

**THE EIGHTY-FIFTH DAY**

---

CARSON CITY (Monday), May 2, 2005

Senate called to order at 11:06 a.m.

President Hunt presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Marvin Dennis.

Heavenly Father, You have taught us in Your word how to be first when You said, "If any man desire to be first, the same shall be last of all and servant of all."

I ask Your grace and guidance upon these Senators and staff who are the greatest because they are the faithful servants of the people of this great State of Nevada.

In Jesus' Name,

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 Government Affairs, to which were referred Assembly Bills Nos. 167, 187, 372, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

WARREN B. HARDY II, *Chair*

*Madam President:*

Your Committee on Judiciary, to which were referred Assembly Bills Nos. 237, 474, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MARK E. AMODEI, *Chair*

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Tiffany, Amodei, Beers, Care, Carlton, Cegavske, Coffin, Hardy, Heck, Horsford, Lee, Mathews, McGinness, Nolan, Raggio, Rhoads, Schneider, Titus, Townsend, Washington, Wiener; Assemblymen Sibley, Allen, Anderson, Angle, Arberry Jr., Atkinson, Buckley, Carpenter, Christensen, Claborn, Conklin, Denis, Gansert, Gerhardt, Giunchigliani, Goicoechea, Grady, Hardy, Hettrick, Hogan, Holcomb, Horne, Kirkpatrick, Koivisto, Leslie, Mabey, Manendo, Marvel, McClain, McCleary, Mortenson, Munford, Ocegüera, Ohrenschall, Parks, Parnell, Perkins, Pierce, Seale, Sherer, Smith and Weber:

Senate Concurrent Resolution No. 25—Commending Frank Lamping Elementary School on its visionary and ambitious science program.

WHEREAS, Frank Lamping Elementary School, located in Henderson, Nevada, is involving the entire community in its mission to give its students an advantage in science by planting the

seeds of inquiry early and by exposing children to hands-on experiments that allow them to see, touch, taste and smell the wonders of science at an early age; and

WHEREAS, On November 14, 2000, the Frank Lamping Elementary School opened its Christa McAuliffe Observatory, built with a grant procured by science teacher Cathy Grimes from the Christa McAuliffe Fellowship Program, providing the students, teachers and the community the ability to view the planets and stars; and

WHEREAS, In the fall of 2004, the administration, faculty, staff and parents and friends of students at the Frank Lamping Elementary School raised nearly \$90,000 to bring the Space Explorers Program developed by the Total Learning Research Institute to southern Nevada; and

WHEREAS, The Space Explorers Program uses a three-quarters scale working model of the space shuttle cockpit and its corresponding mission control center to teach students teamwork strategies, communication skills, critical thinking, problem solving and decision making as they experience firsthand the tasks of shuttle pilots and mission control technicians; and

WHEREAS, The Frank Lamping Elementary School is now in the process of raising funds to build a 4,300 square foot science center and has formed a partnership with Barry and Audrey McCool of Las Vegas to honor their son, William McCool, space shuttle *Columbia's* pilot, by naming the future center the William McCool Science Center, a fitting memorial to William's plans to teach students the wonders of science when he retired from the National Aeronautics and Space Administration; and

WHEREAS, In the William McCool Science Center, students will become astronauts as they fly a model space shuttle cockpit with the help of a mission control station, astronomers as they study the stars and planets using the telescopes and planetarium, scientists as they experiment with biology, chemistry and physics in the science labs, paleontologists as they dig in the outdoor digging station and botanists as they compare and contrast the plant life in the tri-desert garden; and

WHEREAS, Implanting a love of learning and providing the tools to fuel the excitement that comes with increased knowledge are two of the greatest gifts we can give to the children of our nation as we prepare them to take on productive and satisfying lives in our society; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the members of the 73rd Session of the Nevada Legislature commend the vision and ambition of the administrators, faculty, staff and parents and friends of students at Frank Lamping Elementary School as they continue to create a visionary and ambitious science program; and be it further

RESOLVED, That the residents of Nevada applaud the dedicated educators at Frank Lamping Elementary School who realize that instilling a love of science in children at the elementary school level strengthens the chance that some students will maintain that interest and eventually choose careers in scientific fields; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to Michael O'Dowd, Principal of Frank Lamping Elementary School.

Senator Tiffany moved the adoption of the resolution.

Remarks by Senators Tiffany and Nolan.

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

SENATOR TIFFANY:

Today, we are honoring Frank Lamping Elementary School, its visionary and ambitious science program and the school's principal, Michael O'Dowd.

The science program started in 2000. The principal and the science teacher, at that time, decided they wanted to have a visionary program for the school in Henderson, Nevada. They applied and received a grant with the Christa McAuliffe Foundation. From this grant, they were able to receive high-powered microscopes and an observatory. The school has a freestanding facility where the students can observe the planets through telescopes. Assemblyman Brown's wife, Darcy, was telling me their daughter came home from school one day and spouted off the names of the planets and knew all of their locations.

The principal, Michael O'Dowd, came to the school in 2002 and took the vision of science to new heights. In 2003, when William McCool died in the Columbia tragedy, the students wanted to take the science program further and to honor William McCool because his parents live in Las Vegas. They decided to build the Explorers Program I. It is the only program existing in the western United States. They have a three-quarter scale of a NASA space shuttle simulator for the children. They can wear space suits, walk into the space shuttle, can hear from the control center and all of this helps to develop learning and thinking skills. Then, they built a 4,000-square foot science center to honor William McCool. They were able to raise funds along with getting a donation from the McCool Foundation and just received approval to start building the science center.

I would like to share some of the clever quotes by the children. A nine-year-old stated she wanted to be an astronaut when she got older because she has her sights set on walking on the moon. She stated, "We are going to need lots of oxygen and radios and cameras. We will probably send a probe to Mars and have a space shuttle there just to bring us all back." Another nine-year-old stated she wanted to be an astronaut and that it is important to learn about the Gemini and Apollo programs. A six-year-old stated he learned about rocks and air balloons.

The children have learned astronomy. They studied the Botanical Gardens. They studied rocks and want to go to the moon. This does not happen without the work of a dedicated faculty and someone like Michael O'Dowd.

Darcy Brown stated, "He is making a difference in the lives of hundreds of people every single day. I have told many people that I believe Michael O'Dowd has single-handedly raised the property values just because of the Lamping Elementary School boundary lines. People were actually choosing their housing locations because of the Lamping Elementary School and because of our principal and because of the science programs there."

She made telephone calls to get me personal anecdotes. She stated she becomes highly emotional when I think of all of his tireless service, his 12- to 16-hour workdays and his complete dedication. He attends every school function not because he has to but because he wants to. When I talk to other parents about Michael O'Dowd, I can always expect a flood of positive emotions. Parents actually cry as they talk about his caring devotion, his love for the students and his commitment to the school. He has earned their trust and their respect and all of those who know him admire him. This is a man who truly loves children and treats each child as if they were his own.

Today, is Principals' Day. I would like to present a box to him containing 900 letters from people including students and parents at his school. This is how special this man is to those involved with the school. To them, he is the Principal of the Year.

SENATOR NOLAN:

Thank you, Madam President. I rise in support of the resolution commending Frank Lamping Elementary School on its science program. It is exciting to hear about the advances they are doing in the space program with the William McCool Science Center. The resolution discusses other programs being done at Lamping Elementary including biology, chemistry, physics, science labs and paleontology digs.

I would like to share a story about Frank Lamping. He was dedicated to science and was a well-known educator and southern Nevada administrator. I was a student at Hyde Park Junior High School when Frank Lamping was principal. In one of his biology labs, he asked us to collect a group of pig fetuses for dissection. My mother drove us to the RC pig farm where we collected the pig fetuses. We discovered one of them was alive and Mr. Lamping decided to let us raise the pig at the school. She survived and grew to a considerable size. No good deed goes unpunished, they say. One time the pig went into Mr. Lamping's office and relieved herself. Once having done that, the pig continued to return to his office to carry out that duty. Eventually the pig was taken off the campus so we were not known as the Hyde Park Pigs instead of the Hyde Park Panthers. Mr. Lamping spent a lot of time with his students and encouraged them to learn their sciences.

Mr. O'Dowd is the right man to fulfill the scientific legacy left by Mr. Lamping.

Resolution adopted.

Senator Tiffany moved that all rules be suspended and that Senate Concurrent Resolution No. 25 be immediately transmitted to the Assembly.

Motion carried unanimously.

By the Committee on Natural Resources:

Senate Concurrent Resolution No. 26—Creating an interim study of the use, allocation and management of water resources in Nevada.

Senator Rhoads moved that the resolution be referred to the Committee on Legislative Operations and Elections.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 16.

Bill read second time and ordered to third reading.

Assembly Bill No. 21.

Bill read second time and ordered to third reading.

Assembly Bill No. 28.

Bill read second time and ordered to third reading.

Assembly Bill No. 49.

Bill read second time and ordered to third reading.

Assembly Bill No. 157.

Bill read second time and ordered to third reading.

Assembly Bill No. 164.

Bill read second time and ordered to third reading.

Assembly Bill No. 166.

Bill read second time and ordered to third reading.

Assembly Bill No. 190.

Bill read second time and ordered to third reading.

Assembly Bill No. 203.

Bill read second time.

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

Amendment No. 658.

Amend the bill as a whole by deleting sec. 8 and adding:

"Sec. 8. (Deleted by amendment)."

Amend sec. 17, page 11, by deleting lines 12 through 23 and inserting:

"2. The provisions of section 9 of this act expire by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

(a) Have failed to comply with the subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

(b) Are in arrears in the payment for the support of one or more children.

↪ are repealed by the Congress of the United States.

3. Section 10 of this act becomes effective on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

(a) Have failed to comply with a subpoena or warrant relating to a procedure to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

(b) Are in arrears in the payment for the support of one or more children,

↪ are repealed by the Congress of the United States."

Amend the title of the bill by deleting the fifth through the seventh lines and inserting: "unprofessional conduct; revising the provisions".

Senator Carlton moved the adoption of the amendment.

Remarks by Senator Carlton.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Assembly Bill No. 256.

Bill read second time and ordered to third reading.

Assembly Bill No. 276.

Bill read second time.

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

Amendment No. 581.

Amend the bill as a whole by adding a new section designated sec. 4, following sec. 3, to read as follows:

"Sec. 4. This act becomes effective upon passage and approval."

Senator Carlton moved the adoption of the amendment.

Remarks by Senator Carlton.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

Assembly Bill No. 368.

Bill read second time and ordered to third reading.

Assembly Bill No. 469.

Bill read second time and ordered to third reading.

Assembly Bill No. 502.

Bill read second time.

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

Amendment No. 659.

Amend section 1, page 1, line 6, after "*sole*" by inserting "*or primary*".

Amend section 1, page 2, line 31, by deleting "*in of*" and inserting "*in*".

Amend sec. 15, page 12, line 15, by deleting "*a substantial*" and inserting: "*the sole or primary*".

Amend sec. 15, page 12, line 37, by deleting: "*of the employers*".

Amend sec. 15, page 12, line 39, before "*primarily*" by inserting "*solely or*".

Senator Townsend moved the adoption of the amendment.

Remarks by Senator Townsend.

Amendment adopted.

Bill ordered reprinted, reengrossed and to third reading.

#### MOTIONS, RESOLUTIONS AND NOTICES

Senator Amodei moved that Assembly Bill No. 465 be taken from the General File and placed on the General File for the next legislative day.

Remarks by Senator Amodei.

Motion carried.

#### GENERAL FILE AND THIRD READING

Senate Bill No. 293.

Bill read third time.

Roll call on Senate Bill No. 293:

YEAS—21.

NAYS—None.

Senate Bill No. 293 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 58.

Bill read third time.

Roll call on Assembly Bill No. 58:

YEAS—21.

NAYS—None.

Assembly Bill No. 58 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 76.

Bill read third time.

Roll call on Assembly Bill No. 76:

YEAS—21.

NAYS—None.

Assembly Bill No. 76 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 106.

Bill read third time.

Roll call on Assembly Bill No. 106:

YEAS—21.

NAYS—None.

Assembly Bill No. 106 having received a constitutional majority, Madam President declared it passed, as amended.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 182.

Bill read third time.

Roll call on Assembly Bill No. 182:

YEAS—21.

NAYS—None.

Assembly Bill No. 182 having received a constitutional majority, Madam President declared it passed.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 206.

Bill read third time.

Roll call on Assembly Bill No. 206:

YEAS—21.

NAYS—None.

Assembly Bill No. 206 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 Assembly Bills Nos. 6, 79, 82, 88, 92, 126, 178, 205, 227, 243, 445; Assembly Concurrent Resolutions Nos. 24, 25, 26.

##### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to the following students and teachers from the Lemmon Valley Elementary School: Leonel Chavez, Dayanna Cortes, Mariah Crom, Ariel Dross, Andrea Duran, Amber Dutra, Hunter Ferguson, Justin Gerard, Diana Gonzalez, Tyler Hanninen, Alyssa Hawkins, Matt Knight, Drew Martinez, Micaela Mattice, Saxon Miskow, Jason Moriarty, Taylor Palmer, Rosa Perez, Ike Sanders, Sierra Snell, Nathan Sours, Angela Tallerico, Tehenia Telliano, Brandon Veccharella, Sara Velasco, Jessica White, Dakota Winward, Matthew Aney, Alexis Bringham, Jake Burke, Diedre Cook, McKenna Davis, Dominique Felker, Ciara Ferrel, Paige Illingworth, Karlee Jones, Stephen Lemons Sean Lokke, Jenny Machuca-Olayo, Taylor Martinez, James McCarty, Chelsea Mead, Kolt Mieras, Ramiro Montes, Candace Murphrey, Matthew Rios, Courtney

Rosaaen, Brian Teetor, Skyler Vernon, Yadira Villa-Quintanilla, Shane Wedin, James Moriarty, Storey Ginn, Brandon Ahm, Devin Nash; teachers: Elizabeth Schroeder and Lawrence Ferguson.

On request of Senator Tiffany, the privilege of the floor of the Senate Chamber for this day was extended to Michael O'Dowd.

Senator Raggio moved that the Senate adjourn until Tuesday, May 3, 2005, at 11 a.m. and that it do so in memory of Anita Brandenburg.

Motion carried.

Senate adjourned at 11:44 a.m.

Approved:

LORRAINE T. HUNT  
*President of the Senate*

Attest: CLAIRE J. CLIFT  
*Secretary of the Senate*