

JOURNAL OF THE SENATE
THE FIFTY-FIRST DAY

CARSON CITY (Tuesday), March 24, 2009

Senate called to order at 11:21 a.m.

President Krolicki presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Albert Tilstra.

Give to the members of this body open minds, O God, minds ready to receive and to welcome such new light of knowledge as it is Your will to reveal. Let not the past ever be so dear to them as to set a limit to the future. Give them the courage to change their minds when that is needed. Let us be tolerant of the thoughts of others, for we never know in what voice You will speak.

Make our ears open to Your voice and make us a little more deaf to whispers of men or women who would persuade us from our duty, for we know in our heart that only in Your will is our peace and prosperity of our land. We pray in the Name of One who loves to answer prayer.

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.

REPORTS OF COMMITTEES

Mr. President:

Your Committee on Health and Education, to which was referred Senate Bill No. 163, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VALERIE WIENER, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 23, 2009

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bills Nos. 28, 219.

Also, have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 18.

DIANE M. KEETCH

Assistant Chief Clerk of the Assembly

WAIVERS AND EXEMPTIONS

NOTICE OF EXEMPTION

March 23, 2009

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 179, 180, 188, 208, 241, 275, 286, 318.

GARY GHIGGERI

Fiscal Analysis Division

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Care, Amodei, Breen, Carlton, Cegavske, Coffin, Copening, Hardy, Horsford, Lee, Mathews, McGinness, Nolan, Parks,

Raggio, Rhoads, Schneider, Townsend, Washington, Wiener and Woodhouse:

Senate Resolution No. 5—Memorializing Robert L. McDonald, Reno attorney and community leader.

WHEREAS, The active, altruistic life of Robert L. McDonald is worthy of the highest esteem and evidences the philosophy that life is to be spent, not saved; and

WHEREAS, Robert was a native Nevadan, born in Reno on March 15, 1920, to newspaper publisher Joseph F. McDonald and Leola Lewis McDonald, and in 1938, he graduated from Reno High School, where he played football and demonstrated his propensity for leadership when he was elected President of the student body; and

WHEREAS, Robert attended Santa Clara University until joining the Army Air Corps in 1941 and earned distinction for his service in the Aleutian Islands and later as Squadron Commander of the 46th Fighter Squadron on the island of Iwo Jima; and

WHEREAS, While he was stationed in Everett, Washington, Robert married his hometown sweetheart, Gloria Peck, on January 27, 1942, and at the end of the war, completed his undergraduate degree at the University of Nevada, Reno, graduated from the University of San Francisco School of Law and became a licensed attorney in Nevada; and

WHEREAS, In 1952, Robert entered the private practice of law and later established the law firm of McDonald Carano Wilson LLP, founded several of Northern Nevada's most successful gaming companies, was a principal in the development of Incline Village and served as a founding member of the Board of Trustees of the Incline Village General Improvement District; and

WHEREAS, Because of the kind and generous nature of Robert and his firmly held belief that every person had the right to legal representation, Robert provided extensive pro bono work to persons who might not otherwise have had assistance; and

WHEREAS, This selfless man's generosity with time and money extended into many realms other than the law, as he helped numerous people get started in business, was instrumental in starting the Junior Ski Program and Pop Warner Football in Reno, even paying for football uniforms and equipment himself, was affiliated with the American Lung Association and, as probably his most fulfilling project which he took on later in life, founded Fun Camp, Inc., a program that allows underprivileged children to attend summer camp at Mountain Meadow Ranch in the Sierra Nevada Mountains; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, That the members of the 75th Session of the Nevada Legislature express their sincere condolences to the family and friends of Robert L. McDonald, whose commitment and devotion to his family, community, state and country speak volumes; and be it further

RESOLVED, That this feisty Irishman's contributions and accomplishments will long be remembered and remarked upon by those whose lives he touched and that his leadership and dedication to improving the lives of others provides an example for all to follow; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to Robert's daughters, Martha McDonald Wagner and Peggy McDonald Montgomery, and his son, Tim McDonald.

Senator Care moved the adoption of the resolution.

Remarks by Senators Care, Mathews, Coffin and Raggio.

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

SENATOR CARE:

Thank you, Mr. President. I had long heard of Bob McDonald before I had ever met him. It is not possible to be involved in journalism or politics, especially Democratic politics, in Nevada, and not have heard of Bob McDonald. I did not meet him until two years ago, shortly after I came to the firm he helped start more than 50 years ago. When I did meet him, he asked if I knew Harry Reid. I told him I did, and he responded that some day he wanted to tell me some

Harry Reid stories. About two weeks after that meeting, I met with Senator Reid. He knew that I had joined McDonald Carano Wilson and asked if I had met Bob McDonald. He told me someday he would have to tell me some Bob McDonald stories. Unfortunately, that never happened. I did not hear all of the stories until the service for Bob, last year. I have never attended a service like that one. There must have been at least seven people who spoke in honor of Bob McDonald. They came from all walks of life, family included. They came from northern Nevada and from southern Nevada.

In the resolution, it says, "a life is to be spent, not saved." That philosophy became clear to me during the service. People spoke in respectful but irreverent, humorous tones. People spoke about his attributes and his character. Their words were like listening to Mark Twain.

It was my loss that I did not have enough conversations with him. Bob was an attorney. We all have an avocation at some point, but as the resolution shows, he went way beyond that. There was an essence to Bob that we will never fully appreciate. His fingerprints remain all over northern Nevada. He was a charitable man. He assisted with businesses.

Bob was a kitchen cabinet of one to many political operatives, especially in northern Nevada and for those who were in politics in southern Nevada. He was a remarkable man and a feisty Irishman. He was an historic figure. After his death, I was listening to public radio in Las Vegas and former Senator Richard Bryan gave a celebration of Bob McDonald's life.

Senator Reid sent me a letter, and I would like to share a portion of it with you,

"Bob was an excellent lawyer, a devoted family man and wonderful friend. He felt compelled to serve those in need and was generous with both his time and his resources. His contributions to the State of Nevada were many and varied."

It was because of what he was and because of what I had heard that I asked for this resolution. What a life.

Thank you.

SENATOR MATHEWS:

I stand in support of this resolution. I met Bob McDonald 50 years ago. He had a strong handshake and a colorful way with words. I cannot share some of those words with you because of where we are sitting today.

The next time I saw him was when I needed some legal work done. At that time, I did not have any money. My father suggested I go to the law firm of Lionel Collins and Sawyer because he knew Governor Sawyer who had done some pro bono work for him. I decided, since they knew my father, I would go to a different law firm and decided to go to McDonald Carano Wilson. Mr. McDonald took care of my problem, and I did not see him again for many years.

When I decided to run for the city council, I was told I had to talk with Bob McDonald because a Democrat needed to talk with him when running for an office. I went to the law offices and met with John Frankovich. I told him I was told to talk with Bob McDonald because I hoped to get a check. John took me into a huge office with a tall chair sitting behind an enormous desk, in that chair was Bob McDonald. He asked me a few questions, and I answered them. With a few colorful words, he told John to write me a check.

We became really good friends after that. We would take each other to lunch. My daughter, Aileen, called him Uncle Bob, and they would go to lunch. Sometimes, they would ask me to go, too, but I had to keep the business open so I did not get to go with them as much as I would have liked.

He was a wonderful person. He never refused me. I could walk in his office, and he would do what I needed. I would never get a bill. Bob was a good friend, and we had many good moments together with a lot of colorful talk. Thank you.

SENATOR COFFIN:

I first met Bob in 1970 when we were campaigning and working hard for the Democratic nominees of the day. In 1974, there was a heated Democratic primary for the key offices of Governor and United States Senator. It had been discovered that Governor Mike O'Callaghan had a secret fund and that he had raised money and was giving money under the table to Republican legislators who had helped him in the previous two legislative sessions. Mike did not forget a friend, it did not matter what party they were from. Many people in the Democratic Party took issue with that. At the same time, there was a "Draft Grant Sawyer Movement" for

the United States Senate primary. Lt. Governor Reid was the favorite of Mike O'Callaghan and Bob McDonald. This started in the late fall of the previous year, and no one had given any ground. I came to the Democratic Convention in Reno in the spring of 1974. Nothing had been settled. Grant Sawyer said that he wanted out, but his followers did not want him out, and Mike O'Callaghan would not bend from the idea that he could not possibly have given this money, but if he had, he was giving it to good friends. You had Irishman all over the place.

One of the big backers of Grant Sawyer was Chow McGarry who was a feisty Irishman. In this resolution, two words stick out, "feisty Irishman." Those words aptly describe Bob McDonald. He was a squatty, tough guy. He and McGarry took a disliking to each other at that convention while on the platform committee. It would not have mattered what committee it was; they were on the opposite side of two key issues. There was a little nipping going in the late afternoon. Someone said something to the other, and all of a sudden in front of the chair's podium, there was a brawl. It was McDonald and McGarry. It was dusty. The carpet had not been vacuumed because all I could see was dust and a bald head and then McGarry's head which was semi-bald, then an elbow and then a foot and then one on top and then the other on top. This continued for at least a minute. It was a real Irish punch-out. There is an old saying among the Irish that if you have not had a good punch-out, you cannot become good friends. They were friendlier after the convention. No real damage was done, but it was a reflection on the belief of Bob McDonald that you did not get in the way of his friends. It did not matter that you had been a friend before; if you insulted one of his friends, you were in for it, fists and all. That was an apt demonstration of how politics ought to be played. Follow your flag, and defend it to the death. McDonald truly did on that day.

SENATOR RAGGIO:

Thank you, Mr. President. I think of those in this Chamber, I have known Bob McDonald the longest. We both got out of law school at about the same time. We were friends since the early 1950s. I worked with him for more than a half century. If there was a list of legitimate characters in the history of this State, Bob McDonald belongs on that list. Bob was truly Irish. There is no question he was a "feisty Irishman". There was many a St. Patrick's Day when he and his friend, Pat Brady, painted the centerlines in the streets of Reno. There was a little nipping going on, obviously. They were a great team over the years.

Bob was a devoted family man. He revered his family. Above all he was a true Nevadan. His father was Joe McDonald. He was the publisher and editor of the *Nevada State Journal*. In those days, Reno had competing newspapers. The *Reno Evening Gazette* was the Republican paper, and the *Nevada State Journal* was the Democratic one. You got two different points of view then. He came from that solid stock. Bob McDonald was an avid Nevadan.

This State meant a great deal to him, particularly northern Nevada. Over the years, he was a great contributor. We both belonged to the Young Lawyers Club. Sometimes, there were fisticuffs at the end of those meetings, too. I recognized my limitations and would leave before things started. Bob never strayed from a scuffle.

Over the years, he became a strong Democrat. His association with Alan Bible is legendary. If anyone was responsible, other than the Senator himself, for Senator Bible's success, it had to be Bob McDonald because he was always there telling the Senator who people were so he could recognize them. Bob knew everyone. He was a leading figure in the Democratic Party both in the State and in the Nation. He was committed throughout the years to every election in this State involving a Democratic candidate. Much to my consternation, I was usually on the other side of things. More often than not, his side would win. In those days, the registration in this State was 3-1, Democrat over Republican. We won a few races, but only a few because of Bob McDonald. Our friendship developed over the years, though Bob would not admit it until late in life that he only voted for two Republicans in his life. One was Bob Cashell, and the other was me. I do not know if he ever said that publicly. That is one of the highest honors I could have.

Bob was altruistic, a true Nevadan, committed to principles, and he did vote for me. It is hard to find people like him, who voted for me. I appreciate that. It was a high honor. I want to pay tribute to his memory.

Bob was a lot more than just a family man and an ardent politician. He was always involved in causes. He never asked for recognition. He made many contributions of both time and money to all kinds of causes and never asked anyone to give him credit. He was always there when needed. I called him many times for different, worthy causes. He always responded.

His family has a great heritage. Bob McDonald was a rough-cut Nevadan who we should long remember because he made a great difference in all of our lives.

Resolution adopted unanimously.

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

Senate in recess at 11:50 a.m.

SENATE IN SESSION

At 11:57 a.m.

President Krolicki presiding.

Quorum present.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 24, 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. 20.

DIANE M. KEETCH

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Assembly Concurrent Resolution No. 20—Commending Justice A. William Maupin for his extraordinary service to the State of Nevada.

