

On request of Assemblyman Hogan, the privilege of the floor of the Assembly Chamber for this day was extended to Stephany Corral.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Nichole Bailey, Robert Gonzalez, Julie Kellen, Kyle McAfee, Sean McDonald, and Nathan Ring.

On request of Assemblyman Kihuen, the privilege of the floor of the Assembly Chamber for this day was extended to Dionny Fonseca.

On request of Assemblywoman Kirkpatrick, the privilege of the floor of the Assembly Chamber for this day was extended to Carolyn Maynick, Cynthia Carter, Olivia LLOYD, Denise Sins, Michelle Smothers, and Cheryl Williams.

On request of Assemblywoman Koivisto, the privilege of the floor of the Assembly Chamber for this day was extended to Mattie T. Randall, Jackie Valley, and Terry Horgan.

On request of Assemblywoman Leslie, the privilege of the floor of the Assembly Chamber for this day was extended to June Bennett, Bonnie Borda Hoffecker, and Jasmine Shackley,

On request of Assemblyman Manendo, the privilege of the floor of the Assembly Chamber for this day was extended to Connie Nellos.

On request of Assemblywoman Mastroluca, the privilege of the floor of the Assembly Chamber for this day was extended to Chris Caldwell.

On request of Assemblyman McArthur, the privilege of the floor of the Assembly Chamber for this day was extended to Cecilia Hackman.

On request of Assemblywoman McClain, the privilege of the floor of the Assembly Chamber for this day was extended to Harle Glover, Mary Garcia, and Sally Stoner.

On request of Assemblyman Mortenson, the privilege of the floor of the Assembly Chamber for this day was extended to Judith Fisher and Cheryl McClellan.

On request of Assemblyman Munford, the privilege of the floor of the Assembly Chamber for this day was extended to Patricia Manning.

On request of Assemblyman Ocegüera, the privilege of the floor of the Assembly Chamber for this day was extended to Leslie Danihel and Christina Bailey.

On request of Assemblyman Ohrenschall, the privilege of the floor of the Assembly Chamber for this day was extended to Pat Hutson.

On request of Assemblywoman Parnell, the privilege of the floor of the Assembly Chamber for this day was extended to Scarlett Smith, Danny Peltier, and Linda Utt.

On request of Assemblywoman Pierce, the privilege of the floor of the Assembly Chamber for this day was extended to Janet Stokes.

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

On request of Assemblyman Settlemeyer, the privilege of the floor of the Assembly Chamber for this day was extended to Bambi Chase and Mary Jane Harding.

On request of Assemblywoman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to Joyce Hess, Darlene Rubin, and Chris Kanowitz.

On request of Assemblywoman Spiegel, the privilege of the floor of the Assembly Chamber for this day was extended to Cindy Southerland.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Diane Jackson.

On request of Assemblywoman Woodbury, the privilege of the floor of the Assembly Chamber for this day was extended to Christina Salerno.

Assemblyman Ocegüera moved that the Assembly adjourn until Friday, April 24, 2009, at 11:30 a.m.

Motion carried.

Assembly adjourned at 2:01 p.m.

Approved:

BARBARA E. BUCKLEY
Speaker of the Assembly

Attest: SUSAN FURLONG REIL
Chief Clerk of the Assembly