

NEVADA LEGISLATURE

Seventy-Fifth Session, 2009

ASSEMBLY DAILY JOURNAL

THE TWENTY-NINTH DAY

CARSON CITY (Monday), March 2, 2009

Assembly called to order at 11:10 a.m.

Madam Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Bruce Kochsmeier.

Our Father, we come to You at the beginning of a new week, grateful for Your presence in our lives. We give You thanks for the privilege of leading and caring for Your people. We acknowledge the complexity of this task. The needs are so diverse. The resources are limited. But there is no limit on the wisdom you offer us. Equip these leaders to seek Your counsel in all that they do. Show them ways to best serve as they face challenging issues today. Grant them Your perspective. Enable them to do what You know is best for this state. Thank You for being present in every moment of this session. Remind us that we can seek You at every turn for You are faithful. Grateful for this we humbly pray because You call us to seek You early.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Conklin moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Koivisto, Aizley, Anderson, Arberry, Atkinson, Bobzien, Buckley, Carpenter, Christensen, Claborn, Cobb, Conklin, Denis, Dondero Loop, Gansert, Goedhart, Goicoechea, Grady, Gustavson, Hambrick, Hardy, Hogan, Horne, Kihuen, Kirkpatrick, Leslie, Manendo, Mastroluca, McArthur, McClain, Mortenson, Munford, Ocegueda, Ohrenschall, Parnell, Pierce, Segerblom, Settlemeyer, Smith, Spiegel, Stewart, and Woodbury; Senators Amodei, Breeden, Care, Carlton,

Cegavske, Coffin, Copening, Hardy, Horsford, Lee, Mathews, McGinness, Nolan, Parks, Raggio, Rhoads, Schneider, Townsend, Washington, Wiener and Woodhouse:

Assembly Concurrent Resolution No. 11—Recognizing March 2, 2009, as “Read Across America” Day in Nevada in commemoration of Dr. Seuss's birthday.

WHEREAS, Theodor Seuss Geisel was born on March 2, 1904, in Springfield, Massachusetts; and

WHEREAS, Theodor Seuss Geisel graduated from Dartmouth College in 1925 and began writing humorous articles and creating cartoons for various magazines; and

WHEREAS, His first children's book, *And to Think That I Saw It on Mulberry Street*, was rejected by 43 publishers until, in 1937, a friend published the book for him; and

WHEREAS, In May 1954, *Life* magazine published a report concerning illiteracy among school children, stating that, among other things, children were having trouble learning to read because the books were boring; and

WHEREAS, This comment inspired Theodor Seuss Geisel's publisher, Bennett Cerf, to compile a list of 400 words that he felt were important, asking Mr. Geisel to cut the list to 250 words, the number of words a first-grader could absorb, and using only those words, to write a book that would excite children; and

WHEREAS, Nine months later, Mr. Geisel, using only 220 of the words given to him, published *The Cat in the Hat*, which became an instant success; and

WHEREAS, In 1960, Bennett Cerf bet Mr. Geisel \$50 that he could not write an entire book using only 50 words, and from that challenge came the famous children's book *Green Eggs and Ham*, which was also an instant success; and

WHEREAS, From that point on, Theodor Seuss Geisel became known as “Dr. Seuss,” and children became enthused about reading every Dr. Seuss book available; and

WHEREAS, Dr. Seuss died on September 24, 1991, but his legacy of children's books will live forever as an inspiration to children everywhere to learn to read and to share in the laughter, enjoyment and knowledge that a book can provide; and

WHEREAS, In honor of Dr. Seuss and the joy of reading, the National Education Association has designated March 2, 2009, as a special day in their program “Read Across America,” the nationwide initiative that promotes reading every day; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That March 2, 2009, is hereby recognized as “Read Across America” Day in Nevada in commemoration of Dr. Seuss's birthday; and be it further

RESOLVED, That children and adults are encouraged to read a favorite book together on this date and share the joy of reading; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to Lynn Warne, President of the Nevada State Education Association, and Terry Hickman, Executive Director of the Nevada State Education Association.

Assemblyman Anderson moved the adoption of the resolution.

Remarks by Assemblyman Anderson.

Assemblyman Oceguela requested that the following remarks be entered in the Journal.

ASSEMBLYMAN ANDERSON:

Green Eggs and Ham is the traditional book that we think of with Dr. Seuss. I have, however, among my Dr. Seuss collection *Marvin Mooney Will You Please Go Now*. For the ten of us who are term-limited, this is a particularly poignant request from the people of the State. Therefore, I

felt this particular book most reflected the fact that ten of us, anyway, hear the call very, very clearly.

The time has come. The time has come.
The time is now. Just go. Go. GO.
I don't care how.
You can go by foot.
You can go by cow.
Marvin K. Mooney, will you please go now!
You can go on skates.
You can go on skis.
You can go in a hat.
But please go. Please! I don't care.
You can go by bike.
You can go on a Zike-Bike if you like.
If you like you can go in an old, blue shoe.
Just go, go, Go! Please do, do, Do!
Marvin K. Mooney, I don't care how.
Marvin K. Mooney, will you please GO NOW!
You can go on stilts.
You can go by fish.
You can go in a Crunk-Car if you wish.
If you wish you may go by lion's tail.
Or stamp yourself and go by mail.
Marvin K. Mooney! Don't you know the time has come to go, go, GO!
Get on your way! Please, Marvin K.
You might like going in a Zumble-Zay.
You go by balloon—or broomstick.
OR you can go by camel in a bureau drawer.
You can go by Bumble-Boat . . . or jet. I don't care how you go. Just GET!
Get yourself a Ga-Zoom. You can go with a—BOOM.
Marvin, Marvin, Marvin! Will you leave this room!
Marvin K. Mooney! I don't care HOW.
Marvin K. Mooney! Will you please GO NOW!
I said GO and GO I meant . . .
The time had come. SO—Marvin went.

Resolution adopted.

Assemblyman Anderson moved that all rules be suspended and that Assembly Concurrent Resolution No. 11 be immediately transmitted to the Senate.

Motion carried.

NOTICE OF EXEMPTION

March 2, 2009

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Assembly Bills Nos. 2, 4, 7, 8, 9, 18, 19, 33, 40, 45, 55, 64, 69, 81, 92, 95, 99, 106, 107, 111, 112, 115, 117, 121, 123, 127, 134, 138, 139, 140, 141, 146, 148, 150, 152, 158, 160, 162, 165 and 178.

MARK STEVENS
Fiscal Analysis Division

Assemblyman Oceguera moved that the Assembly recess subject to the call of the Chair.

Motion carried.

Assembly in recess at 11:23 a.m.

ASSEMBLY IN SESSION

At 11:25 a.m.

Madam Speaker presiding.

Quorum present.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Hardy and Senator Horsford:

Assembly Bill No. 219—AN ACT relating to health; requiring the Department of Health and Human Services to encourage each provider of health care or other services to perform a blood test to determine the amount of lead in each child receiving services from the provider of health care or other services under certain circumstances; requiring a second blood test to be performed based on certain results; requiring a qualified laboratory that conducts a blood test for the presence of lead in a child to report the results of the test to the appropriate health authority under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Hardy moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblymen Smith, Anderson, Bobzien, Atkinson, Conklin, Kihuen, Leslie, Mastroluca, and Oceguera:

Assembly Bill No. 220—AN ACT relating to the subdivision of land; revising the requirements for the purchase of property for school construction; and providing other matters properly relating thereto.

Assemblywoman Smith moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Gansert, Hardy, Carpenter, Christensen, Cobb, Goedhart, Goicoechea, Grady, Hambrick, Kirkpatrick, McArthur, Settlemeyer, Stewart, and Woodbury:

Assembly Bill No. 221—AN ACT relating to state financial administration; making various changes relating to the provisions governing the Fund to Stabilize the Operation of the State Government; and providing other matters properly relating thereto.

Assemblywoman Gansert moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 222—AN ACT relating to financial administration; creating the Nevada Autism Task Force; making an appropriation to the Department of Health and Human Services for certain programs for the study and treatment of autism; and providing other matters properly relating thereto.

Assemblyman Arberry moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Smith, McClain, Conklin, Buckley, Ocegüera, Anderson, Bobzien, Claborn, Dondero Loop, Goicoechea, Hambrick, Hardy, Horne, Kirkpatrick, Manendo, and Parnell:

Assembly Bill No. 223—AN ACT relating to state governmental procurement; establishing bidders' preferences with respect to state purchasing contracts for service-disabled veterans and bona fide Nevada residents; establishing bidders' preferences with respect to state public works contracts for service-disabled veterans; and providing other matters properly relating thereto.

Assemblywoman Smith moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 224—AN ACT relating to insurance; revising provisions relating to unfair practices in settling insurance claims; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 2, 2009

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 12.

SHERRY L. Rodriguez
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 12.

Assemblyman Denis moved the adoption of the resolution.

Remarks by Assemblyman Denis.

Resolution adopted.

Assemblyman Segerblom moved that Assembly Joint Resolution No. 3 of the 74th Session be taken from the Second Reading File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Conklin moved that Assembly Bills Nos. 27 and 132 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Concurrent Resolution No. 10.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

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

On request of Assemblyman Bobzien, the privilege of the floor of the Assembly Chamber for this day was extended to Travis Shelley and Jennifer Lynn Isaak.

On request of Assemblywoman Buckley, the privilege of the floor of the Assembly Chamber for this day was extended to Steve Schafer, Andrew Munk, Noel Reich, Joey Robertson, Jacob Roll, Tyler Roll, Andi Bolstad, Chris Turk, Jackson Elley, Georgie Zielinski, Celestina Cubio-Torres, Hope Kincaid, Ashley Stevenson, Andrew Ashbey, Jacob Blackburn, Elaina Dunn, Kalei Elliott, Phillip Farris, Kole Kingslien, Britney Klapper, Jennifer Klapper, David McGaw, Monica Molina, Colten Vessels, Elizabeth Vessels, Kenzie Wilson, Tera Robinson, Mary Murdock, Amy Wines, Pete Mangum, Shelby Mangum, Jamie Schmidt, Lori Drew, and Rachel Willimott.

On request of Assemblyman Claborn, the privilege of the floor of the Assembly Chamber for this day was extended to Tom Clapp.

On request of Assemblyman Cobb, the privilege of the floor of the Assembly Chamber for this day was extended to Dylan Wells Brown.

On request of Assemblyman Denis, the privilege of the floor of the Assembly Chamber for this day was extended to Keith Rheault, Christopher Roller, Monica A.F. Lounsbery, Victoria A. Lounsbery, and Nicole J. Smith.

On request of Assemblywoman Gansert, the privilege of the floor of the Assembly Chamber for this day was extended to Randy Tapia.

On request of Assemblyman Goedhart, the privilege of the floor of the Assembly Chamber for this day was extended to Chris McGaw and Thomas Boni.

On request of Assemblyman Goicoechea, the privilege of the floor of the Assembly Chamber for this day was extended to Kathryn Murdock and Savannah Drew.

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to Amanda VanPelt and Conner Siggins.

On request of Assemblyman Gustavson, the privilege of the floor of the Assembly Chamber for this day was extended to Desiree Moore and Kayla Neilson.

On request of Assemblywoman Parnell, the privilege of the floor of the Assembly Chamber for this day was extended to Rachel Jeuxdevine and Olivia Pishnak.

On request of Assemblyman Settlemeyer, the privilege of the floor of the Assembly Chamber for this day was extended to Megan Likens and Phoebe Mark.

Assemblyman Ocegüera moved that the Assembly adjourn until Tuesday, March 3, 2009, at 11 a.m., where it would reconvene in the old Assembly Chamber in the historic Capitol Building and that it do so in the memory of Thelma Clark.

Motion carried.

Assembly adjourned at 11:43 a.m.

Approved:

BARBARA E. BUCKLEY
Speaker of the Assembly

Attest: SUSAN FURLONG REIL
Chief Clerk of the Assembly

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