

**THE EIGHTIETH DAY**

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CARSON CITY (Wednesday), April 27, 2005,

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

President pro Tempore Amodei presiding.

Roll called.

All present except Senator Coffin, who was excused.

Prayer by the Chaplain, Pastor Alan Dorway.

Gracious God, this morning we thank You for the rain that fell overnight which nourishes the land. We thank You for the new life sustained by the water and which grows fresh all around us. Send Your spirit to nourish our souls this morning. Grow within all of us new life and sustain these members of the Senate who have been serving and working for the people of this State.

As the days race past us and the work piles up while moving from desk to desk, grant us Your peace in the midst of chaos and remind us of our call to serve. Again, send Your refreshing and renewing spirit to all who work in this place.

AMEN.

Pledge of allegiance to the Flag.

Senator Raggio moved that further reading of the Journal be dispensed with, and the President pro Tempore and Secretary be authorized to make the necessary corrections and additions.

Motion carried.

## REPORTS OF COMMITTEES

*Mr. President pro Tempore:*

Your Committee on Finance, to which was rereferred Senate Bill No. 26, 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 was rereferred Senate Bill No. 293, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

WILLIAM J. RAGGIO, *Chair*

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 26, 2005

*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. 15, 31, 32, 42, 43, 66, 69, 128, 142, 158, 165, 183, 185, 186, 188, 193, 202, 210, 236, 250, 255, 257, 260, 278, 296, 312, 314, 322, 334, 342, 355, 360, 364, 369, 371, 380, 384, 419, 425, 426, 443, 452, 454, 455, 456, 480, 484, 496, 497, 501, 521, 528, 538, 540, 552, 553; Assembly Joint Resolution No. 11.

DIANE KEETCH

*Assistant Chief Clerk of the Assembly*

## MOTIONS, RESOLUTIONS AND NOTICES

By Senators Washington, Mathews, Raggio, Townsend, Amodei, Beers, Care, Carlton, Cegavske, Coffin, Hardy, Heck, Horsford, Lee, McGinness, Nolan, Rhoads, Schneider, Tiffany, Titus, Wiener; Assemblymen Anderson, Marvel, Smith, Allen, 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, McClain, McCleary, Mortenson, Munford, Ocegüera, Ohrenschall, Parks, Parnell, Perkins, Pierce, Seale, Sherer, Sibley and Weber:

Senate Concurrent Resolution No. 23—Memorializing Tony Armstrong, beloved Mayor of the City of Sparks.

WHEREAS, The members of the Nevada Legislature wish to express their condolences and deep sorrow on the passing of Tony Armstrong, the beloved Mayor of the City of Sparks, on January 29, 2005; and

WHEREAS, Tony Armstrong was born in Philadelphia, Pennsylvania, on September 3, 1945, and moved to Sparks when he was 4 years of age, with his mother and younger brothers, attending local schools including graduating from Sparks High School; and

WHEREAS, Growing up in humble circumstances, Tony was a self-professed troublemaker until, at the age of 14 years, he got caught skipping school and had to spend several hours in a jail cell alone, an experience which he said made him a different person and changed the path of his life, otherwise the people of Sparks may never have experienced the pleasure of having Tony Armstrong as their Mayor; and

WHEREAS, Tony Armstrong, a licensed general contractor, had a strong work ethic, starting his own successful construction inspection business; and

WHEREAS, In 1989, Tony Armstrong was elected as a Councilman for the City of Sparks, now Nevada's fifth largest city with a population of almost 80,000, and was reelected twice; and

WHEREAS, Tony was elected Mayor of the City of Sparks in 1999 and was serving his second term at his passing, successfully steering the Rail City to healthy growth with thriving businesses and expanding neighborhoods, while still keeping that small hometown feeling; and

WHEREAS, As a public official, Tony Armstrong is largely credited with such successful developments as Victorian Square and the Sparks Marina, while taking time to attend school functions, grand openings, dedications, parades and other special events; and

WHEREAS, Under the watchful eye of Tony Armstrong, Sparks became known for its special events that include the entire family, such as the Star Spangled Sparks fireworks extravaganza, the Sparks Hometowne Farmer's Market, the Sparks Hometowne Christmas gala, the Big Easy, Hot August Nights and the Best in the West Nugget Rib Cook-Off; and

WHEREAS, Geno Martini, former Councilman who was recently named Mayor of the City of Sparks and a friend of Tony Armstrong's since the third grade, said "What made him stand out as a politician was a passion for his job of Mayor, his honesty and his connection with the people"; and

WHEREAS, Preferring to be called "Tony," rather than "Mr. Mayor," he was known for his willingness to always give a hand to anyone in need and for his friendliness, making everyone who met him feel they had a personal relationship with him; and

WHEREAS, Because Tony Armstrong disliked suits and ties, people were asked to wear casual attire to the service to celebrate his life, with about 2,000 people wearing such clothing as blue jeans, khaki pants, golf shirts and cowboy boots to show their respect for "the people's Mayor," and even Governor Kenny Guinn and Pastor Randy Siever of Sparks Christian Fellowship Church got in the spirit by wearing Hawaiian shirts; and

WHEREAS, His daughter Misti remembers Tony as a perfect father who always made time for his family, no matter how busy his schedule; and

WHEREAS, Upon learning that her grandfather had passed away, 7-year-old Madison consoled her parents by writing "Dear Mom and Dad, I'm sorry that Papa died. Hopefully, God has a Mayor up in the sky."; and

WHEREAS, Tony Armstrong is survived by Debby, his loving wife of 22 years, sons Richard and Keith Armstrong, daughter Misti Franco, and grandchildren Kierra, Madison, Kole and James; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That Tony Armstrong will be remembered for attaining many great successes on behalf of the people and the city that he loved so much, while maintaining the friendliness and caring attributes that made the residents of Sparks return that affection; and be it further

RESOLVED, That the people of the City of Sparks will surely feel the presence of Tony Armstrong as they celebrate the Sparks Centennial because he will be watching over the city that he treasured and of which he was so proud; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to Debby Armstrong, cherished wife of Tony.

Senator Washington moved the adoption of the resolution.

Remarks by Senators Washington, Raggio and Mathews.

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

SENATOR WASHINGTON:

A smile, a handshake and true heart, these qualities are what we miss with the passing of Tony Armstrong. He was a man who was so much more than simply the mayor of Sparks.

After his passing on January 29, 2005, people across the United States remembered how Tony had touched their lives. A running theme among the tributes was how important everyone was to him. He was quick to smile, believed in the youth and treated everyone with respect.

Tony Armstrong moved to Sparks at the age of four. He attended school in Sparks, from elementary through high school. He served in the Nevada Air National Guard, was called to active duty, married Debby Rimbey, raised two sons, a daughter, and became a local businessman.

Tony was elected to the Sparks City Council in 1989. That year, the City of Sparks gained a champion. He was first elected to mayor in 1999 and reelected in 2002.

Tony served on various committees, boards and commissions. He was proud and passionate about Sparks and worked tirelessly to improve and realize the potential of the city he called home. Though he worked hard for the community as a whole, he never lost sight of the importance of putting people first.

Everywhere he went, someone knew him. For many, he was the face of Sparks. He always took time to say "hello" and to chat. The words caring, compassionate, honest and good-humored are accurate descriptions of Tony Armstrong.

He led his community with integrity. Many say he led with his heart, making decisions based on what he thought was right. He was able to see both sides of an issue and work to bring forth a beneficial compromise. A friend remembered him as saying that he never prepared a speech because he spoke from the heart, the source of his true feelings.

Today, we say a heartfelt thank you to Tony for giving so much to the town he loved, to the people he loved and to the people who loved him. By example, he showed us all what true heart really means. A leader, a friend and a truly benevolent human being, Tony, we miss you.

SENATOR RAGGIO:

Mayor Armstrong was an example for anyone who is in politics to follow. He was unassuming. He was responsive to those who he represented and to those he served. He did not seek plaudits for himself. He had difficult issues to deal with. He was capable in working toward a consensus within the Sparks City Council and with the other entities the Sparks Council must deal with.

I was always impressed with his candor; with his willingness to tell it the way it was and with his understanding that it took compromise to reach an agreement. During the years in which he served, he set an example for others to follow.

I join today in commemorating his memory. Those of us who attended his memorial service came home with a greater understanding of how much he was appreciated by his community. The crowd overflowed the building filled for the poignant memorial service. If you can leave this life leaving that kind of heritage and expressed appreciation, then, you have accomplished a mission in life. That is true of the late Mayor Armstrong.

SENATOR MATHEWS:

I rise in support of this resolution and to my friend, Tony. Long before either of us was elected to our public offices, we volunteered for boards at the same time. It seemed like we were

on every board in northern Nevada, and we were always running into each other. In 1989, he was elected to the Sparks City Council. In 1991, I was elected to the Reno City Council. Tony and I kept a Republican-Democrat dialogue going all of the time. He said I was the only Democrat he shook hands with and hugged in public. He used to say, "Look, I am hugging a Democrat in public. I do not normally do that."

I knew Tony's mother. She and I were on a slate of candidates for Mother of the Year. I was "1," and she was "2." She was a tiny woman and cute as she could be. We became very close friends with the Armstrong family. Tony would not want us to be sad today. He would be making jokes about what is going on in the area and, here, at the Legislature. I appreciated him very much, and I miss him.

Senator Washington requested that a press release issued by U.S. Representative Gibbons be entered in the Journal.

Longtime friend of former Sparks Mayor Tony Armstrong, Congressman Jim Gibbons (R-Nev.) today applauded the passage of legislation he introduced last month in the House of Representatives to designate the U.S. Postal Facility located at 750 Fourth Street in Sparks, Nevada, as the "Mayor Tony Armstrong Memorial Post Office." Senator John Ensign (R-Nev.) introduced companion legislation in the Senate. The bill is supported by the entire Nevada delegation.

"Tony served the City of Sparks with great distinction, and he will be remembered by Nevadans as a popular leader dedicated to his community. I had the great privilege of growing up with Tony and then working with him on various projects to benefit our beloved hometown. I am proud that the legislation introduced by myself and Senator Ensign to name the post office on Fourth Street, right across from City hall, will ensure that future generations of Sparks residents always remember Tony and his unending dedication to the people of Sparks, Nevada," said Gibbons.

"The naming of a post office is a tremendous tribute to a man whose dedication to public service will always be remembered by the people of Sparks," Ensign added. "Tony Armstrong's legacy will be a permanent part of that community, and I want to thank Jim Gibbons for making sure this tribute to Tony is approved."

Armstrong moved to Sparks as a young boy and graduated from Sparks High School in 1964. He served on the Sparks City Council three terms and was elected Mayor in 1999. Reelected in 2002, Mayor Armstrong was committed to building Sparks into a vibrant community that has welcomed 1000s of new residents every year. Armstrong, 59, died on January 29 from complications after surgery to remove an enlarged spleen that had swollen as a result of a bone marrow disorder.

Gibbons noted that tomorrow the Nevada State Senate will consider a resolution sponsored by State Senator Maurice Washington that memorializes Tony Armstrong. "I am so pleased that today, the U.S. Congress has recognized Tony Armstrong as a distinguished leader and that the State Senate will do the same tomorrow."

Resolution adopted.

Senator Washington moved that all rules be suspended and that Senate Concurrent Resolution No. 23 be immediately transmitted to the Assembly.

Motion carried unanimously.

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

Motion carried.

Senate in recess at 11:32 a.m.

## SENATE IN SESSION

At 11:37 a.m.

President pro Tempore Amodei presiding.

Quorum present.

## MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, April 27, 2005

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 23.

DIANE KEETCH

*Assistant Chief Clerk of the Assembly*

## MOTIONS, RESOLUTIONS AND NOTICES

By Senators Wiener, Amodei, Beers, Care, Carlton, Cegavske, Coffin, Hardy, Heck, Horsford, Lee, Mathews, McGinness, Nolan, Raggio, Rhoads, Schneider, Tiffany, Titus, Townsend, Washington; Assemblymen Parnell, 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, Perkins, Pierce, Seale, Sherer, Sibley, Smith and Weber:

Senate Concurrent Resolution No. 24—Expressing the support of the Legislature for implementing standards for the social studies curriculum that is offered in Nevada schools, particularly in the area of civics and the skills and values of citizenship.

WHEREAS, In 2003, the Nevada Legislature enacted legislation, Senate Bill No. 309, chapter 387, Statutes of Nevada 2003, at page 2257, which established the Advisory Committee on Participatory Democracy within the Office of the Secretary of State and required the preparation of a report for the 73rd Session of the Legislature evaluating efforts currently in progress to implement standards for the social studies curriculum that is being offered in Nevada schools, particularly in the area of civics and the skills and values of citizenship; and

WHEREAS, A report has been filed with the 73rd Session of the Legislature setting forth goals and a work plan for Nevada that would enable school officials to better evaluate the efforts currently in progress to implement standards for the social studies curriculum that is offered in Nevada schools, particularly in the area of civics and the skills and values of citizenship; and

WHEREAS, The Legislature finds that to ensure the health of American democracy, every student in kindergarten through high school, as well as in postsecondary school, needs to learn and experience the fundamental ideas, principles and values on which this nation was founded and to graduate ready for the responsibilities of citizenship; and

WHEREAS, In the 2004 General Election, the county clerks and registrars of voters in Nevada were confronted with record numbers of voter registrations and a record voter turnout; and

WHEREAS, The Secretary of State and the Advisory Committee for Participatory Democracy have achieved great strides in reaching the goals outlined in Senate Bill No. 309 of the 2003 Legislative Session and have established the first Jean Ford Democracy Award; and

WHEREAS, The Legislature urges every school district, with the assistance of the State Board of Education, the Board of Regents of the University of Nevada and any other educational officers involved in reviewing and approving the social studies curriculum used in this State to:

1. Provide all students with a high-quality, engaging and rigorous civic learning experience;
2. Support the civic mission of schools with adequate resources and trained teachers; and

3. Maintain standards for civic learning and the means to assess students and schools in meeting them; and

WHEREAS, The Legislature desires to express its support for the Campaign for the Civic Mission of Schools, a project of the Council for Excellence in Government and the Academy for Educational Development funded by the Carnegie Corporation of New York and the John S. and James L. Knight Foundation, which has awarded a \$150,000, 2-year grant to the Nevada coalition to carry out state advocacy and policy activities to implement the recommendations in the report *Civic Mission of Schools*; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the Legislature hereby declares that it is committed to working with the Advisory Committee on Participatory Democracy, the Department of Education, the State Board of Education, the Superintendent of Public Instruction and each local school district, with the advice and assistance of the University and Community College System of Nevada and the Board of Regents of the University of Nevada, in supporting the goals and work plan as submitted pursuant to Senate Bill No. 309 of the 2003 Legislative Session; and be it further

RESOLVED, That the Legislature reaffirms its support for the efforts of the Secretary of State and the Advisory Committee on Participatory Democracy to reach the goals for voter registration and voter participation set forth in that bill for the 2008 General Election; and be it further

RESOLVED, That the Advisory Committee on Participatory Democracy, working with the Superintendent of Public Instruction and representatives of other pertinent education organizations interested in improving civic learning in Nevada, should meet before the start of the 2007 Legislative Session to review the status of the recommendations presented in this resolution; and be it further

RESOLVED, That the Advisory Committee and Superintendent shall make a full report to the 74th Session of the Nevada Legislature on the achievement of the goals set forth in this resolution; and be it further

RESOLVED, That the Legislature hereby honors the first two recipients of the Jean Ford Democracy Award, Larry Struve, Outstanding Public Citizen, and Mark Peplowski, Outstanding Educator, for exemplary service in promoting participatory democracy in this State; and be it further

RESOLVED, That the Legislature hereby declares April 27, 2005, Democracy Day in the Nevada State Legislature; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to Larry Struve, Mark Peplowski, the President of the State Board of Education, the Superintendent of Public Instruction, the Chairman of the Board of Regents of the University of Nevada, the Secretary of State and the Advisory Committee on Participatory Democracy.

Senator Wiener moved the adoption of the resolution.

Remarks by Senator Wiener.

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

I rise in support of Senate Concurrent Resolution No. 24. As Americans and Nevadans, we celebrate our independence and extol the virtues of a free and open democracy.

Today, we observe Democracy Day in Nevada, a day to observe the many freedoms bestowed upon our great State and Nation. Former United States Supreme Court Justice Louis Brandeis once stated, "The only title in our democracy superior to that of President is the title of citizen."

It is our duty as Legislators to help establish in the minds of our youth what it means to be an American citizen, to teach our young people the function of government and the role of each citizen in a democratic society. Senate Concurrent Resolution No. 24 will assist our schools and teachers in meeting this critical need. Thanks to Judy Simpson, who is a member of the Advisory Committee on Participatory Democracy, and the other partners she worked with—the Carnegie Corporation of New York and the John S. and James L. Knight Foundation have given Nevada a \$150,000 two-year grant. This grant will help the Department of Education, the State Board of Education and representatives from individual school districts to design and implement civics education.

The crucial need for this effort was underscored in the 2003 Legislative Session. That is when S.B. No. 309 of the 72nd Session established lofty goals for the 2008 election—75 percent statewide voter registration and at least 70 percent participation by registered voters.

The Advisory Committee on Participatory Democracy, known as ACPD, and election officials throughout the State are working together to achieve these goals. I am proud to say I am a member of this committee and can attest to the commitment of ACPD. Also, S.B. No. 309 required the ACPD to seek nominations and select recipients for a newly created Jean Ford Democracy Award. This award recognizes the exemplary service of Nevada citizens who have promoted participatory democracy in our State.

I am now privileged to announce and recognize the first two recipients of the Jean Ford Democracy Award. Political Science Professor Mark Peplowski of the Community College of Southern Nevada has taken a hands-on approach to education. Mark continuously energizes his students and fellow faculty members about government and the election process. For example, he brings to campus government officials, community leaders and members of Congress. He also takes students to Washington, D.C., each year to see our democracy in action.

One of his nominators, Dr. Joan McGee, said of Mark, "He not only teaches with vigor but challenges students to be the sort of citizens who are both accountable for their government and know the value and importance of their votes." Please join me in congratulating Professor Mark Peplowski, the 2005 recipient of the Jean Ford Democracy Award.

Our second recipient served as a member of the Nevada Commission on the Bicentennial of the United States Constitution. Larry Struve has been a constant role model for civics education in our State. He was one of the key leaders as well as the founding chair of the Advisory Committee on Participatory Democracy, which was formed in 1998. Larry co-authored S.B. No. 309 of the 72nd Session and subsequent reports to the Nevada Legislature. One such report, "New American Patriotism and the Challenge of Participatory Democracy in Nevada," provided a blue print for improving citizen involvement in government. Nominator Tim Hay said of Larry, "He has been an honored public official, always striving to mold an effective and responsive government for his community and this State. Please join me in congratulating Larry Struve, the 2005 recipient of the Jean Ford Democracy Award.

Resolution adopted.

Senator Wiener moved that all rules be suspended and that Senate Concurrent Resolution No. 24 be immediately transmitted to the Assembly.

Motion carried unanimously.

Assembly Concurrent Resolution No. 23—Urging public and private entities to work together to establish a statewide system of care for patients suffering from strokes.

WHEREAS, The American Stroke Association, a division of the American Heart Association, is promoting the message "Time Lost = Brain Lost" to offer advocates for stroke awareness an opportunity to educate the public and policymakers about the devastating effects of a stroke; and

WHEREAS, Statistics reveal that every 45 seconds on average, someone in the United States suffers a stroke, which means that each year, about 700,000 persons in this country are victims of a new or recurrent stroke, and there are approximately 4.8 million stroke survivors in our nation today; and

WHEREAS, Strokes are a leading cause of serious, long-term disability and can result in both physical and emotional devastation, leaving many victims struggling with activities of daily living and 15 to 30 percent of victims permanently disabled; and

WHEREAS, Strokes are the third leading cause of death in the United States, with one death occurring every 3.3 minutes, and in Nevada last year, strokes accounted for over 1,000 deaths; and

WHEREAS, In 2004, the estimated direct and indirect costs of strokes in this nation totaled about \$53.6 billion; and

WHEREAS, The Institute of Medicine of the National Academies has concluded that the fragmentation of the delivery of health care services for stroke victims frequently results in suboptimal treatment, safety concerns and inefficient use of health care resources; and

WHEREAS, The Institute of Medicine has recommended the establishment of coordinated systems of care that integrate services for prevention and treatment of strokes and promote access by each patient to care that is based on the best evidence available at the time of treatment; and

WHEREAS, The Health Division of the Department of Human Resources and the American Stroke Association are working on a systems approach that is necessary to effectuate true change in the way strokes are treated statewide so that patients have access to the most advanced treatment in centers that are best designed and equipped to deal with the critical and time-sensitive needs of stroke patients; and

WHEREAS, The main purpose of such a statewide system of care is to establish a systems approach for assisting stroke patients that includes the development and recognition of primary stroke centers, emergency medical services, protocols and field triage, transfer of stroke victims between facilities, and collection of data relating to strokes; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Legislature of the State of Nevada recognizes the importance of proper care for victims of strokes and calls upon public and private entities to work together to establish a cohesive statewide system of care for all residents of this State who suffer from strokes; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the Director of the Department of Human Resources and to the Vice President of the American Stroke Association.

Senator Titus moved the adoption of the resolution.

Remarks by Senator Titus.

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

As this resolution spells out, heart disease is the number one killer of all Nevadans. Strokes related to heart disease are the number four killer of all Nevadans. This is especially true for women. If you look at the statistics, they are striking. Women account for more than half of all stroke-related deaths, and heart disease is the number one killer of women. Heart disease will kill 1 out of every 2.5 women compared to 1 in 30 from breast cancer.

I am wearing a red bracelet today to symbolize "Go Red" for women. It is an education, public outreach program sponsored by the American Heart Association to warn women to let them know what are the dangers and what can be done to prevent those dangers. I am pleased to wear this bracelet and the "Red Dress" pin to help to publicize this killer to see what we can do to stop it. I urge your support for the resolution.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

Assembly Joint Resolution No. 11.

Senator Nolan moved that the resolution be referred to the Committee on Taxation.

Motion carried.

#### INTRODUCTION, FIRST READING AND REFERENCE

Assembly Bill No. 15.

Senator Nolan moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

Assembly Bill No. 31.

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

Motion carried.

Assembly Bill No. 32.

Senator Nolan moved that the bill be referred to the Committee on Natural Resources.

Motion carried.

Assembly Bill No. 42.

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

Motion carried.

Assembly Bill No. 43.

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

Motion carried.

Assembly Bill No. 66.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 69.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 128.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

Assembly Bill No. 142.

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

Motion carried.

Assembly Bill No. 158.

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

Motion carried.

Assembly Bill No. 165.

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

Motion carried.

Assembly Bill No. 183.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 185.

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

Motion carried.

Assembly Bill No. 186.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 188.

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

Motion carried.

Assembly Bill No. 193.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 202.

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

Motion carried.

Assembly Bill No. 210.

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

Motion carried.

Assembly Bill No. 236.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 250.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 255.

Senator Nolan moved that Senate Standing Rule No. 40 be suspended and that the bill be referred to the Committee on Transportation and Homeland Security.

Remarks by Senator Nolan.

Motion carried.

Assembly Bill No. 257.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 260.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 278.

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

Motion carried.

Assembly Bill No. 296.

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

Motion carried.

Assembly Bill No. 312.

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

Motion carried.

Assembly Bill No. 314.

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

Motion carried.

Assembly Bill No. 322.

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

Motion carried.

Assembly Bill No. 334.

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

Motion carried.

Assembly Bill No. 342.

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

Motion carried.

Assembly Bill No. 355.

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

Motion carried.

Assembly Bill No. 360.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 364.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 369.

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

Motion carried.

Assembly Bill No. 371.

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

Motion carried.

Assembly Bill No. 380.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

Assembly Bill No. 384.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 419.

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

Motion carried.

Assembly Bill No. 425.

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

Motion carried.

Assembly Bill No. 426.

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

Motion carried.

Assembly Bill No. 443.

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

Motion carried.

Assembly Bill No. 452.

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

Motion carried.

Assembly Bill No. 454.

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

Motion carried.

Assembly Bill No. 455.

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

Motion carried.

Assembly Bill No. 456.

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

Motion carried.

Assembly Bill No. 480.

Senator Nolan moved that the bill be referred to the Committee on Finance.

Motion carried.

Assembly Bill No. 484.

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

Motion carried.

Assembly Bill No. 496.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 497.

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

Motion carried.

Assembly Bill No. 501.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 521.

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

Motion carried.

Assembly Bill No. 528.

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

Motion carried.

Assembly Bill No. 538.

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

Motion carried.

Assembly Bill No. 540.

Senator Nolan moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Assembly Bill No. 552.

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

Motion carried.

Assembly Bill No. 553.

Senator Nolan moved that the bill be referred to the Committee on Taxation.

Motion carried.

#### SECOND READING AND AMENDMENT

Assembly Bill No. 91.

Bill read second time and ordered to third reading.

#### MOTIONS, RESOLUTIONS AND NOTICES

Senator Raggio moved that Senate Bill No. 484; Assembly Bills Nos. 6, 79, 82, 88, 92, 126, 178, 205, 227, 243, 295, 445 be taken from the General File and placed on the General File for the next legislative day.

Remarks by Senator Raggio.

Motion carried.

#### REMARKS FROM THE FLOOR

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

It is my sad duty to report to the body that Richard "Dick" Burdette, the Energy Advisor to the Governor, passed away early this morning. I understand it was during a workout. He was 61. Those of us who had the pleasure of working with Mr. Burdette during this session regret his loss. We appreciated his dedication as a state official. He appeared here only two days ago in the Senate Committee on Finance during budget closings. His expertise, dedication and willingness to discuss any issues and provide information requested from him, were qualities that committees and legislative staff appreciated. He was a very decent individual. I am so sorry to report his passing.

Mr. Burdette was born in Philadelphia, PA, on October 25, 1943. He experienced a diverse and distinguished career. Before working with the Nevada Public Utilities Commission, he served as consultant to several regulated industries and served as Legislative Assistant in the United States Senate. He also served as a public affairs officer and Acting Deputy Assistant Secretary in the United States Department of Transportation.

Mr. Burdette graduated with merit from the U.S. Naval Academy and completed graduate-level training for his nuclear assignments. He served in the U.S. Navy in the nuclear submarine Guardfish and was an instructor and administrator in the Naval Nuclear Power School.

Mr. Burdette was also a graduate of the University of Delaware obtaining a Master's of Art degree in Quantitative Economics. His accomplishments serve as a reminder that many of the individuals appearing before us possess high qualifications and distinguished careers.

His survivors include his wife, Julie; daughter, Megan; and sons, Ian and Richard III. Funeral arrangements are still pending. I am asking the Senate to adjourn today in memory of Richard Burdette and to extend our condolences to his family.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Mathews, the privilege of the floor of the Senate Chamber for this day was extended to Keith Armstrong.

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

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to Misti Armstrong Franco, Richard Armstrong, and the following students, chaperones and teachers from the Jessie Beck Elementary School: Gabrielle Bartl, Nicholas Bennett, Sierra Bertram, Brent Bremer, Riley Brown, Mackenzie Burgess, Serena Evans, Madison Fagg, Justin Fourgis, Madeline Genco, Michael Gore, Samantha Hutchens, Allison Kolseth, Victoria Legg, Scott Meyerhoff, Jessica Moore, Casey O'Maye, Nicholas Ouellette, Megan Rankin, Malyne Rasmussen, Alex Sagastume, Alberto Santana, Leslie Ryan, Tyler Salazar, Ethan Utley, Jared Welch, Madeline Wilson, Serrina Aguilar, Davison Beenfeldt, Hayley Blonsley, Amy Bodner, Rodrigo Campos, Bryce Carroll, Jacey Crane, Mikey Cogliano, Aariah Emeterio, David Hinitz, Jake Huneycutt, Alyson King, Haili Kovac, Kimberly Martinez, Elyse Matos, Emily Meany, Joshua Mendez, Hannah Myers, Joe Olivares, D'Sire Pearson, Kimberley Pena, Anna Scarbrough, Adrian Serrano-Siordia, Ada Smith, Zoe Swenson, Marissa Valdez, Jacob Becker, Dominic Beye, Brett Boyer, Connor Bradley, Ryan Diggs, Chase Ferrell, Chloe Ferguson, Matthew Fetters, Sam Genis, Davis Goicoechea, Adam Hettinger, Keegan Keller, Lauren Klaich, Audrey Krater, Kasey Lau, Ben Lerude, Mario Lopez, Nicholas Morales, John O'Neill, Kate Ploeger, Ashley Stone, Ben Stone, Emily Student, Trevor Students, Esteban Valle, Nicholas Vellis, Kylie Woodman, Weston Zach, Erica Drummer; chaperones: Cindy Myers, Karen Scarbrough, Patrice Klaich, Sheri Boyden, Kelly Boyer, Gretchen Diggs and teachers: Megan Franklin, Ryan Brock and Bonnie Serpa.

On request of Senator Titus, the privilege of the floor of the Senate Chamber for this day was extended to Judy Simpson, Dan Driver, Debbie

Estes, Dr. Paul Katz, Eric Batch, Allyson Herring; a delegation from Bosnia and Herzegovina: Rachela Dzidic, Zyad Paschich, Meelovan Pecely, Yoso Marich and Adnan Mrewa.

On request of Senator Townsend, the privilege of the floor of the Senate Chamber for this day was extended to Sarah Rimbey and Justine Rimbey.

On request of Senator Washington, the privilege of the floor of the Senate Chamber for this day was extended to Debby Armstrong and Susan Bemus.

On request of Senator Wiener, the privilege of the floor of the Senate Chamber for this day was extended to Mark Peplowski and Larry Struve.

Senator Raggio moved that the Senate adjourn until Thursday, April 28, 2005, at 11 a.m. and that it do so in memory of Richard Burdette.

Motion carried.

Senate adjourned at 12:20 p.m.

Approved:

MARK E. AMODEI  
*President pro Tempore of the Senate*

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