

THE SECOND DAY

CARSON CITY (Tuesday), February 8, 2005

Senate called to order at 10:59 a.m.

President Hunt presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Marvin Dennis.

Heavenly Father, we give You thanksgiving for these who have dedicated themselves to serve the citizens of Nevada through the Seventy-third Legislative Session.

Give to each one the wisdom and compassion that they will need to accomplish their task in the days ahead. Help these Senators to lead with their minds and hearts throughout this new session.

I pray that You will give special guidance to the Senate leadership as they guide this Senate. Give strength for the days ahead to Lieutenant Governor Hunt, Majority Leader Raggio and Minority Leader Titus.

Thank You for hearing and answering prayer.

In the Name of my wonderful Lord and Savior, I pray.

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.

MESSAGES FROM THE ASSEMBLY

ASSEMBLY CHAMBER, Carson City, February 7, 2005

To the Honorable the Senate:

I have the honor to inform your honorable body that the Assembly on this day passed Senate Bill No. 1.

DIANE KEETCH

Assistant Chief Clerk of the Assembly

COMMUNICATIONS
UNITED STATES SENATE
WASHINGTON D.C. 20510-7012

January 31, 2005

THE HONORABLE WILLIAM RAGGIO, *Senate Majority Leader*, State of Nevada Senate,
Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747

DEAR SENATOR RAGGIO:

I am writing to request the honor of speaking before both Houses of the Nevada State Legislature at 5:00 p.m. on Wednesday, February 23, 2005.

My Reno office will be coordinating the details of my visit. Please call Mary Conelly or June Schmidt at 775-686-5750 if you have any questions.

Thank you for your kind consideration. I look forward to speaking to the Legislature on issues of mutual interest.

With all best wishes,

Sincerely,

HARRY REID

United States Senator

Democratic Leader

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

January 25, 2005

MS. CLAIRE CLIFT, *Secretary of the Senate*, 401 South Carson Street,
Carson City, Nevada 89701-4747

DEAR CLAIRE:

It would be my honor and pleasure to address a joint session of the Nevada Legislature at 5:00 p.m. on Thursday, February 24, 2005, to deliver a formal assessment of our Congressional agenda and its impact on our State.

As you know, there are a number of issues critical to the well being of our State and our Country that will be addressed in the months to come. It is vital that local, state and federal representatives work together to achieve our goals.

Thank you for this important opportunity. I look forward to seeing you and many of my former colleagues in Carson City.

Sincerely,
JIM GIBBONS
Member of Congress

SUPREME COURT OF NEVADA
NANCY A. BECKER, CHIEF JUSTICE
CAPITOL COMPLEX
CARSON CITY, NEVADA, 89710

February 4, 2005

RE: State of the Judiciary Address, 2005 Legislative Session, March 2, 2005

THE HONORABLE WILLIAM RAGGIO, *Majority Leader of the Senate*,
401 S. Carson Street, Carson City, NV 89701

DEAR SENATOR RAGGIO:

As Chief Justice of the Supreme Court of Nevada, it is my privilege to request to address the Senate and Assembly of the State of Nevada. I am informed that the date of Wednesday, March 2, 2005, at 5:00 p.m., has been tentatively scheduled for this purpose and shall take place in the Assembly Chamber of the Legislative Building. If a conflict exists with this time and date, please contact my office.

The Supreme Court's reception for the Legislature will be held immediately following the Judiciary Address. We cordially invite the members of the Legislature to attend.

Thank you.

Sincerely,
NANCY A. BECKER
Chief Justice

MOTIONS, RESOLUTIONS AND NOTICES

By Senators Raggio and Titus:

Senate Concurrent Resolution No. 1—Providing for the compensation of the clergy for services rendered to the Senate and Assembly during the 21st Special Session and the 73rd Session of the Nevada Legislature.

Senator Raggio moved the adoption of the resolution.

Remarks by Senator Raggio.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

By Senators Raggio, Amodei, Beers, Care, Carlton, Cegavske, Coffin, Hardy, Heck, Horsford, Lee, Mathews, McGinness, Nolan, Rhoads, Schneider, Tiffany, Titus, Townsend, Washington and Wiener:

Senate Concurrent Resolution No. 2—Declaring 2005 to be "The Year of Languages."

WHEREAS, Under the guidance of the American Council on the Teaching of Foreign Languages, language education programs throughout the United States are celebrating 2005 as "The Year of Languages"; and

WHEREAS, For over 200 years, citizens from other countries have settled in our communities, enhancing the diversity of this nation and underlining the importance of understanding different cultures and languages; and

WHEREAS, Americans have growing social, cultural and economic ties to the global community, offering great opportunities and presenting new challenges as we seek to communicate with and understand those from different linguistic and cultural backgrounds; and

WHEREAS, The underlying tenet of "The Year of Languages" is to celebrate the increasing importance of learning other languages for use in our schools and everyday life, not only to promote a greater understanding of others, but to enhance career opportunities and to provide life-long learning opportunities for people beyond school age; and

WHEREAS, Foreign language educators are working cooperatively to promote the benefits of language learning to students, parents, businesses, health and social services leaders, and policy makers throughout this State and the nation; and

WHEREAS, Language education in the 21st century includes a commitment to the study of long sequences of world languages beginning in early grades to allow students to develop the level of proficiency needed to communicate effectively with others from different cultures, both at home and abroad; and

WHEREAS, The benefits gained from studying other cultures and languages include improved cognitive, analytical and communication skills, improved academic achievement, expanded career opportunities, and greater international awareness and understanding; and

WHEREAS, This year of celebrating languages serves as a look to the future for young Americans who will be entering the workforce at a time when international awareness, cross-cultural understanding and linguistic capacity are increasingly important for enhancing career opportunities and for their success as citizens of a broader world; and

WHEREAS, Each month "The Year of Languages" initiative will focus on different areas, including the importance of international engagement, the interrelationships between languages and other subject areas or professions, higher education learning, exploring different languages and cultures within our communities, adult learning and language use, parents' roles in providing language opportunities, early language learning and maintenance of our heritage languages such as Native American languages and American Sign Language; and

WHEREAS, The success of "The Year of Languages" depends on the support and involvement of local foreign language teachers and guidance counselors, those who have access to the students, parents and community members to whom this effort is intended to reach; and

WHEREAS, Language educators are urging the public to recognize the value of delivering better education to students, of expanding the cultural and literary horizons of adult learners and of strengthening America's position and security around the world; now, therefore, be it

RESOLVED BY THE SENATE OF THE STATE OF NEVADA, THE ASSEMBLY CONCURRING, That the Legislature of the State of Nevada does hereby recognize 2005 as "The Year of Languages"; and be it further

RESOLVED, That the efforts of organizations such as the Sierra Nevada World Language Collaborative, a 26-year-old organization of Washoe County foreign language educators that meet to share teaching ideas and to promote the study of foreign languages in our schools are hereby recognized and encouraged; and be it further

RESOLVED, That the residents of the State of Nevada are urged to become familiar with the services and benefits offered by language education programs in the State and to support and participate in these programs to gain proficiency not only in English, but in other languages as well.

Senator Raggio moved the adoption of the resolution.

Remarks by Senator Raggio.

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

This is a personal privilege for me to ask the Senate to adopt this resolution sponsored by all the Senators. My daughter, Leslie, a foreign language instructor, is here, today, to celebrate this resolution with us.

Today, the world is much smaller than it used to be. While many of us were growing up, communications were not instant as they are now. Nations of the world did not work as closely together as they do now. An event occurring in a remote part of the world can affect us here.

The emphasis in our schools has shifted. We are a more diverse nation with people coming from all parts of the earth to become Americans. Many other countries are experiencing the same diversity. Language barriers occur. Today, schools are equipped to offer a variety of foreign-language education options. These changes in education are important to our Nation.

The year 2005 has been declared the "Year of the Languages." During the past 200 years that we have existed as a nation, we have learned the importance of understanding the differences and appreciated the backgrounds of different cultures. It is important that we give our attention to learning not only the customs of others but their languages as well.

Resolution adopted.

Resolution ordered transmitted to the Assembly.

Senator Raggio moved that the following persons be accepted as accredited press representatives, and that they be assigned space at the press table and allowed the use of appropriate media facilities: KNPB-TV Channel 5: Megan Berner; KRNV-TV: John Allen, Adrianna Banovich, Doug Barden, Bill Frankmore, Joe Hart, Sarah Johns, Michelle Kinner, Brian Shaw, Parker Stremmell; KVBC-TV: Mark A. McBride, Gerald Ramalho; LAS VEGAS SUN: Kirsten Searer; MEDIA CENTER/SNCAT: Don Alexander, Henry King, Matthew Lahtinen, John Ponzio, Earl Spriggs and WINNEMUCCA PUBLISHING: David Gouger.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Senator Washington:

Senate Bill No. 41—AN ACT relating to liens; revising the threshold for establishing a first and second lien in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Washington:

Senate Bill No. 42—AN ACT relating to employment; requiring a person who compensates an employee or outside salesperson based solely on commission to enter into a valid written agreement with the employee or salesperson specifying the amount of compensation; requiring such a person to pay at least the minimum wage to such an employee or outside salesperson in certain circumstances; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Senator Washington:

Senate Bill No. 43—AN ACT relating to juveniles; ratifying the revised Interstate Compact for Juveniles; renouncing the original Interstate Compact on Juveniles and repealing the provisions relating thereto; and providing other matters properly relating thereto.

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

Motion carried.

GUESTS EXTENDED PRIVILEGE OF SENATE FLOOR

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

On request of Senator Raggio, the privilege of the floor of the Senate Chamber for this day was extended to Leslie Raggio Righetti, Bri Thoreson, Janet Hartman, Audrey Cournia, Sharon Lee, Donatienne Dougherty, Javier Preciado E. Trujillo, Tyler Bowman, Chelsea Smith, Janette Holman and Dr. Nelson Rojas.

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

On request of Senator Townsend, the privilege of the floor of the Senate Chamber for this day was extended to Ben Kirish.

Senator Raggio moved that the Senate adjourn until Thursday, February 10, 2005, at 11 a.m.

Motion carried.

Senate adjourned at 11:35 a.m.

Approved:

LORRAINE T. HUNT
President of the Senate

Attest: CLAIRE J. CLIFT

Secretary of the Senate