

THE FIFTY-SECOND DAY

CARSON CITY (Wednesday), March 25, 2009

Senate called to order at 11:45 a.m.

President Krolicki presiding.

Roll called.

All present.

Prayer by the Chaplain, Father Chuck Durante.

O You, who are beyond all names, yet whom we call Father and Mother, help us to balance power with compassion, gentleness with strength, as we open wide the doors of our hearts for the life of the universe to flow through.

We know that the gates of paradise, both here and there, swing open to the child.

Instruct us this day in the art of perpetual childhood which truly knows both honor and humility. Bless little Katherine Jaycie Sei and her family.

Unfold for us Your best kept secret: how by becoming part of the stream of the universe, we may learn to be playful, yet prayerful; ever-relaxed, yet constantly alert; always prepared, yet carefree as a child, and so achieve the harmony of heaven.

Bless and guide the work of the Senate this day.

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 Energy, Infrastructure and Transportation, to which was referred Senate Bill No. 249, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MICHAEL A. SCHNEIDER, *Chair*

Mr. President:

Your Committee on Health and Education, to which was referred Senate Bill No. 307, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

VALERIE WIENER, *Chair*

Mr. President:

Your Committee on Judiciary, to which was referred Senate Bill No. 277, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

TERRY CARE, *Chair*

Mr. President:

Your Committee on Legislative Operations and Elections, to which were referred Senate Bill No. 36; Senate Joint Resolution No. 3 of the 74th Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOYCE WOODHOUSE, *Chair*

JOURNAL OF THE SENATE

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 passed Assembly Bill No. 182.

DIANE M. KEETCH

Assistant Chief Clerk of the Assembly

WAIVERS AND EXEMPTIONS

NOTICE OF EXEMPTION

March 24, 2009

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Senate Bills Nos. 181, 274.

GARY GHIGGERI

Fiscal Analysis Division

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Raggio, Amodei, Breedon, Care, Carlton, Cegavske, Coffin, Copening, Hardy, Horsford, Lee, Mathews, McGinness, Nolan, Parks, Rhoads, Schneider, Townsend, Washington, Wiener, Woodhouse; Assemblymen Gansert, Aizley, Anderson, Arberry, Atkinson, Bobzien, Buckley, Carpenter, Christensen, Claborn, Cobb, Conklin, Denis, Dondero Loop, Goedhart, Goicoechea, Grady, Gustavson, Hambrick, Hardy, Hogan, Horne, Kihuen, Kirkpatrick, Koivisto, Leslie, Manendo, Mastroluca, McArthur, McClain, Mortenson, Munford, Oceguela, Ohrenschall, Parnell, Pierce, Segerblom, Settlemeyer, Smith, Spiegel, Stewart and Woodbury:

Senate Concurrent Resolution No. 20—Designating March 25, 2009, as Diabetes Awareness Day in Nevada.

WHEREAS, Diabetes is a serious and debilitating disease that poses a major health problem to the residents of the State of Nevada; and

WHEREAS, Diabetes is the sixth leading cause of death in the United States, with almost 18 million people having been diagnosed with the disease; and

WHEREAS, An alarming number of people, almost six million, in the United States remain undiagnosed because of lack of education and information regarding diabetes; and

WHEREAS, In addition to a high mortality rate, diabetes has life-threatening complications such as blindness, kidney disease and nerve disease, which may lead to lower limb amputations, heart disease and stroke; and

WHEREAS, Many people are unaware that there is an increased risk because of factors such as age, obesity and a sedentary lifestyle and that risk may be averted through known preventive measures; and

WHEREAS, Diabetes is one of the most expensive health problems in the United States, costing \$174 billion annually in expenses directly and indirectly related to the disease; and

WHEREAS, It is estimated that the population of this State will expand by more than 1.3 million over the next 20 years, causing a great economic burden on the State and its residents, in addition to the human suffering, if this disease goes unchecked; and

WHEREAS, The cooperative efforts in the production and dissemination of the Nevada Diabetes Resource Directory and the Recommendations For Management Of Children With Diabetes In School of the Nevada Diabetes Association for Children and Adults will have a great impact in reducing the incidence of diabetes by promoting community awareness; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That March 25, 2009, is hereby designated as Diabetes Awareness Day in Nevada; and be it further

RESOLVED, That the Nevada Legislature hereby commends the Nevada Diabetes Council and the Nevada Diabetes Association for Children and Adults for their efforts to reduce the effects of diabetes on the residents of this State by supplying them with resources and information; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to Chris Moore, Chairperson of the Nevada Diabetes Council, and to Mylan Hawkins, Executive Director of the Nevada Diabetes Association for Children and Adults.

Senator Raggio moved the adoption of the resolution.

Remarks by Senator Raggio.

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

Thank you, Mr. President. This is an important resolution. We adopt many during a session, but this one ranks high considering the seriousness of this debilitating disease and its affect upon not only this country, but on our State and our immediate families. We all know someone who has this disease.

Diabetes is the sixth leading cause of death in this country. Eighteen million people have been diagnosed with this disease. That is a large segment of our total population. There is a great impact not only on the 18 million people who are afflicted but upon the families and caregivers of those who are affected. There is an increased risk with age, obesity and a sedentary lifestyle. It is one of the most expensive health problems we deal with in this country. It affects our families, our communities and our entire health system.

It is appropriate today to take a moment to be aware of the seriousness of this disease and to recognize those who deal with the disease each day. As we search for a cure or a treatment, we are reminded of the help needed for those who suffer from this disease. Today is Diabetes Awareness Day in Nevada.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

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

Motion carried.

Senate in recess at 12:23 p.m.

SENATE IN SESSION

At 12:27 p.m.

President Krolicki presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 182.

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

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 163.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 48.

Bill read third time.

Roll call on Senate Bill No. 48:

YEAS—21.

NAYS—None.

Senate Bill No. 48 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 172.

Bill read third time.

Roll call on Senate Bill No. 172:

YEAS—21.

NAYS—None.

Senate Bill No. 172 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 175.

Bill read third time.

Conflict of interest declared by Senator Raggio.

Roll call on Senate Bill No. 175:

YEAS—20.

NAYS—None.

NOT VOTING—Raggio.

Senate Bill No. 175 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 184.

Bill read third time.

Senator Parks disclosed he is a real estate licensee.

Senator Carlton moved that Senate Bill No. 184 be taken from the General File and placed on the General File for the next legislative day.

Remarks by Senator Carlton.

Motion carried.

Senate Bill No. 199.

Bill read third time.

Roll call on Senate Bill No. 199:

YEAS—21.

NAYS—None.

Senate Bill No. 199 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 223.

Bill read third time.

Roll call on Senate Bill No. 223:

YEAS—21.

NAYS—None.

Senate Bill No. 223 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 235.

Bill read third time.

Roll call on Senate Bill No. 235:

YEAS—21.

NAYS—None.

Senate Bill No. 235 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 247.

Bill read third time.

Remarks by Senator Townsend.

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

Thank you, Mr. President. This bill, the Majority Leader was kind enough to help sponsor with me, is not precedent setting. Due to his distinguished service, we provided this opportunity to former Speaker Joe Dini. This is now being provided to our longest serving Senator.

We wish our Majority Leader the full extent of his career here, but unfortunately, it will be a shorter term of service than that of Senator Raggio due to term limits. With this honor, William Raggio will be designated as State Senator No. 1 whether he is serving in this body or not. He will continue to be, until they change the law, the longest-serving Majority Leader in the Senate.

I would appreciate if you would give this honor to him as we did with former Speaker Dini. Thank you.

Roll call on Senate Bill No. 247:

YEAS—20.

NAYS—None.

NOT VOTING—Raggio.

Senate Bill No. 247 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Joint Resolution No. 9.

Resolution read third time.

Roll call on Senate Joint Resolution No. 9:

YEAS—21.

NAYS—None.

Senate Joint Resolution No. 9 having received a constitutional majority, Mr. President declared it passed.

Resolution ordered transmitted to the Assembly.

Senate Joint Resolution No. 2 of the 74th Session.

Resolution read third time.

Roll call on Senate Joint Resolution No. 2 of the 74th Session:

YEAS—14.

NAYS—Amodei, Breeden, Cegavske, Lee, McGinness, Schneider, Woodhouse—7.

Senate Joint Resolution No. 2 of the 74th Session having received a constitutional majority, Mr. President declared it passed.

Resolution ordered transmitted to the Assembly.

Assembly Bill No. 132.

Bill read third time.

Roll call on Assembly Bill No. 132:

YEAS—21.

NAYS—None.

Assembly Bill No. 132 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Concurrent Resolution No. 18.

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 students from the Partnership of Community Resources: Allie Shek, Cody Tinker, Emily Allison, Jazmin Zuniga, Kylie Mosely, Lizzie Nunez, Michael Magno, Taryn Olivera, Elizabeth Sims, Alex Melandow, Brandi Friesen, Bre Chabot, Christian Reyes, Jennie Jorgensen, Jennie Stokes, Jessica Drinkwine, Kami Miller, Crizelle Reyes, Leah Walters, Marissa McRae, Ricardo Calles, Unique Davis, Jessika Harrison, Austin Harrison, Amber Taylor, Morgan Robinson, Alex Tallman, Amanda Howell, Cierra Pruitt, Cori Craig, Daniel Christensen, Hannah Higginson, Johathan Stamper, Kayla Ackermann, Mason Jackson, Jacob Weimer, Hannah McKinnish, Nicole Dorius, Torrey Dorius, Danielle Belanger, Christian Reyes, Amber Taylor and Morgan Robinson.

On request of Senator Breeden, the privilege of the floor of the Senate Chamber for this day was extended to Patrick Drummond.

On request of Senator Care, the privilege of the floor of the Senate Chamber for this day was extended to Taylor Dahlberg.

On request of Senator Cegavske, the privilege of the floor of the Senate Chamber for this day was extended to Khanh Pham and Tiffany Barrow.

On request of Senator Copening, the privilege of the floor of the Senate Chamber for this day was extended to Kyle Frievalt.

On request of Senator Hardy, the privilege of the floor of the Senate Chamber for this day was extended to Justin Lantz.

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

On request of Senator Lee, the privilege of the floor of the Senate Chamber for this day was extended to Fred Perez.

On request of Senator Mathews, the privilege of the floor of the Senate Chamber for this day was extended to the following students and teachers from the Academy for Career Education: Karen Ruiz, Mitch Allard, David Compton, Mitch Hustad, John Kisiel, Robert Moore, Matt Penhale, Wes Tillman; teachers: Karen Fleischmann and Adam Nicely.

On request of Senator McGinness, the privilege of the floor of the Senate Chamber for this day was extended to William McMaster.

On request of Senator Parks, the privilege of the floor of the Senate Chamber for this day was extended to Jesus Garcia.

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to Nate Rashidally and to members of the Nevada Diabetes Council Executive Committee: Chris Moore, Linda Dunn, Jennifer Stoll-Hadayai, Mylan Hawkins, Beth Handler, Judy Bray, Susan Buehrle, Lori Cofano, Tina Cotter, Michele Cowee, Molly Dillon, Rayleen Earney, Sarah Gleich, Charlene Herst, Mindy Hsu, Laurie Nickles, Khanh Phan, Rota Rosaschi, Kelli Seals, Donna Thorson, Cynthia Resnick, Shelly Baber, Lolly Diaz, Deborah Ballinger, Connie Hetzel, Jennifer Crane, Taylor Schultz and Chris Schultz.

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

On request of Senator Wiener, the privilege of the floor of the Senate Chamber for this day was extended to Russell Grocott.

On request of Senator Woodhouse, the privilege of the floor of the Senate Chamber for this day was extended to Justin Edwards.

Senator Horsford moved that the Senate adjourn until Thursday, March 26, 2009, at 11 a.m.

Motion carried.

Senate adjourned at 12:42 p.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate