

**THE NINETY-FIFTH DAY**

---

CARSON CITY (Thursday), May 12, 2005

Senate called to order at 11:14 a.m.

President Hunt presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Louie Locke.

Lord, as we gather today, we give You thanks and praise, for You are good and You are a stronghold in the day of trouble and You know those who trust in You. "He has shown you, O man, what is good. And, what does the Lord require of You? But, to do justly, to love mercy and to walk humbly with your God." (Micah 6:8)

May these qualities shape our lives as we walk with You: justice, mercy and humility.

Lord, please bless the men and women of this Senate body, their families and staff and protect our military as they serve our Nation.

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 Finance, to which was rereferred Senate Bill No. 214, 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**Madam President:*

Your Committee on Human Resources and Education, to which were referred Assembly Bills Nos. 108, 231, 248, 271, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Human Resources and Education, to which was referred Assembly Bill No. 84, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MAURICE E. WASHINGTON, *Chair**Madam President:*

Your Committee on Natural Resources, to which was referred Assembly Bill No. 112, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DEAN A. RHODES, *Chair**Madam President:*

Your Committee on Taxation, to which was referred Assembly Bill No. 380, has had the same under consideration, and begs leave to report the same back with the recommendation: Rerefer to the Committee on Human Resources and Education.

Also, your Committee on Taxation, to which was referred Assembly Bill No. 418, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MIKE MCGINNESS, *Chair*

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, May 11, 2005

*To the Honorable the Senate:*

I have the honor to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolutions Nos. 36, 37.

DIANE KEETCH

*Assistant Chief Clerk of the Assembly*

MOTIONS, RESOLUTIONS AND NOTICES

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

Senate Concurrent Resolution No. 38—Expressing support for international education and foreign exchange student programs.

WHEREAS, International education is a crucial component of higher education in Nevada which contributes to the economy of the State and to a diverse college environment, and enhances both academic and cocurricular programs; and

WHEREAS, Because tourism and foreign trade are key sectors projected to improve Nevada's economic future in the next decade, it is critical that this State promote mutual understanding between Nevadans and citizens of other countries through international education programs at its colleges and universities; and

WHEREAS, The foundation of international education is the exchange of students and scholars from other countries, and proof that Nevada is committed to encouraging students from other countries to study in this State is evidenced by the fact that in the 2002-2003 academic year Nevada ranked third among the "Mountain States" region, consisting of Colorado, Utah, Nevada, Idaho, Montana and Wyoming, in numbers of international students, with 2,702 such students enrolled in its colleges and universities; and

WHEREAS, Because, as the fastest growing State in the nation, Nevada draws many new immigrants who bring with them their diverse talents and perspectives, Nevada's institutions of higher learning must provide the necessary skills, knowledge and training for them to be successful citizens, as well as provide all students with the opportunity to acquire the intercultural skills to interact effectively within a multicultural context; and

WHEREAS, International education includes curricular offerings that teach foreign languages, address global issues and provide in-depth understanding of other cultures, utilizes citizens of other countries in formal and informal settings as teaching resources, and recognizes that the development of new knowledge, the best research and technological breakthroughs require international collaboration; and

WHEREAS, With today's increasingly complex international trade relations, concern for the preservation of our global ecology and the constant goal of world peace, the promotion and support of international education becomes increasingly important to our national security, foreign policy, economic competitiveness and capacity for tolerance; and

WHEREAS, Former President Clinton issued an Executive Memorandum on International Education on April 19, 2000, in which he called upon educational institutions, state and local

governments, nongovernmental organizations and the business community to contribute to a coherent and coordinated international education strategy that "will help us meet the twin challenges of preparing our citizens for a global environment while continuing to attract and educate future leaders from abroad"; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the Nevada Legislature hereby recognizes that the international students and scholars of this State contribute significantly to the cultural diversity of Nevada's educational institutions and, through their representation, they enhance the educational experience of all students while making important contributions, and thereby supports the participation of Nevada's students, teachers, administrators and educational policymakers in international studies, international exchange programs and other activities that advance cultural awareness and promote mutual understanding and respect for the citizens of other countries; and be it further

RESOLVED, That Nevada's colleges and universities are encouraged to:

1. Develop courses of study in as many fields as possible to increase students' understanding of global issues and cultural differences;
2. Further develop courses in foreign languages to prepare students to seek careers in a global marketplace and enhance their understanding of other nations' values;
3. Provide opportunities for students in all majors to participate in programs to study abroad to enrich their academic training, intercultural perspectives and personal development;
4. Provide opportunities for domestic and international students to interact effectively and routinely to share their views, perceptions and experiences; and
5. Develop innovative public educational forums and venues to explore global issues and showcase world cultures; and be it further

RESOLVED, That the importance of international education and foreign exchange student programs can be summed up in a statement made by former Secretary of State Colin Powell on November 11, 2003, in commemoration of International Education Week, sponsored by the United States Department of State and Department of Education to celebrate the benefits of international education and exchange worldwide: "International education, learning about other cultures and languages through study, living overseas, and interacting with people of other countries, promotes the free exchange of ideas, allows us to seek joint solutions to problems, and helps create lasting partnerships to meet our shared concerns"; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to the Chancellor of the University and Community College System and each member of the Board of Regents.

Senator Titus moved the adoption of the resolution.

Remarks by Senator Titus.

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

This resolution speaks for itself, but I would like to add a few comments. To paraphrase John Kennedy, "Technology has made us neighbors. Culture can make us friends. Economics can make us partners. Education can make us allies. Fear and intolerance, however, can tear this world of ours asunder."

Therein lies the merit of international-study programs. They allow students to share experiences, learn languages and folkways, and live in different worlds, thereby, helping to assuage fears and break down prejudices.

As our planet grows ever smaller, we must be able to communicate with others; we must be able to understand foreign cultures, and we must open our doors and hearts to those who want to learn more about us.

I would like to share with you a few comments made by students, who have been abroad in these programs, for they say it better than I can:

"Studying abroad is not just about studying. It is about learning who you are, who you want to be and what makes you happy through experiences you have while abroad," from a student in Edinburgh, Scotland.

"You might not see it, but I am totally changed. I cannot look at people the same. I think in another language," from a student in St. Petersburg, Russia.

"I have a more open mind and an understanding and patience for others who are not like me," said a student in Athens, Greece.

"The experience made me realize how big the world is, yet, how small at the same time. Cultures may be very different, but we still share many similarities as humans. I learned to become much more accepting of all people and opened my mind to many new ideas," wrote a student in New Zealand.

"Being abroad makes you realize that your own corner of the world is almost insignificant because the world is big, and there are a lot of people out there living a very different way," from a student in Milan, Italy.

This one I especially like from Tokyo, Japan, "I discovered not only a new country outside of myself but, also, one inside myself."

Resolution adopted.

Senator Titus moved that all rules be suspended and that Senate Concurrent Resolution No. 38 be immediately transmitted to the Assembly.

Motion carried unanimously.

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

Senate Concurrent Resolution No. 39—Memorializing noted philanthropist and Nevada gaming pioneer Warren Nelson.

WHEREAS, The members of the Nevada Legislature were deeply saddened at the passing of noted philanthropist and Nevada gaming pioneer Warren Nelson on September 23, 2004, at the age of 91; and

WHEREAS, Born to Bertha Meisenbach Nelson and Lawrence Nelson on January 19, 1913, in Great Falls, Montana, Warren Nelson began his career in the gaming business in Montana during the depression, coming to Reno in 1936 to run the keno game at the old Palace Club; and

WHEREAS, After joining the Marine Corps in 1942, Warren Nelson was stationed in San Francisco, California, where he met Pat Futter, one of only 17 women master sergeants in the Corps, and the couple were married on Valentine's Day in 1946; and

WHEREAS, Upon his return to Reno, Warren assisted Bill Harrah in opening Harrah's Club, and also gained experience working in various capacities at the Mapes Hotel and the Little Waldorf, until 1962 when he and his partners bought the Club Cal Neva in the heart of downtown Reno; and

WHEREAS, Recognized as a creative thinker and an innovator in the gaming industry, Warren Nelson was one of the first inductees into the Gaming Hall of Fame in 1989 and served as President of the Nevada Gaming Industry Association for 5 years; and

WHEREAS, With his great sense of humor and a personality bigger than life, Warren made many lifelong friends, and some of the most satisfying personal and professional relationships were formed with colleagues that he served with on the board of directors of such companies as Boyd Gaming and International Game Technology; and

WHEREAS, Warren Nelson founded the Truckee Meadows Boys and Girls Club, served on the Board of Regents of the University of Nevada and was a trustee on the Board of the National Jewish Center for Immunology and Respiratory Medicine in Denver; and

WHEREAS, According to his daughter Gail Nelson, "He was known for his gaming career and his generosity to the community and to other communities, but he was always helping people, and that's what he should really be remembered for"; and

WHEREAS, His belief in education was evidenced by his generous donations to Carroll College in his home state of Montana, where he also provided more than 50 students with scholarships, and to the University of Nevada, Reno; and

WHEREAS, In addition to his philanthropic interests, the avid outdoorsman was an expert fisherman and had a special love for his hunting dogs; and

WHEREAS, Warren Nelson is survived by his wife, Pat, their son Greg of Taos, New Mexico, their daughter Gail of Reno and three granddaughters; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That Warren Nelson will be greatly missed by his many friends, his colleagues and his family; and be it further

RESOLVED, That the members of the 73rd Session of the Nevada Legislature extend their heartfelt condolences to the family of Warren Nelson; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to his loving wife Pat, his son Greg and his daughter Gail.

Senator Raggio moved the adoption of the resolution.

Remarks by Senator Raggio.

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

Thank you, Madam President. Today, we pause to honor the memory of Warren Nelson. Many of you knew Warren. Though he died at the age of 91, you would never have known his age. He was perpetually young, dynamic and with more spirit and energy than anyone I have known.

He was born in Montana in 1913. He spent his early years there then came to Nevada in 1936. If you ask anyone who has any experience in the gaming industry, Warren Nelson was "Mr. Gaming of Nevada." He followed the rules and regulations and helped make gaming important in our State. When he first came to Reno, he worked at the Palace Club. He ran the Keno game in the days when gaming was in its infancy. He left to spend time in the Marine Corps then returned and joined up with another legend in the gaming industry, Bill Harrah. They opened Harrah's Club. Then, he worked at the Mapes Hotel. He was with the Little Waldorf in Reno, an important "hang-out" for students at the University. In 1962, he and his partners bought the Club Cal Neva. It is still in downtown Reno. He operated it for many years. Many of the innovations we see today in gaming came from the early pioneers of gaming like Warren Nelson. He became involved in the development of Las Vegas gaming. He served on the board of Boyd Gaming. He was a good friend of Sam Boyd, and they worked together for many years.

He was the first honored in the Gaming Hall of Fame in Nevada. As we look at Reno and Las Vegas, men like Warren Nelson made a difference helping them to develop into the cities they are today.

He was a great person, was responsive to those in need. He never asked for any recognition. He was there to help the "little guy." He was at ease with people of all backgrounds. He contributed much to those in need. Warren met his wife, Pat, when she was in the Marine Corps. She was a Master Sergeant, and it took a Master Sergeant in the Marine Corps to control Warren Nelson. The heritage he created in this State is one that is reflected in the thriving economy we have today. He has left a great heritage not only for all of us but for his family and the many friends he enjoyed over the years. He was a great benefactor to Carroll College in Montana and for the University of Nevada, Reno. We join together to honor his memory.

Resolution adopted.

Senator Raggio moved that all rules be suspended and that Senate Concurrent Resolution No. 39 be immediately transmitted to the Assembly.

Motion carried unanimously.

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

Senate Concurrent Resolution No. 40—Commending the Las Vegas Dispensing Pharmacy for Medco Health Solutions, Inc., for its significant contribution of medicine to the tsunami relief effort.

WHEREAS, On January 14, 2005, Las Vegas Mayor Oscar Goodman and Senator Sandra Tiffany joined employees at the Las Vegas Dispensing Pharmacy for Medco Health Solutions, Inc., (Medco) to load the first pallets of critically needed generic medicines in the global humanitarian relief effort for victims of the Indian Ocean earthquake and resulting tsunami that swept across Asia and the east coast of Africa on December 26, 2004; and

WHEREAS, The shipment from the Las Vegas Dispensing Pharmacy, one of Medco's two state-of-the-art automated dispensing pharmacies, consisted of more than 9 million doses of Medco's commitment of about 13 million doses of generic medicines donated to assist the millions of people who face the almost certain risk of infectious diseases after the earthquake and tsunami destroyed or compromised water and sanitary systems throughout the affected areas; and

WHEREAS, Medco, one of the nation's largest purchasers of generic medicines, identified within its inventories the medicines highlighted as "most in need" by the AmeriCares Foundation, Inc., a nonprofit disaster relief and humanitarian aid organization, and donated 20 different generic medicines, including antibiotic, anti-inflammatory, cardiovascular, diabetes and gastrointestinal products, and partnered with AmeriCares to ensure that the medicines reach the victims in time to save lives; and

WHEREAS, According to Curtis R. Welling, President and CEO of AmeriCares, "Medco's timely and responsive donation of particularly appropriate medicines will allow us to provide life-saving medicine to those in need"; and

WHEREAS, Medco's generosity is exemplified in the words of David B. Snow Jr., Medco's President and CEO, when he stated, "We stand ready to consider additional donations as continuing needs are identified"; 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 magnanimous donation of Medco Health Solutions, Inc., and the swift and caring response of its Las Vegas Dispensing Pharmacy; and be it further

RESOLVED, That the charitable acts of organizations such as these will inspire the residents of Nevada to share their blessings with the courageous people who are struggling to live and make a new life amidst the devastation of one of the deadliest disasters of modern history; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to David B. Snow Jr., President and CEO of Medco Health Solutions, Inc.

Senator Tiffany moved the adoption of the resolution.

Remarks by Senator Tiffany.

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

Last December, the world woke up to one of the most serious natural disasters that we will experience in our lives, the tsunami Indian Ocean earthquake. That tsunami impacted millions of individual lives and killed thousands of people. I remember turning on the television and

standing there shaking my head in disbelief wondering what will happen to those countries and all the families that lost love ones. The immediate destruction and death were tragic beyond description.

Medco, however, swung into action immediately and knew how they could help. On January 14, 2005, the Las Vegas Dispensing Pharmacy shipped out its first pallets of 13 million doses of generic medicines. Medco donated the generic medicines to assist the millions of people who face the almost certain risk of infectious disease after the earthquake and tsunami destroyed their water and sanitary systems.

To insure the medicines efficiently reached those in need, Medco partnered with AmeriCares a nonprofit disaster relief and humanitarian aid organization.

Medco is one of the largest purchasers of generic medicines, and they identified the "most-in-need" 20 generic drugs including antibiotics, anti-inflammatory, cardiovascular, diabetes and gastrointestinal products.

The mayor of Las Vegas and I were at Medco at the time of its first shipment. I was so impressed with their quickness to respond, compassion for the victims, global humanitarian efforts and their on-going pledge to donate necessary medication, Medco truly deserves this recognition today.

Medco is the type of company that Nevada is so proud of. Thank you for everything that you have done and continue to do.

Resolution adopted.

Senator Tiffany moved that all rules be suspended and that Senate Concurrent Resolution No. 40 be immediately transmitted to the Assembly.

Motion carried unanimously.

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

Senate Concurrent Resolution No. 41—Congratulating Ryan Moore for his amateur and collegiate victories in golf.

WHEREAS, Ryan Moore, a self-taught player who has been carrying a golf club since he could walk, is currently the top-ranked individual golfer in Division I of the National Collegiate Athletic Association and the top-ranked men's amateur golfer in the country; and

WHEREAS, Ryan left behind an amazing high school career in Puyallup, Washington, to play golf for the Rebels at the University of Nevada, Las Vegas, and will soon be defending his 2004 NCAA Division I Golf Championship; and

WHEREAS, This year as a Rebel, Ryan led the Mountain West Conference, and the nation, with a 68.95 scoring average, was selected to the Mountain West Conference's All-Conference Team for the fourth time, was named Player of the Year for the second time, won three of the seven tournaments he played in and finished in the top six in the other four, becoming the winningest golfer in the history of the UNLV golf program, and, for the third time, is one of three finalists for the prestigious Ben Hogan Award, which is presented to the top collegiate men's golfer annually; and

WHEREAS, Ryan's game this year, and that of his teammates, has led the Rebels to a number four national ranking and a top-seed at the NCAA West Regional which begins on May 19 at Stanford Golf Course; and

WHEREAS, Not only has Ryan excelled in collegiate golf, he has also excelled as an amateur, most recently as the top amateur at the Masters Championship in Augusta, Georgia, tying for 13th overall in his second appearance at the tournament; and

WHEREAS, In 2004, not only did Ryan win nine amateur and collegiate events, he posted a 68.79 scoring average and his "worst" round all year was a 73, which is 1 over par on most golf courses; and

WHEREAS, Ryan set a new standard in amateur golf during the summer of 2004 by winning five major amateur championships, the U.S. Amateur Championship, Western Amateur Golf Championship, NCAA Championship, Sahalee Players Championship and U.S. Amateur Public Links, a winning streak that is widely hailed as the greatest amateur season of the modern era; and

WHEREAS, After the summer of 2004, Ryan returned to UNLV for his senior year, an impressive decision considering he could have entered the PGA Tour as a professional, but he made a commitment to UNLV and he wanted to honor that commitment; and

WHEREAS, Not only has Ryan demonstrated remarkable strength of character and succeeded on the golf course, he has also maintained academic integrity, earning a 3.7 grade point average last semester and Academic All-Mountain West Conference honors in 2002, 2003 and 2004, and was also named a Cleveland Golf All-America Scholar last year by the Golf Coaches Association of America; and

WHEREAS, Following graduation from UNLV, Ryan will be competing in the U.S. Open at Pinehurst in June and the British Open at St. Andrews in July; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the members of the Nevada Legislature hereby congratulate Ryan Moore for his successes as an amateur golfer and with the University of Nevada, Las Vegas; and be it further

RESOLVED, That the Nevada Legislature hereby commends Ryan Moore for his dedication to excellence and his honesty and integrity in returning to UNLV for his final season of golf as a UNLV Rebel; and be it further

RESOLVED, That best wishes and high hopes are hereby extended to Ryan Moore for the remainder of the UNLV golf season and for a successful career as a professional golfer; and be it further

RESOLVED, That the Secretary of the Senate prepare and transmit a copy of this resolution to Ryan Moore.

Senator Townsend moved the adoption of the resolution.

Remarks by Senators Townsend and Coffin.

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

SENATOR TOWNSEND:

This has been an extraordinary day. There have been three resolutions heard before this one and each have contained stories of wonderful interaction and wonderful character. There is no way to adequately articulate the accomplishments of the golf program and the golf coach from the University of Nevada, Las Vegas.

I asked Ryan Moore what it is like to hit from the center of the fairway. I have never had that experience so I wanted to get it from someone who has done that.

The people with us today prove that you can excel in sports by honoring the rules, by being filled with integrity and by being humble at the same time. Golf is about the honor system. I recommend that my fellow Senators take the time today to meet this young man and the coach of the team who is here with him. Not only have they been remarkable spokespersons and ambassadors for this State, particularly for the University, they are ambassadors for what all sports should be like. It is important to exhibit respect for the opponent in a game, to play as hard as you can and to excel but, all the while, being able to hold your head high at the end of the day. Be respectful and be humble.

I ask that you support this resolution. I hope we can come close to emulating the behavior of this young man and his coach.



SENATOR COFFIN:

Thank you, Madam President. My colleague has made an important point. It is the hallmark of golf. It is a game of honor, a game of rules, a game that teaches the young respect for authority and respect for staying in the fairway of life.

If any of you have had the benefit of being on any type of team, you will see there is a difference in how things work. In golf, they do have teams, but there is still the individual effort. No one can pick you up from a disaster except yourself. You have no one there to throw a towel at you and to tell you to sit and talk about it. You have to do it yourself. You must have the strength within yourself to be able to do the job yourself.

I saw Ryan Moore in the Masters Golf Tournament this year. Millions of people saw him as he played that fabled Augusta, Georgia, golf course. His name was on the leader board day after day. He was playing and keeping up with the very best. On Sunday, he ran into some difficulty. Augusta is a very difficult course. The greens have slopes in them that are six and eight feet high. You cannot imagine how it feels to putt a ball up toward a hole and it comes back. But, he pulled it together. He showed true grit. He had fallen off the leader board. As the amateur, there is tremendous pressure to be the low amateur is an honor of distinction. Started by the amateur, Bobby Jones, the Masters Golf Tournament has always had a special place for amateurs. Frequently, in the high pressure of the last few days of the tournament, they fade off. Some do not appear during the last few days. Ryan was there he gathered his senses, overcame the mistakes he had made, and he charged on to finish in the position of 13. It earned him the honor of being the best amateur in the field and an invitation back to next year's tournament. Many professionals would pay hundreds of thousands of dollars for that opportunity. Ryan will be turning pro soon after he finishes his obligations to the University of Nevada, Las Vegas (UNLV). As I watched him play, I thought how wonderful it was that he was playing without sponsorships. He did not have *Ford* or the National Bank or more decals than a NASCAR driver on him as he was walking around the course playing for himself, for his pride, family and school. He wore his school hat that said UNLV. Every day, he kept that on. Millions of people saw his hat. What a contrast to the paid advertising that will soon follow. We will forgive you because it will help pay the rent.

Ryan, you have learned to manage affairs on your own. You have done an excellent job in school. My wife has been privileged to be one of your instructors. You have worked hard. When you get out on that pro tour, just ignore all the advice you will get about changing the loop in your back swing. It is strange looking, but it will work for you for the rest of your life. Thank you.

Resolution adopted.

Senator Townsend moved that all rules be suspended and that Senate Concurrent Resolution No. 41 be immediately transmitted to the Assembly.

Motion carried unanimously.

Senator McGinness moved that Assembly Bill No. 380 be rereferred to the Committee on Human Resources and Education.

Remarks by Senator McGinness.

Motion carried.

#### SECOND READING AND AMENDMENT

Assembly Bill No. 392.

Bill read second time and ordered to third reading.

Assembly Bill No. 393.

Bill read second time and ordered to third reading.

Assembly Bill No. 501.

Bill read second time.

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

Amendment No. 706.

Amend sec. 9, page 9, line 8, after "\$50,000." by inserting: "*The Board shall, by regulation, establish standards for use by the Board in determining the amount of an administrative fine imposed pursuant to this subsection. The standards must include, without limitation, provisions requiring the Board to consider:*

- (a) *The gravity of the violation;*
- (b) *The good faith of the licensee; and*
- (c) *Any history of previous violations of the provisions of this chapter committed by the licensee."*

Amend sec. 9, page 9, by deleting lines 30 through 32 and inserting: "*NRS 624.341 or 624.710 plus interest at a rate that is equal to the prime rate at the largest bank in this State, as determined by the Commissioner of Financial Institutions on January 1 or July 1, as appropriate, immediately preceding the date of the order imposing the administrative fine, plus 4 percent, must be paid to the Board before the issuance or renewal of a license to engage in the business of contracting in this State. The interest must be collected from the date of the order until the date the administrative fine is paid."*

Amend sec. 12, page 11, by deleting line 21 and inserting:

"2. ~~{An}~~ *The Board shall, by regulation, establish standards for use by the Board in determining the amount of an administrative fine imposed pursuant to this section . {is}* *The standards must include, without limitation, provisions requiring the Board to consider:*

- (a) *The gravity of the violation;*
- (b) *The good faith of the licensee; and*
- (c) *Any history of previous violations of the provisions of this chapter committed by the licensee.*

3. *An administrative fine imposed pursuant to this section is in"*.

Amend sec. 12, page 11, line 23, by deleting "3." and inserting "~~{3-}~~ 4."

Amend sec. 12, page 11, line 26, by deleting "4." and inserting "~~{4-}~~ 5."

Amend the title of the bill, tenth line, after "violations;" by inserting: "requiring the Board to establish standards for use by the Board in determining the amount of certain administrative fines;"

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. 547.

Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 10.

Resolution read second time and ordered to third reading.

Assembly Joint Resolution No. 12.

Resolution read second time and ordered to third reading.

#### MOTIONS, RESOLUTIONS AND NOTICES

Senator Raggio moved that Senate Bills Nos. 78, 484; Assembly Bills Nos. 80, 118, 159, 181, 184, 220, 341, 404, 486, 518, 537; Assembly Joint Resolutions Nos. 4, 14 be taken from the General File and placed on the General File for the next legislative day.

Remarks by Senator Raggio.

Motion carried.

#### UNFINISHED BUSINESS

##### CONSIDERATION OF ASSEMBLY AMENDMENTS

Senate Bill No. 27.

The following Assembly amendment was read:

Amendment No. 689.

Amend section 1, pages 1 and 2, by deleting lines 4 and 5 on page 1 and lines 1 through 11 on page 2, and inserting: "as alternate jurors.

2. Alternate jurors , in the order in which they ~~are~~ were called , shall replace jurors who become unable or".

Amend section 1, page 2, line 13, by deleting "4." and inserting "3."

Amend section 1, page 2, line 20, by deleting "5." and inserting "4."

Amend section 1, page 2, line 23, by deleting "6." and inserting "5."

Amend section 1, page 2, by deleting lines 26 through 29 and inserting: "or four alternate jurors are to be impaneled ~~[-]~~ , and three peremptory challenges if five or six alternate jurors are to be impaneled. The additional".

Amend the bill as a whole by deleting sections 2 through 4 and renumbering sec. 5 as sec. 2.

Amend the title of the bill, second line, by deleting "and civil".

Amend the summary of the bill to read as follows:

"SUMMARY—Revises provisions governing selection of alternate jurors in criminal trials. (BDR 14-851)".

Senator Amodei moved that the Senate concur in the Assembly amendment to Senate Bill No. 27.

Remarks by Senator Amodei.

Motion carried by a constitutional majority.

Bill ordered enrolled.

#### SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the President and Secretary signed Senate Bills Nos. 130, 210, 243, 250, 408; Senate Concurrent Resolution No. 34; Assembly Concurrent Resolution No. 30.

#### GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

On request of Senator Amodei, the privilege of the floor of the Senate Chamber for this day was extended to the following students, chaperones and faculty from the Bethlehem Lutheran Middle School: Scott Banks, Krystyne

Bara, Rebecca Gansberg, Duncan Langguth, Aron Lupton, Jared Lupton, Mark Neddenriep, Harris Armstrong, Andrew Deterding, Alicia Dilegame, Shaun Fitzgerald, Danica Lupton, Andy Nordstrom, Spencer Oesterling, Valerie Premo, Rebecca Robertson, Josiah Toral, Jesse Walser-Eastro, Rachel Premo; chaperones and faculty: Lonnie Karges, Ed Nordstrom, Kori Oesterling and Debbie Neddenreip.

On request of Senator Care, the privilege of the floor of the Senate Chamber for this day was extended to Commander Thomas Cadmus, Rodger Webster, Lionel Motta and Randy Potts.

On request of Senator Mathews, the privilege of the floor of the Senate Chamber for this day was extended to Chuan Liu, Sonja Liu and Nadia Liu.

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to Greg Nelson, Gail Nelson and Pat Nelson.

On request of Senator Tiffany, the privilege of the floor of the Senate Chamber for this day was extended to Richard Jones, Barry Boudreaux and Cynthia Laubacher.

On request of Senator Titus, the privilege of the floor of the Senate Chamber for this day was extended to Susan Thompson, Elizabeth Adamske, Susan Bender, Carmela Urza and Thomas Wright.

On request of Senator Townsend, the privilege of the floor of the Senate Chamber for this day was extended to coach: Dwaine Knight, Ryan Moore and the following students, chaperone and teacher from the Silver State High School: Andrew Carter, Joanne McClure, Mary McClure, Amy Miller, Nick Riley, Ashley Scott, Christina Uzzle; chaperone: Nicky Miller and teacher: Bonnie Brown.

Senator Raggio moved that the Senate adjourn until Friday, May 13, 2005, at 11 a.m.

Motion carried.

Senate adjourned at 12:11 p.m.

Approved:

LORRAINE T. HUNT  
*President of the Senate*

Attest: CLAIRE J. CLIFT

*Secretary of the Senate*