

THE THIRTY-EIGHTH DAY

CARSON CITY (Wednesday), March 16, 2005

Senate called to order at 11:04 a.m.

President Hunt presiding.

Roll called.

All present.

Prayer by the Chaplain, Reverend Elaine Morgan.

Loving Father, grant us the grace to hear Your voice, understand Your message and put Your wisdom into all decisions and actions. We ask that You continue to provide Your strength, discernment and love as we confront situations and make difficult decisions. In the Name of the One who provides His unconditional love,

AMEN.

Pledge of allegiance to the Flag.

Senator Raggio 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

Madam President:

Your Committee on Judiciary, to which were referred Senate Bill No. 164; Assembly Bill No. 55, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MARK E. AMODEI, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, March 15, 2005

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Assembly Bill No. 168.

DIANE KEETCH

Assistant Chief Clerk of the Assembly

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Transportation and Homeland Security:

Senate Bill No. 189—AN ACT relating to vehicles; making various changes relating to franchises for sales of vehicles; and providing other matters properly relating thereto.

Senator Nolan moved that the bill be referred to the Committee on Transportation and Homeland Security.

Motion carried.

Assembly Bill No. 168.

Senator Nolan moved that the bill be referred to the Committee on Human Resources and Education.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 34.

Bill read second time.

The following amendment was proposed by the Committee on Commerce and Labor:

Amendment No. 34.

Amend section 1, page 2, line 21, by deleting "\$30,000;" and inserting "~~[\$30,000;]~~ \$35,000;".

Amend section 1, page 2, line 24, by deleting "\$30,000." and inserting "~~[\$30,000.]~~ \$35,000.".

Amend the title of the bill to read as follows:

"AN ACT relating to residential contractors; revising provisions governing the Recovery Fund administered by the State Contractors' Board; increasing the maximum amounts that the Board may pay from the Recovery Fund for individual claims and for multiple claims made against a single contractor; providing for retroactive application with regard to certain claims; and providing other matters properly relating thereto.".

Senator Carlton moved the adoption of the amendment.

Remarks by Senator Carlton.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Senator McGinness moved that Senate Bill No. 75 be taken from the General File and placed on the Secretary's desk.

Remarks by Senator McGinness.

Motion carried.

Senator Nolan moved that Senate Bill No. 141 be taken from the Secretary's desk and placed on the General File for the next legislative day.

Remarks by Senator Nolan.

Motion carried.

Senator Amodei moved that Senate Bill No. 137 be taken from the General File and placed on the Secretary's desk.

Remarks by Senator Amodei.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 18.

Bill read third time.

Remarks by Senators Hardy and Carlton.

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

Senate Bill No. 18 expands A.B. No. 198 of the Sixty-sixth Legislative Session grant program. The grant program was created by the 1991 Legislature and has been very effective in helping small water districts meet the Federal Safe Drinking Water Act. Unfortunately, one of the limitations to that is that it did not allow individual well owners to participate in receiving those grants should they find that their wells will not meet the minimum federal requirements.

This bill expands the availability of that grant to those people. The grant money can be used to assist them.

Several of my colleagues in this body had a concern about whether there was anything in this legislation that would compel individual well owners to hook up to municipal water systems. We have checked with every attorney we can find, and all have assured us there is nothing in this legislation that would compel them in this manner. It may give incentive to some individual well owners to apply for grant money to pay for it if they cannot afford it. To do so, it would be at the initiative of the individual well owner exclusively. There is nothing in this legislation that would compel an individual well owner to hook up to a municipal-water facility.

Roll call on Senate Bill No. 18:

YEAS—21.

NAYS—None.

Senate Bill No. 18 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Senate Bill No. 99.

Bill read third time.

Remarks by Senators Care, Raggio and Beers.

Roll call on Senate Bill No. 99:

YEAS—21.

NAYS—None.

Senate Bill No. 99 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Senate Bill No. 138.

Bill read third time.

Roll call on Senate Bill No. 138:

YEAS—21.

NAYS—None.

Senate Bill No. 138 having received a constitutional majority, Madam 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—21.

NAYS—None.

Assembly Bill No. 61 having received a constitutional majority, Madam 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. 49.

REMARKS FROM THE FLOOR

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

This week, my office sent out proclamations honoring two students in my district who were recognized as being outstanding members of their communities.

Christopher Ruiz-Gardner is the Statewide Honoree for the Prudential Spirit of Community Award. He was nominated by Durango High School in Las Vegas for his instrumental involvement in organizing a community-wide winter clothing drive in which he collected more than 1,000 boxes of clothing and almost \$2,500 to assist the homeless in Las Vegas. As the State Honoree winner, Christopher will be awarded \$1,000, a silver medallion and will participate in a trip to Washington, D.C., where he will be considered to be among the top 10 National Honorees.

The distinguished finalist, Shervin Wang, from Clark High School in Las Vegas, was nominated for her efforts to bring the gift of music to disadvantaged children in her community.

Often we hear about students not doing good things for their communities, but here are two students from my district who have received statewide honors. Please recognize them as students of achievement for Nevada.

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

Today is designated as "Shadow Day" where young students are at the Legislature to shadow a Legislator. I have a young man with me with whom I am very impressed.

Nathaniel Waugh is a senior at the Advanced Technologies Academy in Las Vegas. He was born in Rome, NY, and is the son of a retired member of the United States Air Force, an upbringing that helped shape who he is today. He has served in a number of student leadership positions throughout his high school years, serving three years on the Nevada State level of Future Business Leaders of America (FBLA). His positions included national Western Regional Parliamentarian, Special Assistant to the Nevada FBLA Executive Director as well as State Leadership Partner. Nathaniel has also worked actively with his local government, employed as an assistant to the Las Vegas City Manager in the Department of Leisure Services as well as the Clark County Board of Commissioners, where he is currently employed. Though young in age, he holds a philosophy well beyond his years. He strives to create a better world for posterity and is aspiring to a post in governmental leadership. He would like to go on to seek higher education in Europe. He would like to become a lawyer and then to seek elected office.

Please welcome Nathaniel Waugh.

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

March is National Women's History Month. This year marks the 25th anniversary of this recognition that was started by former President Carter. This year's theme, "Women Change America," celebrates and honors the role of American Women in transforming our culture, history and politics. Women's history is the story of inspiration and hope, a story of courage and tenacity and a story of possibility and purpose. Everyone can learn from and be inspired by it.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

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

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to former Assemblyman Dave Humke, Nathaniel Waugh and the following students and teachers from the Elmcrest Elementary School: Kyle Bell, Braden Benecke, Gerardo Bogarin, Brian Bruce, Andrew Carter, Charlie Cowen, Jennifer Diaz, Paneka Douglas, Andrew English, Cynthia Hernandez Ayala, Emily Kinsey-Shaw, Leann Leverett, Sierra Little, Alfonso Martinez, Austin McNinch, Tyler Neilson, Oscar Perez Garcia, Ashley Rea, Yarleni Rodriguez, Perry Senteney, Crystal Simon, Coleman Smith, Michael Sohn, Vaise Sparks, Amauri Watkins,

Kylee West, Bruce Aguirre-Monroy, Xochitl Arauz-Rosiles, Mary Joy Beltejar, Suzanna Bledsoe, Lee Bluehorse, Travis Brooks, Andres Chavez-Rodriguez, Keri Corley, Neftali Dominguez, Hannah Franey, William Greene, Darnell Imus Rodriguez, Cami Johnson, Joshua Madu, Lucero Martinez, Bryce Mathews Amos, Lilian Mendez-Chinchilla, Kyle Podratz, Stephany Portillo, Kimberly Saenz, Maria Isabel Subillaga, Sanisi Talanoa, Dustin Yuhua, Stacy Zeigler, Daniel Ahumada, Joann Brooks, Brittnee Carr-Piccioni, Kimberly Chavez, Austin Davidson, Sophie Earnest, Ally Edmonds, Everett Fletcher, Royce Flores, Anthony Garcia, Zachary Guettler, Codi Lair, Kenneth Lester, Adriel Luippold, Gregory Luippold, Elizabeth Melendrez, David Nickerson, Hector Ramirez, Jennifer Rodriguez, Zachary Shockley, Elora Smith, Troy Smith, Kyle Spingola, Austtyn Thomas, Reanne Tuamoheloa; teachers: Tracy Woodring, Ms. Basl and Janet Ratto.

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

Senator Raggio moved that the Senate adjourn until Thursday, March 17, 2005, at 11 a.m.

Motion carried.

Senate adjourned at 11:38 a.m.

Approved:

LORRAINE T. HUNT
President of the Senate

Attest: CLAIRE J. CLIFT
Secretary of the Senate