

**THE ELEVENTH DAY**

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CARSON CITY (Thursday), February 12, 2009

Senate called to order at 11:25 a.m.

President Krolicki presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Bruce Henderson.

Mother Goose reminds us that Thursday's child has far to go. Today is Thursday, and we have far to go. We ask for a spirit of freshness, peace, joy and the ability to get along with one another when the going gets rough.

On this, the 200th anniversary of the births of Abraham Lincoln and Charles Darwin, we celebrate life and give You the glory. Please be with us on this journey as we serve You and our fellow Nevadans.

AMEN.

Pledge of Allegiance to the Flag.

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

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Hardy:

Senate Bill No. 129—AN ACT relating to dentistry; revising provisions governing continuing education for dentists and dental hygienists relating to the medical consequences of an act of terrorism that involves the use of a weapon of mass destruction; and providing other matters properly relating thereto.

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

Motion carried.

By Senators Hardy, Lee, Washington and Cegavske:

Senate Bill No. 130—AN ACT relating to marriage; revising provisions concerning the application for, issuance of and revocation of certificates of permission to perform marriages; revising provisions certifying the persons who may solemnize a marriage; revising provisions governing the validity of a marriage; providing for the revocation of authority of a minister or other person authorized to solemnize a marriage after he is no longer authorized to solemnize marriages by his church or religious organization; revising the contents of a certificate of marriage; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Cegavske:

Senate Bill No. 131—AN ACT relating to mental health; revising provisions governing the plans required of each mental health consortium for the provision of services to children with emotional disturbance; authorizing each mental health consortium to request one legislative measure for a regular legislative session; and providing other matters properly relating thereto.

Senator Cegavske moved that the bill be referred to the Committee on Health and Education.

Motion carried.

By Senator Townsend:

Senate Bill No. 132—AN ACT relating to animals; prohibiting a person from restraining a dog in a certain manner; requiring the state emergency management plan and certain plans for emergency operations to include provisions concerning the evacuation, transportation and sheltering of service animals during a disaster or emergency; providing a penalty; and providing other matters properly relating thereto.

Senator Townsend moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By Senator Townsend:

Senate Bill No. 133—AN ACT relating to animals; prohibiting a person from possessing an animal with the intent to use the animal in a fight with another animal or to engage in certain other prohibited acts; providing a penalty; and providing other matters properly relating thereto.

Senator Townsend moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By Senator Coffin:

Senate Bill No. 134—AN ACT relating to traffic laws; revising provisions concerning the increased penalty imposed for certain traffic violations that occur in work zones; and providing other matters properly relating thereto.

Senator Coffin moved that the bill be referred to the Committee on Energy, Infrastructure and Transportation.

Motion carried.

By Senator Coffin:

Senate Bill No. 135—AN ACT relating to education; requiring the boards of trustees of school districts to adopt a policy requiring pupils enrolled in kindergarten through grade 3 to wear school uniforms; and providing other matters properly relating thereto.

Senator Coffin moved that the bill be referred to the Committee on Health and Education.

Motion carried.

By Senators Breeden, Wiener, Nolan, Schneider, Copening, Parks, Woodhouse; Assemblymen Denis, Hambrick, Koivisto, Manendo, Munford, Ohrenschall, Parnell and Segerblom:

Senate Bill No. 136—AN ACT relating to traffic laws; prohibiting certain persons from using a telephonic device to write, send or read a text-based communication while operating a motor vehicle; providing a penalty; and providing other matters properly relating thereto.

Senator Breeden moved that the bill be referred to the Committee on Energy, Infrastructure and Transportation.

Motion carried.

By Senators Breeden, Parks, Copening, Woodhouse; Assemblymen Segerblom, Denis, Koivisto, Manendo, Munford, Ohrenschall and Parnell:

Senate Bill No. 137—AN ACT relating to recycling; providing for the placement of recycling containers on the premises of certain apartment complexes, the Nevada System of Higher Education and its branches and facilities; and providing other matters properly relating thereto.

Senator Breeden moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

By Senator Nolan:

Senate Bill No. 138—AN ACT relating to insurance; establishing the means by which a self-insurer of motor vehicles may provide proof of the ability to pay judgments obtained against him; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Energy, Infrastructure and Transportation.

Motion carried.

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

Senate Bill No. 139—AN ACT relating to motor vehicles; providing for the issuance of special license plates for family members of persons killed in the line of duty while on active duty in the Armed Forces of the United States; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Energy, Infrastructure and Transportation.

Motion carried.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, February 12, 2009

*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. 4.

DIANE M. KEETCH

*Assistant Chief Clerk of the Assembly*

## MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 4—Commemorating the 100th anniversary of the organization of the Daughters of the American Revolution in Nevada.

WHEREAS, Members of the Nevada State Society DAR planted an elm tree in 1932, still standing today, on the State Capitol grounds, to commemorate the bicentennial of George Washington's birth, purchased a replica colonial silver tea service, still in use today, for the Governor's Mansion in 1968, and raised more than \$7,000 for the Sarah Winnemucca statue which stands in the National Statuary Hall Collection in the United States Capitol; and

WHEREAS, During World War II, members of the Nevada State Society DAR contributed thousands of hours of volunteer work and purchased substantial amounts of war bonds, and they continue to support our veterans and our troops overseas today; and

WHEREAS, Members of the Nevada State Society DAR have fostered a sense of patriotism and history in Nevada residents for the last 100 years through participation in naturalization ceremonies, historical essay contests, good citizenship programs, flag ceremonies and dedications, literacy programs, Constitution Week celebrations and residency-based scholarships; and

WHEREAS, The members of the Nevada State Society DAR have worked for a number of years to compile a 100-year written history of the works of the DAR in Nevada that they might be preserved for posterity as a part of the history of our great State; 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 recognize the 100th anniversary of the organization of the Daughters of the American Revolution in Nevada and applaud the efforts of the women, past and present, who work in support of the DAR tenets to promote patriotism, preserve American history and secure America's future through better education for children; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Nevada State Regent Anita Ruth Kirk Sheard.

Senator Amodei moved the adoption of the resolution.

Remarks by Senator Amodei.

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

Thank you, Mr. President. This resolution contains many words dealing with cultural resources. As my colleagues in the Committee on Finance have seen this week, this is a timely issue. They have heard many items relating to the budget concerning our cultural resources.

As we honor this organization, we should be reminded that cultural resources for our State are essential in terms of our history, our culture and our past. It is important that we know what is going on now as we go forward into the future.

I applaud this organization and those members who are with us today for their efforts to preserve and document our cultural resources. Their efforts to do so have continued over the past 99 years. I urge you to join me in supporting Assembly Concurrent Resolution 4.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

Mr. President announced that if there were no objections, the Senate would recess subject to the call of the Chair.

Senate in recess at 11:43 a.m.

SENATE IN SESSION

At 11:48 a.m.

President Krolicki presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Senate Bill No. 15.

Bill read third time.

Senator Townsend disclosed that his wife is a licensee of the Real Estate Division both as a real-estate licensee and as a broker.

Senator Lee disclosed that his wife has a real-estate license.

Senator Parks disclosed that he is a real-estate licensee.

Senator Nolan disclosed that he is a commercial real-estate broker.

Roll call on Senate Bill No. 15:

YEAS—21.

NAYS—None.

Senate Bill No. 15 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 28.

Bill read third time.

Senator Nolan disclosed that he is a deputy coroner investigator assigned to the Clark County Coroner's Office in a reserve capacity.

Roll call on Senate Bill No. 28:

YEAS—21.

NAYS—None.

Senate Bill No. 28 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 90.

Bill read third time.

Roll call on Senate Bill No. 90:

YEAS—21.

NAYS—None.

Senate Bill No. 90 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 91.

Bill read third time.

Roll call on Senate Bill No. 91:

YEAS—21.

NAYS—None.

Senate Bill No. 91 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

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 Anita Sheard, Kandy Little, Stacy Woodbury, Carolyn Chapman, Karen Lampus and Rebecca Eisenman.

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

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

On request of Senator Rhoads, the privilege of the floor of the Senate Chamber for this day was extended to Tom Fransway.

On request of Senator Townsend, the privilege of the floor of the Senate Chamber for this day was extended to the following students, teachers and chaperones from the Brown Elementary School: Heather Almaraz, Jason Bang, Brylee Billings, Skylar Bradfield, Everett Brandt, Justin Buschine, Alex Coté, Hunter Cramer, Jake Folkers, Kaileen Fryar, Ariana Garcia, Maddie Holmes, Jonah Hyde, Taylor Martin, Karly McCutcheon, Brenton Olive, Blake Orton, Jess Osier, Jason Owens, Kyle Pinheiro, Miranda Slack-Welsh, Nicole Smith, Andrina Sofos, Selena Teglia, Dax Van Der Wal, Parker Webster, Sierra Webster, Hannah Blake, Benita Carbone, Shauna Clark, Cienna Dorny, Danielle Dowling, Anawnda Fox, Marcus Gage, Joel Guasch, Keiko Kamachi, Brendan Leo, Jaida Mabunda, Madeline McLain, Astha Mehta, Gabrielle Moorehead, Joanie Moorehead, Madison Nichols, Jose Carlos Oztzy, Grace Pfaff, Heidi Reed, Brody Roelofs, Victoria Snyder, Brayden Steimle, Nathan Thom, Nicholas Tower, Ally Young, Hannah Carrera, Khalid Aziz, Taylor Bauer, Lindsay Calhoun, Cody Carlson, Tanner Cartinella, Joel Castillo, Savanna Cilonis, Ryan Costelloe, Emma Covert, Jacob Covert, Joseph Damonte, Evan Fehr, Sadie Guthrie, Bailey Hyde, Carly Kahl, Spencer Karam, Samantha Lewarne, Caitlyn Monahan, Maggie Nordahl, Alejandro Perez, Sarah Riar, John Simonsen, Ankeet Singh, Rheanna Smith, Kyra Moore, Sean Keilberg, Taylor Agulto, Braandon Blake, Tyler Blasquez, Mia Buckholz, Selena Camarena, David Camargo, Kaillynn Carrete, Ashton Evans, Heather Ficken, Zack Frey, Mellisa Gallagher, Riky Garcia, Wade Gearhart, Emily Gonzalez, Jackie Guterrez, Katie Hardung, Gwen Jones, Sean Lacsamana, John Lee, Hugo Montelongo, Tyler Pitts,

Braedon Rickman, Samantha Summers; chaperones: Steve McCutcheon, Sharon Owens, Amanda Romano, VaLynn Olive, Kristy Orton, Rich Reed, Michele Tower, Jeremy Steimle, Madeline Bravo, Tamera Dorny, Christina Bauer, Jody Covert, Jennifer Guthrie, Heidi Simpnsen, Brian Zabel, Lori Hardung, Heather Gallagher, Teresa Gearhart, Tina Buckholz, Claudia Ruiz; teachers: Mrs. Kahl, Mrs. Ayers, Mrs. Keyes and Mr. Jones.

Senator Horsford moved that the Senate adjourn until Monday, February 16, 2009, at 11 a.m. and that it do so in memory of Abraham Lincoln as requested by Senator Hardy.

Motion carried.

Senate adjourned at 12:01 p.m.

Approved:

BRIAN K. KROLICKI  
*President of the Senate*

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