WHEREAS, William Maupin was born into a medical family, his father serving for 30 years in the United States Army Medical Corps and his mother being an accomplished surgical nurse, and he was set to be the fourth generation of physicians in his family; and

WHEREAS, Fortunately for the justice system in Nevada, this young man considered becoming involved with the law and, upon hearing an attorney speak during Career Day at Western High School in Las Vegas, was inspired to pursue a judicial career; and

WHEREAS, Maupin attended the University of Nevada, Reno, and the University of Arizona College of Law, and after graduating ninth in his law class, began his professional legal career as a law clerk for the Attorney General's Office in Carson City; and

WHEREAS, Subsequent to working in several Nevada law firms and in the Public Defender's Office, where he developed a reputation as an excellent trial attorney, Maupin was appointed to the Eighth Judicial District Court in 1993, was elected to the Nevada Supreme Court in 1996, became Chief Justice in 2001, was elected again in 2002 and again served as Chief Justice in 2008; and

WHEREAS, Among this judicial scholar's accomplishments are the establishment of seminars to support paraprofessionals, impetus for Nevada's Court Annexed Arbitration Program, service on the Board of Governors of the State Bar of Nevada for 4 years and chairmanship of a Supreme Court committee tasked with reviewing judicial elections; and

WHEREAS, During his two terms on the Supreme Court, Justice Maupin created a Nevada legacy as he addressed overcrowded prisons and increasing drug habits in the State, helped assure adequate legal representation for the indigent and made great strides in fostering a better, more qualified judiciary of which all Nevadans can be proud; and

WHEREAS, Justice Maupin was the recipient of the Roger D. Foley Professionalism Award in 1997, and his name appears in *Who's Who in America*; and

WHEREAS, In addition to his judicial career and his family activities, William Maupin has demonstrated his great humanitarianism and stamina by learning to do eye exams and devoting a week in every year since 2002 to assisting a medical team in Haiti; and

WHEREAS, After serving 37 years in Nevada's legal community, Justice Maupin retired from the bench of the Nevada Supreme Court, and his service to Nevada, its residents and society in general embodies the words of Aristotle, "With regard to excellence, it is not enough to know, but we must try to have and use it"; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 75th Nevada Legislature commend the Honorable Justice A. William Maupin for his extraordinary service to this State; and be it further

RESOLVED, That the Legislature expresses its profound respect and gratitude for his efforts to improve the judicial system in the State of Nevada; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to Justice A. William Maupin.

Senator Care moved the adoption of the resolution.

Remarks by Senator Care.

Senator Care requested that his remarks be entered in the Journal.

I have known Justice Maupin since my first year of practice. I recall the first arbitration I had in the Court Annexed Arbitration Program, and lawyer practitioner Maupin was my arbitrator; Thorndale, Armstrong, Bacchus, the name Maupin fell in there somewhere. I had never participated in an arbitration before. I went to the office with my client and my witnesses, and the opposing counsel was there with his witnesses. Justice Maupin might remember this story. We were ushered into a small room, and our arbitrator ordered the two attorneys to the back of the room. He continued to explain that he would be asking each witness for his version of what had happened. A rule says that the Rules of Evidence are to be greatly relaxed in an arbitration case. I did not realize they could be that relaxed, but it worked, and I won the case.

It was no surprise to me when he achieved a place on the Trial Court Bench. He served there for a while and went on to serve two full terms on the Nevada Supreme Court. I have appeared before the Supreme Court on several occasions. During each Session, it seems, someone comes before the Senate Judiciary Committee to explain a bill that has something to do with civil matters. They say, take the case of the guy who fell off a bar stool; then, I would have to interrupt them and tell them that I was the one who had that case of the guy who fell off the barstool. I took that case to the Supreme Court, for what we call an Extraordinary Writ. Justice Maupin was the Chief Justice at the time, and the Court took the opportunity with that case to do two things. First, it abrogated any distinction between a special appearance and a general appearance. They said it was a trap for the unwary. I felt honored that the Court would use that case of mine to do that. The second thing that happened in that case is I lost the case, unlike my first arbitration.

People will ask me before an election who is a good candidate for judge. I tell them I know one or the other, and any good attorney will tell you the same thing. What I look for in a judge is one who is well briefed on the case, well briefed on the law, who listens and deliberates and asks the proper questions and takes it under submission or rules from the bench and gives the fair shake. In the end, you are going to win and lose probably half the time. That is what I look for in a judge.

Justice Maupin operated that way. I think when somebody leaves the bench, there is probably nothing more valuable to take than reputation. His reputation is stellar, and he will carry that with him for the rest of his life. I think I can safely speak for the other members of the bar of this State since everyone I know shares my thought. Thank you for your support of this resolution.

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 12:10 p.m.

SENATE IN SESSION

At 12:14 p.m.

President Krolicki presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

The Sergeant at Arms announced that Assemblymen Segerblom and Hambrick were at the bar of the Senate. Assemblyman Segerblom invited the Senate to meet in Joint Session with the Assembly to hear Chief Justice James W. Hardesty.

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

Senate in recess at 12:15 p.m.

IN JOINT SESSION

At 12:19 p.m.

President Krolicki presiding.

The Secretary of the Senate called the Senate roll.

All present except Senator Coffin, who was excused.

The Chief Clerk of the Assembly called the Assembly roll.

All present except Assemblywoman Spiegel, who was excused.

Mr. President appointed a Committee on Escort consisting of Senator Wiener and Assemblyman Horne to wait upon the Nevada Supreme Court Justices and escort them to the Assembly Chamber.

Mr. President appointed a Committee on Escort consisting of Senator Amodei and Assemblyman Anderson to wait upon Chief Justice James W. Hardesty and escort him to the Assembly Chamber.

Chief Justice Hardesty delivered his message.

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

Thank you for the warm reception for the Judicial Branch of Nevada's government. Governor Gibbons, Lt. Governor Krolicki, Speaker Buckley, Senator Horsford, Senator Raggio, Assemblywoman Gansert, distinguished members of the Senate and the Assembly, honorable Constitutional officers and honored guests, I have been looking forward to today with great anticipation. I would like to thank you for the opportunity to spend the next four or five hours talking about the State of the Judiciary in Nevada. I will try to keep my remarks shorter as admonished earlier by the Governor.

It is my privilege to speak on behalf of my friends and colleagues on the State Supreme Court—Associate Chief Justice Ron Parraguirre, Justice Michael Douglas, Justice Michael Cherry, Justice Nancy Saitta, Justice Mark Gibbons and Justice Kris Pickering. I am also privileged to speak for our 72 District Court Judges, our 65 Justices of the Peace, our 21 Municipal Court Judges, and the nearly 2,000 court staff throughout the State that serve in Nevada's Judiciary. Together, we work to provide fair and accessible justice, protect the rights of

individuals and preserve community welfare and safety. I am proud to serve with these dedicated public servants, and I offer my profound thanks for their service to all Nevadans and those who visit and do business in our State.

With us today are several of the State's judges including the chief judges from our two urban judicial District Courts—Chief Judge Arthur Ritchie and Las Vegas Justice Court Chief Judge Ann Zimmerman. I also want to take this opportunity to recognize and thank Supreme Court Clerk Tracie Lindeman, State Court Administrator Ron Titus, the staff of the Administrative Office of the Courts and the Supreme Court's legal staff for their tireless work on behalf of the Judicial Branch of this State.

I would particularly like to thank the Legislature for your recognition today of former Justice Bill Maupin. As you noted in the proceedings this morning, he has made a lasting contribution to the rule of law and to the remarkable progress the Judiciary has experienced during his years on the bench. I spoke with Bill prior to today's ceremonies. He was so excited to receive this recognition that he offered to buy all of the Legislators lunch if you would stay for my speech.

Today, I will offer a vision for the future of Nevada's Judiciary, describe a handful of the many accomplishments of Nevada's courts and conclude by commenting on the impact that decisions made in this 75th Session of the Nevada Legislature might have on the face of justice in Nevada.

The core function of the Judiciary is to resolve cases brought before the courts in a fair, impartial and timely fashion—simple dispute resolution. But the Judiciary is now being called upon to do so much more.

A judge's duty is to do the right thing for the right reasons. That is the hallmark of justice. As Mark Twain commented in 1868, "...judges have the *Constitution* for their guidance. They have no right to any politics save the politics of rigid right and justice when they are sitting in judgment upon the great matters that come before them." Of course, a few years later, Twain would say with a wry wit, "Do right. This will gratify some people and astonish the rest."

In today's environment, though, what is the right role for Nevada's Judiciary? Over the years, and more so in recent times, the responsibilities of the Judiciary have increased in ways we would not have imagined just two decades ago. Increasingly, our citizens are turning to the courts to secure assistance in a variety of complex civil and even social problems. The population growth in Nevada certainly has added pressure to our Judicial System, as it has to state and local governments. Who among us could have seen 15 years ago that the courts would be inundated with construction-defect cases that can tie up judges for months at a time? Or envisioned a single medical-malpractice case that can affect the lives of thousands of our citizens in Clark County? During that same period, we have witnessed family court dockets grow to nearly 50 percent of all civil filings in District Court. In 65 percent of those cases, both parties are self-represented, inevitably requiring more hearings and more judicial time. Our criminal courts are seeing a growing number of defendants who are committing increasingly serious crimes. The result is that during the past 13 years, our prison population grew almost 60 percent, adding 5,000 inmates to Nevada's prisons.

To paraphrase the Chief Judge for the State of New York, "Whether we like it or not, the state courts are in the eye of the storm; we have become the emergency room for society's worst ailments—substance abuse, family violence, mental illness, mortgage foreclosures and so many more." This reality has forced the courts to approach cases in entirely new ways.

For many citizens, the only contact they have with government is through the courts. They may get a traffic ticket, be asked to serve as a juror, be called as a witness or get a divorce. The courts should always remember, though, that each case involves someone's rights, someone's children, someone's property or, in some cases, someone's freedom. In criminal cases, the Judicial Branch protects a defendant's constitutional right to a fair trial and preserves the victim's interest in the outcome of the case.

But, I wish to remind everyone our duty to hear and resolve all of these cases are not optional. The courts are required by our *Constitution* and statutes to decide such matters, often within legally mandated deadlines—and always timely, fairly and efficiently.

Therefore, in my view, the vision for Nevada's Judicial Branch, today, is to be proactive in the management of its cases, innovative in its approach to dispute resolution, creative in its

efforts to provide access to our courts, sensitive to the needs of people who come before us, accountable for our behavior and our decisions, fiscally responsible and transparent in all that we do. If we can meet these goals, modern-day courts will continue to earn the public's trust and confidence. Despite our challenges, I would maintain that the State of the Judiciary in Nevada is sound.

Let me report on some of the many accomplishments of Nevada's courts since you last convened.

Our courts continue to labor under escalating caseloads, but for the first time in some years, District Court criminal-case filings have declined marginally. However, we have seen an increase in civil-case filings in District and Justice Courts. These civil filings and the criminal-case filings in justice courts and most urban municipal courts continue to overwhelm the system. And, at the Supreme Court, filings set new records every year. The most recent Annual Report of the Nevada Judiciary adequately summarizes these statistics. But, what do these statistics mean to the lives of real people and Nevada businesses? Let me give you one example. If you have an average civil case in the District Court in Clark County, you will have to wait three years and six months for your case to come to trial. Is that acceptable? The answer is a resounding "no." Nevertheless, you should know, and I am impressed, that our District Courts disposed of over 103,000 cases. The Justice Courts resolved 235,000 nontraffic cases. The Municipal Courts concluded 60,000 nontraffic misdemeanor cases, and the Supreme Court decided nearly 2,000 matters. That is a total of more than 400,000 cases resolved by Nevada's Judiciary in the last fiscal year.

Throughout the State, judges are using technology and innovative case-management techniques to keep our most complex cases from being lost in a sea of uncertainty and expense. At the Complex Litigation Center in the Eighth Judicial District, Judges Alan Earl, Susan Johnson and Timothy Williams supervise 291 construction-defect cases affecting thousands of Clark County residents and hundreds of construction companies and developers. The work of these judges brings order to chaos, has promoted settlements in many cases and assured the parties that an ultimate resolution of their case will occur.

The Judiciary is facing another case-management crisis in Clark County—the well publicized endoscopy litigation. Through February of this year, 446 cases involving thousands of individuals have been filed, presenting a significant challenge to the Judicial System. Proactively, the judges of the Eighth Judicial District have consolidated these cases for management purposes under the able supervision of Judge Alan Earl. I feel it is important for the Legislature to understand exactly what the court is dealing with here. Millions of pages of documents are being filed with the court, hundreds of motions are being presented and weekly tracking is necessary to keep the cases progressing. Like the construction-defect cases, all of these matters involve Nevadans—their lives, their families, their businesses and their futures. We cannot afford to delay justice in these cases—or any other case.

While we are on the subject of medical-malpractice cases, you should also know that more than 400 such cases are pending today in Clark County. While the courts would like to have taken these cases to trial within the time frames established by the Supreme Court and the Legislature, that simply could not be accomplished in nearly a quarter of these cases because there are not enough judges or courtrooms to do so. One of my favorite success stories are Business Courts. These courts are there to expedite the resolution of legal disputes that might increase the cost of doing business in Nevada or force a business to close. In short, Business Courts keep companies in business and Nevadans working. Two years ago, the Supreme Court made a number of changes governing Business Court. Through the capable efforts of Judges Elizabeth Gonzalez, Mark Denton and Brent Adams, the Business Courts in Nevada are no longer an experiment. We can all be truly proud of their success. Clark County's Business Court docket has grown from 226 cases on June 30, 2006, to 543 cases on June 30, 2008. Recently, a Las Vegas attorney told me about a complex corporate and insurance regulatory issue she handled last year. The Nevada Insurance Commissioner ordered the parties to resolve the dispute by a date certain, and through the stewardship of Judge Gonzalez, the parties were able to settle the case well before the Commissioner's deadline. Your Legislative Commission subcommittee found that Nevada's Business Courts are preferable to the creation of a chancery court. The subcommittee also recommended some additional

improvements in the Business Court. Assuming adequate resources can be provided, the Nevada Supreme Court is prepared to enact rules addressing the recommendations of your subcommittee.

Nevada's Drug Courts and other specialty courts continue their incredible journey, begun in 1992 when Nevada launched the Nation's fifth Drug Court. It is a journey that saves lives and families and even the futures of unborn babies. The Legislature's continued support of these courts has enabled dedicated specialty-court judges and staff to achieve successes that no one thought possible. The efforts of you in this room, today, have now extended the benefits of specialty courts to our rural communities.

Last fiscal year, the specialty court judges around the State served more than 2,200 participants and witnessed 1,235 graduates. Seventy-six drug-free babies were born to participants—that is 76 babies who now have a chance to grow up without the limitations imposed on them prenatally by drug-addicted mothers. The success of these courts is illustrated by two stories, one out of Elko and one out of White Pine County. In Elko, Judge Andrew Puccinelli supervised a young woman I shall call Samantha. An abusive relationship followed by the death of her husband left Samantha alone with three children. She turned to drugs and lost her three children to the system. Ultimately and predictably, she ended up in the Criminal Justice System. After 32 months in Drug Court, Samantha is a changed woman—vibrant and exuberant. She is an employed, taxpaying, productive member of society and has regained her custody rights. The second story demonstrates the imagination and dedication of Judges Steve Dobrescu and Dan Papez in White Pine County. The story involves a young couple whose two children were taken away by the Division of Child and Family Services because the parents could not overcome their frequent use of marijuana and methamphetamine. The parents loved their children but repeatedly violated the case plans for reunification with their children because of their continuing drug addictions. Even though no criminal charges were pending, Judges Dobrescu and Papez ordered the parents to participate in Drug Court as part of the most recent case plan. Last June, the children were returned to their parents, and in December, mom and dad both graduated from Drug court. Now, I must emphasize that these are but two of the hundreds of similar stories made possible by the specialty courts of our State. And, I must also emphasize that were it not for the Drug Courts, many of these success stories would otherwise be passing through that revolving door in and out of prison at a considerable cost to society.

And, then, there is District Judge Jackie Glass, who supervises Clark County's Mental Health Court and the relatively new Competency Court. The Competency Court manages cases pretrial of defendants who may lack competency to go to trial. The expense and delay to the system caused by such cases is enormous. The success of Judge Glass's efforts is underscored by the case of former NFL football player Cole Ford. He came to the District Court after being on the streets for some time, was talking nonsense, uncooperative and clearly mentally ill. Through the concerted efforts of Judge Glass, doctors at Lake's Crossing and both attorneys in the criminal case, Mr. Ford regained competency and was reunited with his family as a productive member of society.

In Las Vegas Municipal Court, Judges Bert Brown and Cedric Kerns and their colleagues continue to make history. Judge Brown supervised the court's Women in Need, or WIN program. A 21-year-old woman I shall call Laura had a history of arrests for solicitation, two felony convictions and a drug abuse problem. She came to Las Vegas and for two years walked the streets selling herself to pay for her drugs. She was brutally beaten and frequently fell into abusive relationships. At age 23, Laura was arrested for solicitation and placed into the WIN court program which requires that participants abstain from drugs and alcohol, get drug tested regularly and stay out of legal trouble. Under Judge Brown's supervision, Laura graduated from the program, is employed and attending school where she is maintaining a 4.0 GPA. Judge Kerns supervises the HOPE Court, which deals with those who, because of homelessness or for other personal problems, find themselves repeatedly in the criminal justice system. HOPE stands for Habitual Offender Prevention and Education. Bernard is a 52-year-old man with an extensive criminal history who has served three prison terms. From 1998 to 2007, he was arrested 65 times and served a total of 656 days in jail. He was doing a life sentence on the installment plan. He had no hope. When he entered the HOPE Court as a result of yet another misdemeanor arrest, he had been homeless for over ten years. Under Judge Kerns' supervision,

Bernard graduated from HOPE Court on January 15, 2009. By that time, he had been clean and sober and off the streets for two-and-a-half years with no arrests.

I thought this Legislature would be particularly interested in the results of your efforts to codify the DUI Court program. This specialty court deals with serious and chronic DUI offenders who have failed to appreciate their actions after prior jail or prison terms. These are the offenders I would expect will eventually kill or injure themselves or someone else while driving drunk. The DUI Court has been remarkably successful in breaking the destructive cycle of these offenders. As you know, the Nevada Supreme Court recently upheld the constitutionality of the legislation creating these courts. We also ordered that the opportunities of DUI Courts be extended to our rural communities. Because of your legislation and the Judiciary's implementation of DUI Courts, we can all be proud that we are making a difference in this troubling area.

All of us recognize that crime prevention starts with our young people. I would like to highlight three efforts in this area. Judge Ken Howard operates Kids Court in the Reno Municipal Court. Every month, 30 fifth graders and their parents visit this court to see how justice is done at that level. There is a mock trial in the case of "BB Wolf vs. Curly Pig." There is an "Ask the Inmate" program and a discussion on issues from drug or alcohol abuse, to peer pressure, to choices young people must make and, of course, the value of staying in school. I also want to commend Judge William Voy's efforts to create the Nevada Safe House for Sexually Exploited Children. Judge Voy sees 150 girls each year come through the juvenile detention center in Clark County who are victims of sexual exploitation. Judge Voy's vision will work to intercept these girls and restore their lives.

Over the last four years, the Judiciary has improved juvenile justice court practices and services for youth while protecting public safety through the application of the Juvenile Detention Alternatives Initiative (JDAI) funded by the Anne E. Casey Foundation. Judge William Voy in Clark County and Judge Frances Doherty in Washoe County have, along with many others, developed alternatives to the over reliance on secure detention facilities for many juvenile offenders. Instead, healthy alternatives targeting the needs of individual children and families have been created. Using these alternatives, in Clark County, the average daily population of detained juveniles has decreased by 31 percent. In Washoe County, the average daily detention population has decreased by 28 percent. Judge David Gamble in Douglas County and Judge Puccinelli in Elko County, operating with limited resources, have also applied JDAI principles and practices to create detention alternatives in their jurisdictions. Together, these collective efforts have taken the pressure off the need to construct new juvenile detention centers throughout the State.

The family-mediation programs in Clark and Washoe Counties have provided an alternative avenue for families to resolve their domestic disputes. These families get an opportunity to work out their own differences and take control of their own lives with the assistance of trained mediators. In the process, families can avoid the expense, delays and animosity that often accompany prolonged litigation in Family Courts. Since 2003, over 21,000 cases went through Clark County's Family Mediation Center. During the same time, Washoe County's Family Mediation Program accepted over 3,400 cases. More than three-quarters of all of these mediation cases were resolved to the mutual benefit of mothers, fathers and their children.

I am particularly proud of the Supreme Court's continuing efforts to open the doors of the Justice System to the eyes and ears of all Nevadans. The Nevada Supreme Court recently enacted rules prohibiting the sealing of files in civil cases. We have made our oral arguments available to the entire State via webcasts and podcasts. We have also successfully implemented electronic filing in all criminal cases, which will allow easier access to those records. On March 1, 2009, a Supreme Court rule went into effect that I believe will have a profound impact on the ability of litigants and lawyers to access our courts. The rule, which allows parties to appear in court telephonically or via video connections, should have its most dramatic impact on the civil legal needs of litigants in our rural communities. On March 29, the Court will launch a redesigned and expanded user-friendly website offering increased information about the Court, its committees and commissions, its schedule, arguments and decisions.

One of the roles of the Supreme Court is to establish commissions to study the justice system and make recommendations about how we can do our jobs better. The work of three

commissions stands out. The Indigent Defense Commission chaired by Justice Cherry has been recognized nationally for its sweeping recommendations to improve indigent defense in criminal cases in Nevada. The Article 6 Commission, cochaired by William Dressel and Paula Gentile, has made substantial recommendations to improve the judicial-discipline system and the speed with which the Commission on Judicial Discipline processes complaints against judges. And, finally, the Access to Justice Commission, which I cochair with Justice Douglas, has recently issued a report concluding that the serious civil legal needs of the underprivileged in Nevada are not being met. We were stunned to learn that there is only one legal-aid attorney for every 5,000 eligible persons in Nevada with civil legal needs. The Access to Justice Commission is pursuing increased funding and a statewide approach to address this serious crisis. I would like to take this opportunity to thank the 15 banking institutions in this State that, in the past five months, have increased their interest rates that they pay on lawyer trust accounts which help fund legal-aid services in Nevada.

I cannot conclude a discussion of the Judiciary's accomplishments without mentioning the efforts of the courts to offer some help in the State's budgetary struggles. On this subject, two areas are particularly noteworthy. The Las Vegas Township Justice Court has completed a Traffic Amnesty Program which gave individuals the opportunity to resolve their unpaid traffic citations and avoid late fees and penalties. When the program ended on February 13, 2009, nearly 10,000 individuals had paid outstanding fines, bringing in \$5.4 million for Clark County and the State of Nevada. An additional 9,600 individuals established payment plans to pay \$5.8 million in outstanding fees and fines. Another 10,000 individuals, apparently fearing the Justice Court was headed their way, have requested Traffic Court dates to deal with their outstanding tickets. The Justice Court has contracted with a collection agency and has issued arrest warrants in pursuit of millions of additional dollars that are owed. I want to congratulate and recognize Chief Judge Zimmerman, her colleagues and Court Administrator Ed Friedland. They deserve recognition for this effort.

At the state level, the Nevada Supreme Court reverted almost \$2 million to the General Fund for Fiscal Year 2008. That was 23 percent of the General Fund appropriation to the Court excluding statutorily set judicial compensation. We are projecting that we could revert another \$2.2 million for Fiscal Year 2009. That would amount to 24 percent of the Court's General Fund.

The list of these accomplishments is by no means exhaustive and cannot include our many other achievements. I believe, however, that it provides a substantial illustration of the invaluable work being performed every day by judges and staff throughout Nevada.

In all of these programs, I see an important partnership among the Judicial, Legislative and Executive Branches. The Judiciary's ability to carry these programs forward is dependent, of course, upon the resources this Legislature can provide. I would like, therefore, to discuss the impact that decisions of the 75th Legislature may have on the future of the Judicial Branch and our ability to meet the growing needs of our citizens.

As you know, the Judiciary has proposed a plan to help address the crucial need for additional judicial resources in Nevada. The complexity and volume of the caseload clearly demonstrates the need for new judges in Clark and Washoe Counties. In our rural courts, the need for technology, support staff, facilities and other judicial resources cannot be questioned. This is why we have urged you to consider increasing the fees on civil-case filings in District Court. Nevada has not revised many of these fees since 1993, and in these harsh economic times, this is a logical alternative. Those who use the courts should rightfully take a greater role in funding those courts. We have taken great care to calibrate the increases in the filing fees to distribute the burdens as fairly as possible. The fees, as proposed, would be comparable to or below those charged by surrounding states. This measure has received broad-based support from county officials, trial lawyers and members of the State Bar, all of whom recognize the pressing need for increased judicial services in civil cases. The sad reality, as I noted earlier, is that the Judicial Branch cannot effectively and timely respond to the needs of citizens and businesses without the added resources our plan will provide. Neither can we adopt the legislative recommendations for rule changes to our Business Courts without your help. I urge your support for measures pending in the Legislature to implement this plan.

The Senior Judge Program has become essential to the delivery of judicial services in Nevada. During Fiscal Year 2008, our senior judges spent more than 12,000 hours conducting

settlement conferences, running specialty courts and handling the calendars of District Judges so that trials could proceed unabated. I would like to introduce two of our Senior District Judges Peter Breen and Archie Blake. These two judges continue to manage the Drug and Mental Health Courts in Washoe County and ride the circuit to bring the benefits of the Drug Courts to the rural communities in western Nevada. We could not do it without them. I would urge your continued funding of the Senior Judge Program.

I would like to thank the Legislature for its continued support of S.J.R. No. 9 of the 74th Session, which hopefully will result in the creation of an Intermediate Appellate Court to meet the growing needs of litigants in our State. The State Senate has passed S.J.R. No. 9 of the 74th Session for a second time, and I would urge the Assembly to follow suit. The Supreme Court currently is responsible for all appellate matters, and we are one of the busiest appellate courts in the country. Nevada is by far the largest of the 11 states without an intermediate appellate court. I believe it is time for this State to take this step.

We are all concerned about the financial health of our State. I would urge the Legislature to consider two proposals that could have a significant impact on our fiscal needs. First, as many of you know, I have asked United States Senators Harry Reid and John Ensign to support federal legislation that would allow Nevada to intercept federal tax refunds of people who have not paid their financial obligations ordered by the courts. The State of Oregon estimated that a federal-tax intercept program in that state would generate up to \$61 million. I submit that we are not far off with that number in our State. I ask you to adopt a resolution calling upon our federal Delegation to support the federal-tax intercept bill proposed during the 110th Congress.

Second, the Advisory Commission on the Administration of Justice has suggested that the responsibility for the collection of court-ordered fees, fines and victim restitution be centralized under the Administrative Office of the Courts. In this plan, the courts would partner with State Controller Kim Wallin, who has increased her efforts to collect much of the debt owed to our State. These initiatives would not only pay for themselves but provide badly needed resources to the entire State.

Ladies and gentlemen of the Legislature, I am excited about the future of the Judicial Branch in Nevada. I am proud that our courts continue to meet the challenges placed before us and are providing real solutions for today's problems. Nevada's judges and court staff are motivated, enthusiastic, innovative and engaged in making this Branch of government the best that it can be.

Our duty as judges is to deliver fair, impartial, principled, scholastic justice and to do so with character and integrity. Our citizens should expect nothing less. But, we in the Judiciary can and should expect of ourselves much more.

Thank you.

Senator Carlton moved that the Senate and Assembly in Joint Session extend a vote of thanks to Chief Justice Hardesty for his timely, able and constructive message.

Motion carried.

The Committee on Escort escorted Chief Justice Hardesty to the bar of the Assembly.

Senator Schneider moved that the Joint Session be dissolved.

Motion carried.

Joint Session dissolved at 1:02 p.m.

SENATE IN SESSION

At 1:10 p.m.

President Krolicki presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 28.

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

Motion carried.

Assembly Bill No. 219.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Care moved that Senate Bill No. 274 be taken from the Second Reading File and rereferred to the Committee on Finance.

Remarks by Senator Care.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 48.

Bill read second time and ordered to third reading.

Senate Bill No. 235.

Bill read second time and ordered to third reading.

Senate Bill No. 247.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 9.

Resolution read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 37.

Bill read third time.

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

Motion carried.

Senate in recess at 1:15 p.m.

SENATE IN SESSION

At 1:18 p.m.

President Krolicki presiding.

Quorum present.

Roll call on Senate Bill No. 37:

YEAS—20.

NAYS—None.

ABSENT—Amodei.

Senate Bill No. 37 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 41.

Bill read third time.

Senator Woodhouse disclosed that she was a teacher and administrator with the Clark County School District for 40 years, receives a retirement allowance under the Public Employees' Retirement System and served as a member of the Public Employees' Retirement Board for 16 years, including 13 years as Chair.

Senator Breeden disclosed she is a retired employee of the Clark County School District and receives a retirement allowance under the Public Employee's Retirement System.

Senator Raggio disclosed he is a recipient under the Public Employees' Retirement System as a former District Attorney of Washoe County.

Senator Carlton disclosed her husband is a state employee and that he would benefit from the retirement system.

Senator Parks disclosed he is a recipient of benefits from the Public Employees' Retirement System.

Senator Mathews disclosed she is a retiree receiving Public Employees' Retirement System benefits.

Roll call on Senate Bill No. 41:

YEAS—20.

NAYS—None.

ABSENT—Amodei.

Senate Bill No. 41 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 44.

Bill read third time.

Remarks by Senator Carlton.

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

Thank you Mr. President. I rise in opposition to Senate Bill No. 44. I realize the intent of the bill, and I agree with a portion of the intent. However, the unintended consequence of changing Category III Officers to Category II Officers is that the Department of Corrections could, in essence, become the training ground for other agencies. We have found in the past, that when you change categories for peace officers, there tends to be a lot of job shifting and lateral transfers. The expense of training officers and then losing them to another position has even inspired previous Legislators, in other sessions, to propose legislation that would charge the employees for their training.

I hope the Department of Corrections realizes what they are asking for and can hold on to their employees because I believe this will create a revolving door and become the training ground for the rest of the State.

Roll call on Senate Bill No. 44:

YEAS—19.

NAYS—Carlton.

ABSENT—Amodei.

Senate Bill No. 44 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 65.

Bill read third time.

Roll call on Senate Bill No. 65:

YEAS—20.

NAYS—None.

ABSENT—Amodei.

Senate Bill No. 65 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 67.

Bill read third time.

Roll call on Senate Bill No. 67:

YEAS—20.

NAYS—None.

ABSENT—Amodei.

Senate Bill No. 67 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 77.

Bill read third time.

Roll call on Senate Bill No. 77:

YEAS—21.

NAYS—None.

Senate Bill No. 77 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 141.

Bill read third time.

Roll call on Senate Bill No. 141:

YEAS—21.

NAYS—None.

Senate Bill No. 141 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 149.

Bill read third time.

Roll call on Senate Bill No. 149:

YEAS—21.

NAYS—None.

Senate Bill No. 149 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 166.

Bill read third time.

Remarks by Senator Woodhouse.

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

Thank you, Mr. President. Before you today, in Senate Bill No. 166, is the Vivid Dancer Damsselfly, which has been selected through a statewide competition of fourth graders in public, private and charter schools as their choice for designation as Nevada's state insect. Up to this point, Nevada is one of eight states in the Nation that does not have a state insect.

Over the past several months, students statewide were invited to participate in a scientific research project to select our State insect. The focus of the project was fivefold: to encourage scientific research, develop teamwork, to foster critical thinking, to utilize literacy and writing skills in preparation of the essay, and study Nevada State history and the legislative process.

Seventy-four classrooms across the State submitted their nominations. These represented 57 schools from 7 counties: Carson, Churchill, Clark, Douglas, Lyon, Nye and Washoe. Seven judges, of which four were entomologists, had the task of reading and selecting the winning essay. Their unanimous choice was the essay submitted by Mr. David Slater's class at John R. Beatty Elementary School in Las Vegas about the Vivid Dancer Damsselfly.

In conclusion, I would like to quote some reasons why the students selected the Vivid Dancer. Its color is a bright Nevada blue with clear wings that appear silver when rapidly beating in the sunlight. It is abundant throughout our State, residing in springs and ponds. It does not have a limited range nor is it endangered. It is helpful to humans; thus, it serves Nevadans by contributing to our economy and quality of life.

On behalf of the students and their teachers statewide, and especially those at John R. Beatty Elementary School, I encourage your support of the Vivid Dancer Damsselfly as Nevada's Official State Insect. Thank you.

Roll call on Senate Bill No. 166:

YEAS—21.

NAYS—None.

Senate Bill No. 166 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Care moved that Senate Bills Nos. 172, 175, 184, 199, 223; Senate Joint Resolution No. 2 of the 74th Session; Assembly Bill No. 132 be taken from the General File and placed on the General File for the next legislative day.

Remarks by Senator Care.

Motion carried.

UNFINISHED BUSINESS
SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Concurrent Resolution No. 17.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Care, the privilege of the floor of the Senate Chamber for this day was extended to John Franovich, George Ogilvie, Tommy McDonald, Becky McDonald, Dennis Montgomery, Rosemary Montgomery, Alice Montgomery, Vanessa Wagner, Jim Giudici, Paul Georgeson, Mike Pagni, Jim Bradshaw, Bud Hicks, Bill Magrath, Dan Bogden, Ron Soncini, Neoma Saulnier, Ginny Brownell, Leo Bergin, James Endres, Denise Adams, Cassy Jackson, Judge Betsy Gonzales, Jeanette Bloom, Harriet Cummings, Eliza Schumacher, Sandy Hardesty, Judge Jackie Glass, Judge Art Ritchie, Vickie Roberts, Gerrie Biegler, Sandy Gibbons, Lindsay Knox and Ron Titus.

On request of Senator Lee, the privilege of the floor of the Senate Chamber for this day was extended to Andy Chisari, Rosemary Chisari and Kathleen Sloan-Lee.

On request of Senator Mathews, the privilege of the floor of the Senate Chamber for this day was extended to Spike Wilson and Janice Pine.

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to Peggy McDonald and Tim McDonald and the following students, chaperones and teachers from the St. Albert the Great School: Christina Ackerman, Meghan Aspittle, Keanu Azul, Madeline Blackburn, Madeleine Browne, Rachel Chew, Kacie Conway, Mikaela DeRicco, Samantha Dinan, Christopher Gonzales, Ryder Haag, Dylan Hart, Artie Henderson, Tawni Henderson, Thomas Libang, Jacob Lucey, Joseph Mandagaran, Jochelle Martinez, Maggie Mayer, Hannah Moore, Caitlyn Neville, Marco Ortiz-Cloninger, Schuyler Parco, Ruby Pollock, Johnny Reiley, Connor Rosevear, Brendan Sanchez, Kamea Sandstrom, Harry Schroeder, Hanna Spevak, Sarah Tintle; chaperones: Stacey Dinan, Buffy Aspittle, Alex Reiley, Nicole Browne, Betty DeRicco, Lisseth Henderson, Mark Neville; teachers: Chrisine Mayer, Jodi Potter; the following Cub Scout Pack #512, leaders and chaperones: A.J. Arkebauer, Christian Blasi, Clint Cook, Eddie Gredvig, Jordan Hoover, John Sturtz, Ian Sturtz, Bradley Thingelstad; chaperones: Cari Arkebauer, Aaron Blasi, Heather Cook, Rob Gredvig, Dave Hoover, Rob Thingelstad, Dianna Thingelstad; leaders: Kenn Sturtz and Kellie Crosby-Sturtz.

On request of Senator Wiener, the privilege of the floor of the Senate Chamber for this day was extended to Justice Mark Gibbons and Judge Kristina Pickering.

On request of Senator Woodhouse, the privilege of the floor of the Senate Chamber for this day was extended to Justice Ron D. Parraguirre and Justice Michael Douglas.

Senator Horsford moved that the Senate adjourn until Wednesday, March 25, 2009, at 11 a.m.

Motion carried.

Senate adjourned at 1:36 p.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate