

THE EIGHTY-EIGHTH DAY

CARSON CITY (Thursday), April 30, 2009

Senate called to order at 11:58: a.m.

President Krolicki presiding.

Roll called.

All present except Senator Townsend, who was excused.

Prayer by the Chaplain, Pastor Albert Tilstra.

O God, our Father, in these days when men freely judge and condemn each other, remind us all of the great judgment where we must all someday appear.

You know whether we have been voices or merely echoes, whether we have done Your will or our own, or worse still, have done neither.

Teach us, O Lord, that only Your "well done" will afford peace and everlasting happiness. May we strive for that rather than the approval of men which is but for a while.

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 Assembly Bill No. 177, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MICHAEL A. SCHNEIDER, *Chair*

Mr. President:

Also, your Committee on Finance, to which were referred Senate Bills Nos. 412, 414, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Finance, to which were rereferred Senate Bills Nos. 7, 24, 70, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass as amended.

Your Committee on Finance, to which was rereferred Senate Bill No. 378, has had the same under consideration, and begs leave to report the same back with the recommendation: Without recommendation as amended.

BERNICE MATHEWS, *Cochair*

Mr. President:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 48, 49, 122, 174, 353, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN J. LEE, *Chair*

Mr. President:

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 47, 168, 209, 230, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

TERRY CARE, *Chair*

JOURNAL OF THE SENATE

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 29, 2009

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed, as amended, Assembly Bills Nos. 123, 229, 463.

Also, I have the honor to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 109, Amendment No. 576, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 4.

DIANE M. KEETCH

Assistant Chief Clerk of the Assembly

MOTIONS, RESOLUTIONS AND NOTICES

Senator Care moved that Assembly Bills Nos. 120, 274 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 123.

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

Motion carried.

Assembly Bill No. 229.

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

Motion carried.

Assembly Bill No. 463.

Senator Care moved that the bill be referred to the Committee on Legislative Operations and Elections.

Motion carried.

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

Motion carried.

Senate in recess at 12:04 p.m.

SENATE IN SESSION

At 12:07 p.m.

President Krolicki presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Senator Care moved that the motion whereby Assembly Bill No. 229 was referred to the Committee on Government Affairs be rescinded.

Motion carried.

Senator Care moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 59.

Bill read second time and ordered to third reading.

Assembly Bill No. 237.

Bill read second time and ordered to third reading.

Assembly Bill No. 462.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Senate Bill No. 17.

Bill read third time.

Roll call on Senate Bill No. 17:

YEAS—20.

NAYS—None.

EXCUSED—Townsend.

Senate Bill No. 17 having received a constitutional majority, Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 403.

Bill read third time.

Roll call on Senate Bill No. 403:

YEAS—20.

NAYS—None.

EXCUSED—Townsend.

Senate Bill No. 403 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 61.

Bill read third time.

Roll call on Assembly Bill No. 61:

YEAS—20.

NAYS—None.

EXCUSED—Townsend.

Assembly Bill No. 61 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 74.

Bill read third time.

Roll call on Assembly Bill No. 74:

YEAS—20.

NAYS—None.

EXCUSED—Townsend.

Assembly Bill No. 74 having received a constitutional majority,
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 105.

Bill read third time.

Roll call on Assembly Bill No. 105:

YEAS—20.

NAYS—None.

EXCUSED—Townsend.

Assembly Bill No. 105 having received a constitutional majority,
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 164.

Bill read third time.

Roll call on Assembly Bill No. 164:

YEAS—20.

NAYS—None.

EXCUSED—Townsend.

Assembly Bill No. 164 having received a constitutional majority,
Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 180.

Bill read third time.

Remarks by Senator Amodei.

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

Thank you, Mr. President. This bill creates a State Locomotive Roster. This is not the only one. There are other locomotives in other areas of the State that are worthy of this. The compromise worked out in the Assembly was that it creates a State Locomotive Roster, and this is just the first one on it. Other areas may be represented.

Roll call on Assembly Bill No. 180:

YEAS—20.

NAYS—None.

EXCUSED—Townsend.

Assembly Bill No. 180 having received a constitutional majority,
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 226.

Bill read third time.

Roll call on Assembly Bill No. 226:

YEAS—20.

NAYS—None.

EXCUSED—Townsend.

Assembly Bill No. 226 having received a constitutional majority,
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 247.

Bill read third time.

Roll call on Assembly Bill No. 247:

YEAS—19.

NAYS—Care.

EXCUSED—Townsend.

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

Bill ordered transmitted to the Assembly.

Assembly Bill No. 280.

Bill read third time.

Roll call on Assembly Bill No. 280:

YEAS—20.

NAYS—None.

EXCUSED—Townsend.

Assembly Bill No. 280 having received a constitutional majority,
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 322.

Bill read third time.

Roll call on Assembly Bill No. 322:

YEAS—20.

NAYS—None.

EXCUSED—Townsend.

Assembly Bill No. 322 having received a constitutional majority,
Mr. President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 332.

Bill read third time.

Roll call on Assembly Bill No. 332:

YEAS—20.

NAYS—None.

EXCUSED—Townsend.

Assembly Bill No. 332 having received a constitutional majority,
Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 338.

Bill read third time.

Roll call on Assembly Bill No. 338:

YEAS—20.

NAYS—None.

EXCUSED—Townsend.

Assembly Bill No. 338 having received a constitutional majority, Mr. President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 477.

Bill read third time.

Roll call on Assembly Bill No. 477:

YEAS—18.

NAYS—Carlton, Coffin—2.

EXCUSED—Townsend.

Assembly Bill No. 477 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 Bill No. 235; Assembly Concurrent Resolutions Nos. 28, 29.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Breeden, the privilege of the floor of the Senate Chamber for this day was extended to the following students from the Elise Wolfe Elementary School: Abigale Noad, Kirsten Hunsberger, Alexis Lohmier, Ariana Sardano, Serena Sardano, Hayden Cochran, Samantha Lonas, Tia Rotolo, Lucas Shaw, Sarah Shaw, Tayler Luna, Javid Habashi, Megan Mozingo, Dena Cochran, Giselle Sardano, Laura Shaw, Angela Hunsberger, Zachary Afualo, Angelina Alba, Christian Ambrogio, Megan Capps, Aron Choi, Coby Goldberg, William Gonzalez, Abigail Hamilton, Hannah Hofmann, Cassandra Horn, Kiana Issel, Min Ha Kim, Isaiah Padilla, Brandon Rivera, Taylor Ward, Robin Hofmann, Marie Rifakes, Danielle Graves, Henry Guida, Gage Leary, Manami Mori, Justin Nipales, Fiji Fil, Sadie Sanchez, Charles Guida, Tom Leary, Caleb Ghrist, Roxane Liene, Tammy Luna and Nina Lawson.

On request of Senator Care, the privilege of the floor of the Senate Chamber for this day was extended to the following students from the St. Viator Middle School: Kathryn Forsythe, Jocelyn Gainey, Kaylee Garcia, Andrew Gaudet, Michael Gauron, Stephanie Ghanem, Megan Gray, Ryan Gregory, Rosina Hall, Christian Hanson, Ellen Israel, Andrea Jacinto, Jacklyn James, Tiffany Javier, Andrew Johns, McKenzie Kannon, Kaitlin Kozich, Tyler Malcolm, Amara Marasco, Christopher Martinez, Marissa Medina, Jack Miller, Alexis Miranda, John Morse, Ryan Nguyen, Andrew Tran, Mary Margaret Bishop, Frances Oneill, Danielle Sheridan, Frances

Smith, Kurt Steinke, Jennifer Stephens, Aalliah Stewart, Miyanna Trujillo, Nicholas Trujillo, Pierce Wasserkrug, Dallis Wolsieffer, Caitlyn Young, Ernesto Ron, Lisa Carbon, Gayle Miller, Angela Colarusso, Richard Coyle, Charles Creigh, Arthur Dejoya, Karen Forsythe, Steve Hanson, Troy Johns, Geri Martinez, Veronica Miranda, Doug Morse, Martha Sheridan, Geri Smith, Teresa Young, Sophia Abdou, Nnadozie Amadi, Erica Archuleta, Matthew Bautista, Carlos Bean, George Bean, Jessica Bell, Gianpaolo Bernal, Aaron Biller, Megan Burns, Donovan Campbell, Olivia Carboni, Edgar Asiain, Brittany Cecil, Zechariah Cepeda Connor, Phillip Cirone, Dominique Conti, Natalya Coury, Steven Coyle, Chance Creigh, Emily Daly, Jared Dejoya, Anthony Em, Karen Jones, Lori Hevrin, Harald Vogel and Gertie Burns.

On request of Senator Mathews, the privilege of the floor of the Senate Chamber for this day was extended to the following staff and members of the Big Brothers Big Sisters organization: Pat Fling, Diana Romero, Gail Lee, Kristy King, Kim Meacham, Ryan Weekley, Monika Wieggers, Carol Scott, Sherita Diaz, Brian Morris, Jim Newman, Eelke Wieggers, Mike Crow, Elizabeth Spurgeon, Nancy Henker, Mary Vestal, TJ Trull, Bobby Valenzuela, Felicia Bennet, Marquise Green, Alissa Lavelle, Clay Lopez, Michael Marchese, Ane Taunaholo, Sam Taunaholo, Tevita Taunaholo, Catherena Thompson, Cody Galloway, Katrina McDonald, Alex Peters, Andrew McComb, Taylor Delgado, Rosie Valdez, Alijah Skaggs, Alexis Stellingwerf, Janay Parr-Rudd, Ty-Won Green, Antoine Green, Fray-Jon Eastland, Mercedes Eastland, Tamathias Eastland, Amarani Ayala, Edel Ayala, Oriana Rios, Humberto Rodriguez, Dahlia Guerrero-Mena, Christian Guerrero-Mena and Briana Mena.

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

On request of Senator Washington, the privilege of the floor of the Senate Chamber for this day was extended to Brian Morris, Bobby Valenzuela and the following students and teachers from the Sun Valley Elementary School: Ariel Ayala, Teresa Becklehimer, David Bomer, Luis Carranza, Paola Cervantes, Shyenne Circo, Elsie Corona, Moises De Jesus, Yesenia Duarte, Lesly Garcia, Hannah Gleba, Christian Gomez, Anthony Guillen, Sallee Haley, Mathew Hruz, Nely Macias, Oliver Mendoza, Jose Miranda, Gerardo Munoz, Taelor Norman, Devin Pennington, Sydnie Peterson, Brandon Ramirez, Fatima Ramirez, Jesus Ramos, Esmeralda Romero, Alex Sanchez, Kayla Sechrengost, Vyviann Turner, Jordan Zorn, Luis Aguilar, Alicia Albarran, Daniel Anaya, Ashley Anderson, Sierra Bolinger, Edgar Caro, Miriam Carranza, Cole Carson, Vanessa Castro, Claudia Chavarin, Brianna Dotson, Greg Frausto, Cristopher Garcia, Kevin Guerra Gomez, Rodolfo Hernandez, Jessica Izquierdo Lopez, Cierria Kistner, Mariah Lomker, Jade Murry, Yanez Navarro, Courtney O'Neal, Dazon Platt, Yajaira Requejo,

Chris Rollison, Nayeli Sanchez, Jason Schulthess, Natalie Torres, Giovanni Videz, Izaiah Ponsock, Jesus Dela Luz, Tyler Bender, Brian Crandall, Lorene De Cambra, Lupita Delgado Alvarez, Jordan Escobar, Alex Flint, Elizabeth Gomez, Derek Kuchler, Missy Lawson, Derek Lopez, Marlenne Lopez-Reyes, Jose Martinez, Ruben Martinez, Juan Najera, Moriah Nicholson, Jamie Penate Lopez, Gabriela Perez, Jason Phillips, Daniel Ramirez Gutierrez, Jasmine Roman Negrete, Henry Ruiz-Arteaga, Shelby Santistevan, Jose Serafin, Nicole Taylor, Gloria Townsend, Lizbeth Vega Lopez, Laura Vidrio, Trent Weider, Sylvia Smith; teachers: Dana Galvin, Ann Marie Hoff, Susan Stahlke, Donn Todd, Steve Henry and Susan Barnes.

Senator Horsford moved that the Senate adjourn until Friday, May 1, 2009, at 11 a.m.

Motion carried.

Senate adjourned at 12:27 p.m.

Approved:

BRIAN K. KROLICKI
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate