

THE NINETY-SIXTH DAY

CARSON CITY (Friday) May 8, 2009

Assembly called to order at 11:47 a.m.

Mr. Speaker pro Tempore presiding.

Roll called.

All present except Assemblymen Arberry, Buckley, Claborn, Horne, and Mortenson, who were excused.

Prayer by the Chaplain, Reverend Patrick Propster.

Psalm Chapter 117:

O praise the Lord, all ye nations: praise Him, all ye people. For His merciful kindness is great toward us: and the truth of the Lord endureth forever. Praise ye the Lord.

Let us pray:

Lord God Almighty, as this week comes to a close, we pray that You have been pleased with all that has been done in Your sight. As the priests of old would pray Your blessing and favor upon Your people, we do so now using those very same words, over those here gathered.

The Lord bless thee, and keep thee. The Lord make his face shine upon thee, and be gracious unto thee. The Lord lift up His countenance upon thee, and give thee peace.

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 Elections, Procedures, Ethics, and Constitutional Amendments, to which was referred Senate Joint Resolution No. 9, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Elections, Procedures, Ethics, and Constitutional Amendments, to which was referred Senate Concurrent Resolution No. 16, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

ELLEN M. KOIVISTO, *Chair*

Madam Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 23, 59, 76, 144, 158; Senate Joint Resolution No. 3, 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 Natural Resources, Agriculture, and Mining, to which was referred Senate Concurrent Resolution No. 3, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

Also, your Committee on Natural Resources, Agriculture, and Mining, to which was referred Senate Concurrent Resolution No. 5, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and be adopted as amended.

JERRY D. CLABORN, *Chair*

Madam Speaker:

Your Committee on Taxation, to which was referred Senate Bill No. 61, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

KATHY MCCLAIN, *Chair*

Madam Speaker:

Your Committee on Transportation, to which was referred Senate Bill No. 139, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

KELVIN ATKINSON, *Chairman*

Madam Speaker:

Your Committee on Ways and Means, to which were rereferred Assembly Bills Nos. 3, 283, 482, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

Also, your Committee on Ways and Means, to which was rereferred Assembly Bill No. 223, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

SHEILA LESLIE, *VICE Chair*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 6, 2009

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 31.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 201, 411, 412, 414.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 182.

Also, I have the honor to inform your honorable body that the Senate on this day respectfully refused to concur in the Assembly Amendment No. 576 to Senate Bill No. 109.

SHERRY L. RODRIGUEZ

Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 3.

Assemblyman Ocegüera moved the adoption of the resolution.

Remarks by Assemblymen Carpenter and Bobzien.

Resolution adopted.

Senate Concurrent Resolution No. 5.

Resolution read.

The following amendment was proposed by Natural Resources, Agriculture, and Mining:

Amendment No. 570.

WHEREAS, The State of Nevada continues to rank as one of the states most affected by wildfire in this country, and as this cycle continues to be repeated year after year, it becomes clear that relying solely on rapid

response and the ability of firefighters to suppress these fires cannot adequately address the threat, especially in the rural areas of this State; and

WHEREAS, Wildlife habitats, grazing lands, watersheds and scenic resources are vulnerable, and according to a recent assessment, almost a quarter of the communities evaluated in Nevada were ranked as having a high or extreme hazard of wildfire; and

WHEREAS, Local ranchers in Humboldt County proposed the idea of assisting the Winnemucca Field Office of the Bureau of Land Management in response to a particularly destructive fire season in 1999, which had caused sizeable resource damage and exceedingly high losses to the area's ranching industry; and

WHEREAS, The initial concept eventually became the Wildfire Support Group, composed of ranchers in Humboldt County who have been trained in basic wildland fire suppression, in cooperation with the Bureau of Land Management, to provide additional resources for initial attack on wildfires; and

WHEREAS, Members of the Wildfire Support Group are often the first on the scene of a wildfire, providing invaluable assistance in improving the ability of the Bureau of Land Management to locate, reach and subdue wildfires in remote areas and saving valuable time and resources for local land management agencies and fire departments; and

WHEREAS, In addition to assisting local governments in using their personnel and resources more effectively in response to wildfires, the Wildfire Support Group assists in efforts to preemptively reduce the risk of such hazards by reducing the amount of fuels present on public lands by means of fuels management grazing plans; and

WHEREAS, Constructed on a cost-share basis with the Bureau of Land Management, the ~~(Wildlife)~~ **Wildfire** Support Group's grazing projects simultaneously benefit ranchers' livestock operations and reduce hazardous fuel loads in the wildland-urban interface; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That members of the 75th Nevada Legislature hereby commend the actions of the Wildfire Support Group and recognize that the ~~(Wildlife)~~ **Wildfire** Support Group serves as an exemplary model of local residents cooperating with governmental entities and working to improve their community; and be it further

RESOLVED, That the Legislature hereby encourages residents and governmental entities in other areas of this State to adopt similar models; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Wildfire Support Group, the Board of County Commissioners of Humboldt County, the Winnemucca Field Office of the Bureau of Land Management and the State Director of the Bureau of Land Management in Nevada.

Assemblyman Bobzien moved the adoption of the amendment.

Remarks by Assemblymen Hogan and Ocegüera.

Amendment adopted.

Resolution ordered reprinted and reengrossed.

Senate Concurrent Resolution No. 16.

Assemblyman Kihuen moved the adoption of the resolution.

Remarks by Assemblyman Kihuen.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By Judiciary:

Assembly Bill No. 554—AN ACT relating to statutes; ratifying certain technical corrections made to sections of NRS; correcting the effective date of certain provisions, correcting and clarifying certain provisions and repealing certain provisions of Statutes of Nevada; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 182.

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

Motion carried.

Senate Bill No. 201.

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

Motion carried.

Senate Bill No. 411.

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

Motion carried.

Senate Bill No. 412.

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

Motion carried.

Senate Bill No. 414.

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

Motion carried.

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

Assembly in recess at 12:12 p.m.

ASSEMBLY IN SESSION

At 12:18 p.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

SECOND READING AND AMENDMENT

Senate Bill No. 23.

Bill read second time and ordered to third reading.

Senate Bill No. 59.

Bill read second time and ordered to third reading.

Senate Bill No. 61.

Bill read second time and ordered to third reading.

Senate Bill No. 76.

Bill read second time and ordered to third reading.

Senate Bill No. 139.

Bill read second time and ordered to third reading.

Senate Bill No. 144.

Bill read second time and ordered to third reading.

Senate Bill No. 158.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 3.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 9.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ocegüera moved that Assembly Bills Nos. 3, 223, 283, 482, 494; Senate Bills Nos. 207, 256, 287, 317 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblyman Hogan moved that the Assembly do not recede from its action on Senate Bill No. 109, that a conference be requested, and that Mr. Speaker pro Tempore Speaker appoint a first Conference Committee consisting of three members to meet with a like committee of the Senate.

Remarks by Assemblyman Hogan.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker pro Tempore appointed Assemblymen Claborn, Smith, and Carpenter as a Conference Committee to meet with a like committee of the Senate for the further consideration of Senate Bill No. 109.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 8, 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. 33 and 34.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 33.
Assemblywoman Gansert moved the adoption of the resolution.
Remarks by Assemblywoman Gansert.
Resolution adopted.

Senate Concurrent Resolution No. 34.
Assemblyman Goedhart moved the adoption of the resolution.
Remarks by Assemblyman Goedhart.
Resolution adopted.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bills Nos. 12, 14, 141, 161, 216, 240, 391; Senate Concurrent Resolutions Nos. 27, 28 and 29.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Cyrill Suter.

On request of Assemblyman Cobb, the privilege of the floor of the Assembly Chamber for this day was extended to Michael Haakinson.

On request of Assemblyman Goedhart, the privilege of the floor of the Assembly Chamber for this day was extended to Mary Swadell, Joan Frenken, Robert Campbell, Susan Davila, and George Holman.

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

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

On request of Assemblyman Settlemeyer, the privilege of the floor of the Assembly Chamber for this day was extended to Christy Canantsy, Dallyn Malarchuk, and Caitlyn Settlemeyer.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to the following students from Elise L. Wolff Elementary School: Amber Bigelow, Nicholas Calderon, Christina Casey, Tucker Dungan, Cydney Fears, Ethan Gilmore, Emily Gorski, Cesario Huerta, Jake Javellana, Antony Leauanae, Coby Mata, Celine Nguyen, Tylyn Openshaw, Sophia Shafiuzzaman, Ryan Smith, Dylan Stansbury, Abigail Therrell, Anthony Cutone, Sydney Dalessi, Nicolas Eclevia, Seth Goolsby, Alyssa Hord, Kaelei MacFarlene, Justin Massaro, Jacob Menard, Taylor Murdy, Hannah Ovens, Daniel Troolines, Gifty Nkansah, Elias Perez, Jessic Darlington, Riley Duncan, Jolyn Garlitos, Stefanie Greer, George Karachepone, Bryson LaBar, Derek LaneSmith, Cayman Nelson, Miles Ohala, Blake Orr, Sariah Powers, and Lisa Tanaka; teachers Silva Bikarian, Myrna Obregon, Roxana Pistalu, Deborah Harbin; chaperones Tamara Dungan, Raven Gilmore, Karie Openshaw, Kareem Shafiuzzaman, Julie Smith, Brian Dalessi, Elias Perez, Holly Duncan, Megan Nelson, and Victoria Briggs-Darlington; Chris Wallis.

Assemblyman Ocegüera moved that the Assembly adjourn until Tuesday, May 12, 2009, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:42 p.m.

Approved:

BARBARA E. BUCKLEY
Speaker of the Assembly

Attest: SUSAN FURLONG REIL

Chief Clerk of the Assembly