

Journal

OF THE

ASSEMBLY OF THE STATE OF NEVADA

TWENTY-SECOND SPECIAL SESSION

THE FIRST DAY

CARSON CITY (Tuesday), June 7, 2005

Pursuant to the provisions of the Constitution and Statutes, the Assembly was called to order by Speaker of the Assembly Richard D. Perkins at 7:52 a.m.

Roll called.

All present.

Prayer by the Chaplain, Assemblyman Bernie Anderson.

The world tends to wink at temptation and to make it the subject of jokes. Anyone who has struggled with genuine temptation, however, knows it is not funny. At some point each of us has faced some serious temptations. In fact, some of the people we know best struggled with terrible temptations and problems we know nothing about. Let us pray for wisdom and strength in the face of temptation. May we resist the temptation to do the right thing in the wrong way; may we resist the temptation to do the right thing for the wrong reason; may we resist the temptation to take the shortcuts that diminish our self-respect; may we resist the temptation to seek our own happiness at the expense of other people. Let our example here be an expression of our joy and gratitude for all that God has given us, recognizing His sacrifice for our failings and frailty.

AMEN.

Pledge of Allegiance to the Flag.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblywoman Buckley moved that for the balance of the special session, all rules be suspended and that all bills and joint resolutions passed, and all concurrent resolutions adopted by the Assembly, be immediately transmitted to the Senate.

Motion carried.

Assemblywoman Buckley moved that the reading of the Proclamations by the Governor convening the Legislature into a Special Session be dispensed with and that the Proclamations be entered into the Journal.

Motion carried.

COMMUNICATIONS

OFFICE OF THE GOVERNOR

CARSON CITY, NEVADA, June 7, 2005

The Honorable Richard D. Perkins, *SPEAKER OF THE ASSEMBLY*, NEVADA STATE ASSEMBLY,
LEGISLATIVE BUILDING, 401 S. CARSON STREET, CARSON CITY, NEVADA 89701-4947
TO THE HONORABLE MEMBERS OF THE NEVADA STATE ASSEMBLY:

The Nevada State Constitution in Article V, Section 9, provides that the Governor may on extraordinary occasions convene a Special Session of the Legislature by proclamation.

The 73rd Session of the Nevada Legislature has failed to complete its business during the required 120-day period. Therefore, this morning I have issued my proclamation convening a special session of the Legislature. I have defined and limited the scope of your legislative endeavors within my proclamation calling this special session. Consider only the matters set forth in this proclamation.

All of our citizens are hopeful that your efforts will meet with success.

Sincerely,
Kenny C. Guinn
Governor

OFFICE OF THE GOVERNOR

CARSON CITY, NEVADA, June 7, 2005

The Honorable Richard D. Perkins, *SPEAKER OF THE ASSEMBLY*, NEVADA STATE ASSEMBLY,
LEGISLATIVE BUILDING, 401 S. CARSON STREET, CARSON CITY, NEVADA 89701-4947
DEAR SPEAKER PERKINS:

Section 9 of Article 5, of the Nevada Constitution provides that the Governor may request the Legislature, when convened in Special Session, to consider matters other than those set forth in the call.

With this letter, I am exercising my constitutional authority to bring additional legislative business to your attention for consideration. I would request that you consider the matters contained within AB 189 (4th Reprint), AB 195 (3rd Reprint), AB 385 (4th Reprint), AB 548, AB 578 (1st Reprint), AJR 5 (2nd Reprint), SB 97 (1st Reprint), SB 392 (5th Reprint), SB 462 (4th Reprint), and SB 526 of the 73rd Session of the Nevada Legislature.

Best wishes in your deliberations. The people of our great state are counting on you to complete your work in a thoughtful and respectful manner.

Sincerely,
Kenny C. Guinn
Governor

MESSAGES FROM THE GOVERNOR

STATE OF NEVADA OFFICE OF THE GOVERNOR EXECUTIVE ORDER

A PROCLAMATION BY THE GOVERNOR:

WHEREAS, Section 9 of Article V of the Constitution of the State of Nevada provides that, "The Governor may on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses when organized, the purpose for which they have been convened, and the Legislature shall transact no legislative business, except that for which they were specifically

convened, or such other legislative business as the Governor may call to the attention of the Legislature while in Session”; and

WHEREAS, the Legislature has failed to comply with the constitutional mandate to complete its business within 120 days following its commencement; and

WHEREAS, believing that an extraordinary occasion now exists which requires immediate action by the Legislature;

NOW, THEREFORE, I, KENNY C. GUINN, GOVERNOR of the STATE OF NEVADA, By virtue of the authority vested in me by the Constitution of the State of Nevada, do hereby convene the Legislature into a Special Session to consider the matters within Assembly Bill 560 (2nd reprint) and Assembly Bill 198 (1st reprint) of the Seventy-Third Session of the Nevada Legislature. A summary of those matters is as follows:

ASSEMBLY BILL 560 (2nd Reprint)

AN ACT relating to millennium scholarships; revising the provisions governing the administration of the Millennium Scholarship Program and the Millennium Scholarship Trust Fund; revising the provisions governing eligibility for millennium scholarships; providing for the annual transfer of money from the Abandoned Property Trust Fund to the Millennium Scholarship Trust Fund; making an appropriation; and providing other matters properly relating thereto.

ASSEMBLY BILL 198 (1st Reprint)

AN ACT relating to education; making an appropriation for certain schools to provide full-day kindergarten during the 2006–2007 school year; authorizing school districts to apply for grants of available money to provide full-day kindergarten in certain other schools; requiring the State Board of Education to adopt regulations for school districts that wish to offer early admission to kindergarten; and providing other matters properly relating thereto.

During the Special Session, the Legislature may also consider any others matters brought to the attention of the Legislature by the Governor. The Special Session shall begin at 3:00 a.m. on June 7, 2005, and end at 7:00 a.m. on June 7, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City this 7th day of June, in the year two thousand five.

Kenny C. Guinn
Governor

Dean Heller
Secretary of State

Renee Parker
Deputy Secretary of State

STATE OF NEVADA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER

A PROCLAMATION BY THE GOVERNOR:

On June 7, 2005, I, Kenny C. Guinn, Governor of the State of Nevada, through my proclamation, convened a Special Session of the Nevada Legislature. The Senate Majority Leader and the Speaker of the Assembly have requested that I extend the 22nd Special Session of the Nevada Legislature. Therefore, by virtue of the authority vested in me by the Constitution of the State of Nevada, I hereby amend my proclamation of June 7, 2005, and extend the 22nd Special Session of the Nevada Legislature until 10:00 a.m. on June 7, 2005.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nevada to be affixed at the State Capitol in Carson City this 7th day of June, in the year two thousand five.

Kenny C. Guinn
Governor

Dean Heller
Secretary of State

Renee Parker
Deputy Secretary of State

MOTIONS, RESOLUTIONS, AND NOTICES

By the Committee of the Whole:

Assembly Concurrent Resolution No. 1—Adopting the Joint Rules of the Senate and Assembly for the 22nd Special Session of the Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the following Joint Rules of the Senate and Assembly for the 22nd Special Session of the Legislature are hereby adopted:

APPLICABILITY OF JOINT RULES

Rule No. 1. Generally.

The Joint Rules for the 22nd Special Session of the Legislature are applicable only during the 22nd Special Session of the Legislature.

CONFERENCE COMMITTEES

Rule No. 2. Procedure Concerning.

1. In every case of an amendment of a bill, or joint or concurrent resolution, agreed to in one House, dissented from in the other, and not receded from by the one making the amendment, each House shall appoint a committee to confer with a like committee to be appointed by the other; and the committee so appointed shall meet publicly at a convenient hour to be agreed upon by their respective chairmen and announced publicly, and shall confer upon the differences between the two Houses as indicated by the amendments made in one and rejected in the other and report as early as convenient the result of their conference to their respective Houses. The report shall be made available to all members of both Houses. The whole subject matter embraced in the bill or resolution shall be considered by the committee, and it may recommend recession by either House, new amendments, new bills or resolutions, or other changes as it sees fit. New bills or resolutions so reported shall be treated as amendments unless the bills or resolutions are composed entirely of original matter, in which case they shall receive the treatment required in the respective Houses for original bills, or resolutions, as the case may be.

2. The report of a conference committee may be adopted by acclamation, and such action may be considered equivalent to the adoption of amendments embodied therein. The report is not subject to amendment. If either House refuses to adopt the report, or if the first conference committee has so recommended, a second conference committee may be appointed. No member who served on the first committee may be appointed to the second.

3. There shall be but two conference committees on any bill or resolution. A majority of the members of a conference committee from each House must be members who voted for the passage of the bill or resolution.

MESSAGES

Rule No. 3. Procedure Concerning.

1. Proclamations by the Governor convening the Legislature in extra session shall, by direction of the presiding officer of each House, be read immediately after the convening thereof, filed and entered in full in the Journal of proceedings.

2. Whenever a message from the Governor is received, the Sergeant at Arms will announce: "Mr. President, or Mr. Speaker, the Secretary of the Governor is at the bar." The secretary will, upon being recognized by the presiding officer, announce: "Mr. President, or Mr. Speaker, a message from His Excellency, the Governor of Nevada, to the Honorable, the Senate or Assembly," and hand same to the Sergeant at Arms for delivery to the Secretary of the Senate or Chief Clerk of the Assembly. The presiding officer will direct any message from the Governor to be received, read and entered in full in the Journal of proceedings.

3. Messages from the Senate to the Assembly shall be delivered by the Secretary or Assistant Secretary, and messages from the Assembly to the Senate shall be delivered by the Chief Clerk or Assistant Chief Clerk.

NOTICE OF FINAL ACTION

Rule No. 4. Communications.

Each House shall communicate its final action on any bill or resolution, or matter in which the other may be interested, by written notice. Each such notice sent by the Senate must be signed by the Secretary of the Senate, or a person designated by the Secretary. Each such notice sent by the Assembly must be signed by the Chief Clerk of the Assembly, or a person designated by the Chief Clerk.

BILLS AND JOINT RESOLUTIONS

Rule No. 5. Signature.

Each enrolled bill or joint resolution shall be presented to the presiding officers of both Houses for signature. They shall, after an announcement of their intention to do so is made in open session, sign the bill or joint resolution and their signatures shall be followed by those of the Secretary of the Senate and Chief Clerk of the Assembly.

Rule No. 6. Joint Sponsorship.

1. A bill or resolution introduced by a committee of the Senate or Assembly may, at the direction of the chairman of the committee, set forth the name of a committee of the other House as a joint sponsor, if a majority of all members appointed to the committee of the other House votes in favor of becoming a joint sponsor of the bill or resolution. The name of the committee joint sponsor must be set forth on the face of the bill or resolution immediately below the date on which the bill or resolution is introduced.

2. The Legislative Counsel shall not cause to be printed the name of a committee as a joint sponsor on the face of a bill or resolution unless the chairman of the committee has signed his name next to the name of the committee on the colored back of the introductory copy of the bill or resolution that was submitted to the front desk of the House of origin or the statement required by subsection 4.

3. Upon introduction, any bill or resolution that sets forth the names of primary joint sponsors must be numbered in the same numerical sequence as other bills and resolutions of the same House of origin are numbered.

4. Once a bill or resolution has been introduced, a primary joint sponsor or nonprimary joint sponsor may only be added or removed by amendment of the bill or resolution. An amendment which proposes to add or remove a primary joint sponsor must not be considered by the House of origin of the amendment unless a statement requesting the addition or removal is attached to the copy of the amendment submitted to the front desk of the House of origin of the amendment. If the amendment proposes to add or remove a committee as a primary joint

sponsor, the statement must be signed by the chairman of the committee. A copy of the statement must be transmitted to the Legislative Counsel if the amendment is adopted.

5. An amendment that proposes to add or remove a primary joint sponsor may include additional proposals to change the substantive provisions of the bill or resolution or may be limited only to the proposal to add or remove a primary joint sponsor.

PRINTING

Rule No. 7. Ordering and Distribution.

Each House may order the printing of bills introduced, reports of its own committees, and other matter pertaining to that House only; but no other printing may be ordered except by a concurrent resolution passed by both Houses. Each Senator is entitled to the free distribution of four copies of each bill introduced in each House, and each Assemblyman to such a distribution of two copies. Additional copies of such bills may be distributed at a charge to the person to whom they are addressed. The amount charged for distribution of the additional copies must be determined by the Director of the Legislative Counsel Bureau to approximate the cost of handling and postage for the entire session.

RESOLUTIONS

Rule No. 8. Types, Usage and Approval.

1. A joint resolution must be used to:

(a) Propose an amendment to the Nevada Constitution.

(b) Ratify a proposed amendment to the United States Constitution.

(c) Address the President of the United States, Congress, either House or any committee or member of Congress, any department or agency of the Federal Government, or any other state of the Union.

2. A concurrent resolution must be used to:

(a) Amend these joint rules.

(b) Request the return from the Governor of an enrolled bill for further consideration.

(c) Resolve that the return of a bill from one House to the other House is necessary and appropriate.

(d) Express facts, principles, opinion and purposes of the Senate and Assembly.

(e) Establish a joint committee of the two Houses.

(f) Direct the Legislative Commission to conduct an interim study.

3. A concurrent resolution or a resolution of one House may be used to:

(a) Memorialize a former member of the Legislature or other notable or distinguished person upon his death.

(b) Congratulate or commend any person or organization for a significant and meritorious accomplishment.

VETOES

Rule No. 9. Special Order.

Bills which have passed a previous Legislature, and which are transmitted to the Legislature next sitting, accompanied by a message or statement of the Governor's disapproval, or veto of the same, shall become the subject of a special order; and when the special order for their consideration is reached and called, the said message or statement shall be read, together with the bill or bills so disposed or vetoed; and the message and bill shall be read in the Senate by the Secretary of the Senate and in the Assembly by the Chief Clerk of the Assembly, without interruption, consecutively, one following the other, and not upon separate occasions; and no such bill or message shall be referred to any committee, or otherwise acted upon, save as provided by law and custom; that is to say, that immediately following such reading the only question (except as hereinafter stated) which shall be put by the Chair is, "Shall the bill pass, notwithstanding the objections of the Governor?" It shall not be in order, at any time, to vote upon such vetoed bill without the same shall have first been read, from the first word of its title

to and including the last word of its final section; and no motion shall be entertained after the Chair has stated the question save a motion for “The previous question,” but the merits of the bill itself may be debated.

ADJOURNMENT

Rule No. 10. Limitations and Calculation of Duration.

1. In calculating the permissible duration of an adjournment for 3 days or less, the day of adjournment must not be counted but the day of the next meeting must be counted, and Sunday must not be counted.

2. The Legislature may adjourn for more than 3 days by motion based on mutual consent of the houses or by concurrent resolution. One or more such adjournments may be taken to permit a committee or the Legislative Counsel Bureau to prepare the matters respectively entrusted to them for the consideration of the Legislature as a whole.

EXPENDITURES FROM THE LEGISLATIVE FUND

Rule No. 11. Manner of authorization.

Except for routine salary, travel, equipment and operating expenses, no expenditures shall be made from the Legislative Fund without the authority of a concurrent resolution regularly adopted by the Senate and Assembly.

RECORDS OF COMMITTEE PROCEEDINGS

Rule No. 12. Duties of Secretary of Committees and Director.

1. Each committee shall cause a record to be made of the proceedings of its meetings.

2. The secretary of a committee shall:

(a) Label each record with the date, time and place of the meeting and also indicate on the label the numerical sequence in which the record was made;

(b) Keep the records in chronological order; and

(c) Deposit the records immediately following the final adjournment of the special session of the Legislature with the Director of the Legislative Counsel Bureau.

3. The Director of the Legislative Counsel Bureau shall:

(a) Index the records;

(b) Make the records available for accessing by any person during office hours under such reasonable conditions as he may deem necessary;

(c) Maintain a log as a public record containing the date, time, name and address of any person accessing any of the records and identifying the records accessed; and

(d) Retain the records for two bienniums and at the end of that period keep some form or copy of the record in any manner he deems reasonable to ensure access to the record in the foreseeable future.

LIMITATIONS ON REQUESTS FOR DRAFTING OF LEGISLATIVE MEASURES

Rule No. 13. Germaneness Required for Amendments.

1. The Legislative Counsel shall not honor a request for the drafting of an amendment to a bill or resolution if the subject matter of the amendment is independent of, and not specifically related and properly connected to, the subject that is expressed in the title of the bill or resolution.

2. For the purposes of this Rule, an amendment is independent of, and not specifically related and properly connected to, the subject that is expressed in the title of a bill or resolution if the amendment relates only to the general, single subject that is expressed in that title and not to the specific whole subject matter embraced in the bill or resolution.

*CONTINUATION OF LEADERSHIP OF THE SENATE
AND ASSEMBLY DURING THE INTERIM
BETWEEN SESSIONS*

Rule No. 14. Tenure and Performance of Statutory Duties.

1. Except as otherwise provided in subsections 2 and 3, the tenure of the President Pro Tem, Majority Leader and Minority Leader of the Senate and the Speaker, Speaker Pro Tem, Majority Floor Leader and Minority Floor Leader of the Assembly extends during the interim between regular sessions of the Legislature.

2. The Senators designated to be the President Pro Tem, Majority Leader and Minority Leader for the next succeeding regular session shall perform any statutory duty required in the period between the time of their designation after the general election and the organization of the next succeeding regular session of the Legislature if the Senator formerly holding the respective position is no longer a Legislator.

3. The Assemblymen designated to be the Speaker, Speaker Pro Tem, Majority Floor Leader and Minority Floor Leader for the next succeeding regular session shall perform any statutory duty required in the period between the time of their designation after the general election and the organization of the next succeeding regular session.

*POLICY AND PROCEDURES REGARDING
SEXUAL HARASSMENT*

Rule No. 15. Maintenance of Working Environment; Procedure for Filing, Investigating and Taking Remedial Action on Complaints.

1. The Legislature hereby declares its intention to maintain a working environment which is free from sexual harassment. This policy applies to all Legislators and lobbyists. Each member and lobbyist is responsible to conduct himself or herself in a manner which will ensure that others are able to work in such an environment.

2. In accordance with Title VII of the Civil Rights Act, for the purposes of this Rule, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

(a) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment;

(b) Submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting the person; or

(c) Such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive working environment.

3. Each person subject to these Rules must exercise his own good judgment to avoid engaging in conduct that may be perceived by others as sexual harassment. The following noninclusive list provides illustrations of conduct that the Legislature deems to be inappropriate:

(a) Verbal conduct such as epithets, derogatory comments, slurs or unwanted sexual advances, invitations or comments;

(b) Visual conduct such as derogatory posters, photography, cartoons, drawings or gestures;

(c) Physical conduct such as unwanted touching, blocking normal movement or interfering with the work directed at a person because of his sex;

(d) Threats and demands to submit to sexual requests to keep a person's job or avoid some other loss, and offers of employment benefits in return for sexual favors; and

(e) Retaliation for opposing, reporting or threatening to report sexual harassment, or for participating in an investigation, proceeding or hearing conducted by the Legislature or the Nevada Equal Rights Commission or the federal Equal Employment Opportunity Commission,

when submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting the person or such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive working environment.

4. A person may have a claim of sexual harassment even if he has not lost a job or some other economic benefit. Conduct that impairs a person's ability to work or his emotional well-being at work constitutes sexual harassment.

5. If a Legislator believes he is being sexually harassed on the job, he may file a written complaint with:

(a) The Speaker of the Assembly;

(b) The Majority Leader of the Senate; or

(c) The Director of the Legislative Counsel Bureau, if the complaint involves the conduct of the Speaker of the Assembly or the Majority Leader of the Senate.

The complaint must include the details of the incident or incidents, the names of the persons involved and the names of any witnesses.

6. Except as otherwise provided in subsection 7, the Speaker of the Assembly or the Majority Leader of the Senate, as appropriate, shall refer a complaint received pursuant to subsection 5 to a committee consisting of Legislators of the same House. A complaint against a lobbyist may be referred to a committee in either House.

7. If the complaint involves the conduct of the Speaker of the Assembly or the Majority Leader of the Senate, the Director of the Legislative Counsel Bureau shall refer the complaint to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments of the Assembly or the Committee on Legislative Operations and Elections of the Senate, as appropriate. If the Speaker of the Assembly or the Majority Leader of the Senate is a member of one of these committees, the Speaker or the Majority Leader, as the case may be, shall not participate in the investigation and resolution of the complaint.

8. The committee to which the complaint is referred shall immediately conduct a confidential and discreet investigation of the complaint. As a part of the investigation, the committee shall notify the accused of the allegations. The committee shall facilitate a meeting between the complainant and the accused to allow a discussion of the matter, if both agree. If the parties do not agree to such a meeting, the committee shall request statements regarding the complaint from each of the parties. Either party may request a hearing before the committee. The committee shall make its determination and inform the complainant and the accused of its determination as soon as practicable after it has completed its investigation.

9. If the investigation reveals that sexual harassment has occurred, the Legislature will take appropriate disciplinary or remedial action, or both. The committee shall inform the complainant of any action taken. The Legislature will also take any action necessary to deter any future harassment.

10. The Legislature will not retaliate against a person who files a complaint and will not knowingly permit any retaliation by the person's supervisors or coworkers.

11. The Legislature encourages a person to report any incident of sexual harassment immediately so that the complaint can be quickly and fairly resolved.

12. Action taken by a complainant pursuant to this Rule does not prohibit the complainant from also filing a complaint of sexual harassment with the Nevada Equal Rights Commission or the federal Equal Employment Opportunity Commission.

13. All Legislators and lobbyists are responsible for adhering to the provisions of this policy. The prohibitions against engaging in sexual harassment and the protections against becoming a victim of sexual harassment set forth in this policy apply to employees, Legislators, lobbyists, vendors, contractors, customers and visitors to the Legislature.

14. This policy does not create any enforceable legal rights in any person.

Assemblyman Ocegüera moved the adoption of the resolution.

Remarks by Assemblyman Ocegüera.

Resolution adopted and ordered transmitted to the Senate.

By the Committee of the Whole:

Assembly Resolution No. 1—Providing for the appointment of attachés.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the following persons are elected as attaches of the Assembly for the 22nd Special Session of the Nevada Legislature: Diane Keetch, Lucinda Benjamin, Matthew Baker, Kathryn Fosnaugh, Kasey Sheldon,

Jason Hataway, Terry Sullivan, Robin Bates, Kathleen Maskaly, Kyle T. Wentz, Steve Henricksen, Casey Bales, Kathy Alden and Barbara Houger.

Assemblyman Ocegüera moved the adoption of the resolution.

Remarks by Assemblyman Ocegüera.

Resolution adopted.

By the Committee of the Whole:

Assembly Resolution No. 2—Providing that no allowances will be paid for the 22nd Special Session of the Nevada Legislature for periodicals, stamps, stationery or communications.

Assemblyman Ocegüera moved the adoption of the resolution.

Remarks by Assemblyman Ocegüera.

Resolution adopted.

By the Committee of the Whole:

Assembly Resolution No. 3—Adopting the Rules of the Assembly for the 22nd Special Session of the Nevada Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the following Rules of the Assembly for the 22nd Special Session of the Legislature are hereby adopted:

I. APPLICABILITY

Rule No. 1. Generally.

The Rules of the Assembly for the 22nd Special Session of the Legislature are applicable only during the 22nd Special Session of the Legislature.

II. OFFICERS AND EMPLOYEES

Rule No. 2. Speaker of the Assembly.

1. All officers of the Assembly are subordinate to the Speaker in all that relates to the prompt, efficient and correct discharge of their official duties under the Speaker's supervision.

2. Possessing the powers and performing the duties described in this rule, the Speaker shall:

(a) Take the chair at the hour to which the Assembly will be meeting, call the members to order, and upon the appearance of a quorum, proceed to business.

(b) Preserve order and decorum and have general direction of the Chamber of the Assembly and the approaches thereto. In the event of any disturbance or disorderly conduct therein, order the same to be cleared.

(c) Decide all questions of order, subject to a member's right to appeal to the Assembly. On appeal from such decisions, the Speaker has the right, in the Speaker's place, to assign the reason for the decision.

(d) Have the right to name any member to perform the duties of the chair, but such substitution must not extend beyond one legislative day.

(e) If the Assembly resolves itself into a Committee of the Whole, name a chairman to preside thereover and call him to the chair.

(f) Have the power to accredit the persons who act as representatives of the news media and assign them seats.

(g) Sign all bills and resolutions passed by the Legislature as provided by law.

(h) Sign all subpoenas issued by the Assembly.

(i) Receive all messages and communications from other departments of the government and announce them to the Assembly.

(j) Represent the Assembly, declare its will and in all things obey its commands.

(k) Vote on final passage of a bill or resolution, but the Speaker shall not be required to vote in ordinary legislative proceedings except where the Speaker's vote would be decisive. In all yeas and nays votes, the Speaker's name must be called last.

3. If a vacancy occurs in the office of Speaker, through death, resignation or disability of the Speaker, the Speaker pro Tempore shall temporarily and for the period of vacancy or disability conduct the necessary business of the Assembly.

4. If a permanent vacancy occurs in the office of Speaker, the Assembly shall select a new Speaker.

Rule No. 3. Reserved.

Rule No. 4. Reserved.

Rule No. 5. Reserved.

Rule No. 6. Reserved.

The next rule is 10.

III. MEETINGS

Rule No. 10. Reserved.

Rule No. 11. Open Meetings.

All meetings of the Assembly and its committees must be open to the public.

Rule No. 12. Reserved.

The next rule is 20.

IV. DECORUM AND DEBATE

Rule No. 20. Points of Order.

If any member, in speaking or otherwise, transgresses the rules of the Assembly, the Speaker shall, or any member may, call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the presiding officer, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the presiding officer shall be subject to an appeal to the House; but no discussion of the question of order shall be allowed unless an appeal be taken from the decision of the presiding officer.

Rule No. 21. Portable electronic communication devices.

1. A person who is within the Assembly Chambers shall not engage in a telephone conversation via the use of a portable telephone.

2. Before entering the Assembly Chambers, any person who possesses a portable electronic communication device, such as a pager or telephone, that emits an audible alert, such as a ringing or beeping sound, to signal an incoming message or call shall turn the audible alert off. A device that contains a nonaudible alert, such as a silent vibration, may be operated in a nonaudible manner within the Assembly Chambers.

Rule No. 22. Reserved.

Rule No. 23. Reserved.

The next rule is 30.

V. *QUORUM, VOTING, ELECTIONS**Rule No. 30. Manner of Voting.*

1. *The presiding officer shall declare all votes, but the yeas and nays must be taken when called for by three members present, and the names of those calling for the yeas and nays must be entered in the Journal by the Chief Clerk.*

2. *The presiding officer shall call for yeas and nays by a division or by a roll call, either electronic or oral.*

3. *When taking the yeas and nays on any question, the electronic roll call system may be used, and when so used shall have the force and effect of any roll call under these rules.*

4. *When taking the yeas and nays by oral roll call, the Chief Clerk shall take the names of members alphabetically, except that the Speaker's name must be called last.*

5. *The electronic roll call system may be used to determine the presence of a quorum.*

6. *The yeas and nays must not be taken with the electronic roll call system until all members present are at their desks. The presiding officer may vote at the rostrum.*

7. *Only a member who is physically present within the Assembly Chambers may cast a vote in the Assembly.*

8. *A member shall not vote for another member on any roll call, either electronic or oral. Any member who votes for another member may be punished in any manner deemed appropriate by the Assembly.*

*Rule No. 31. Reserved.**Rule No. 32. Announcement of the Vote.*

1. *A member may change his vote at any time before the announcement of the vote if the voting is by voice, or at any time before the votes are electronically recorded if the voting is conducted electronically.*

2. *The announcement of the result of any vote shall not be postponed.*

Rule No. 33. Voting by Division.

Upon a division and count of the Assembly on any question, no person without the bar shall be counted.

The next rule is 40.

VI. *LEGISLATIVE BODIES**Rule No. 40. Standing Committee.*

The standing committee of the Assembly is the Select Committee on State Revenue and Education Funding.

Rule No. 41. Appointment of Committees.

All committees must be appointed by the Speaker, unless otherwise directed by the Assembly. The Speaker shall determine the appropriate number of members for each committee and shall designate the chairman and vice chairman of each committee.

Rule No. 42. Committee Action.

1. *The committee shall have meetings in accordance with the direction of the Assembly leadership. A quorum of the committee is a majority of its appointed members and may transact business except as limited by this rule.*

2. *Except as limited by this rule, a simple majority of those present may move, second and pass a motion by voice vote.*

3. *Definite action on a bill or resolution will require a majority of the entire committee.*

4. *A two-thirds majority of the entire committee is required to reconsider action on a bill or resolution.*

5. *Committee introduction of legislative measures requires concurrence of a majority of the members of the entire committee and requires a commitment from each such concurring member*

to support final passage. A decision by a committee to request the drafting of an amendment for a bill requires concurrence of a majority of the members of the entire committee and requires a commitment from each such concurring member to support the amendment when it is considered on the floor of the Assembly.

6. The chairman shall vote on all final action regarding bills or resolutions.

7. No member of the committee may vote by proxy under any circumstances.

8. A committee shall not take a vote on the question of whether to exercise its statutory authority to issue a legislative subpoena unless the chairman has informed the Speaker of the intention of the committee to consider such a question.

Rule No. 43. Subcommittees.

Subcommittees made up of committee members may be appointed by the Chairman to consider and report back on specific subjects or bills.

Rule No. 44. Reserved.

Rule No. 45. Request for Drafting of Bill, Resolution or Amendment.

Except as otherwise provided in this rule, the Legislative Counsel shall not honor a request for the drafting of a bill, resolution or amendment to be introduced in the Assembly, unless it is submitted by the Select Committee on State Revenue and Education Funding, a Conference Committee or the Governor. The Speaker may request the drafting of one bill for the 22nd Special Session without seeking the approval of the Select Committee.

Rule No. 46. Committee Action on Reports.

Committee reports must be adopted at a committee session actually assembled and meeting as a committee with a quorum present. Every committee vote on a matter pertaining to a bill or resolution must be recorded. The vote may be taken by roll call at the discretion of the chairman.

Rule No. 47. Committee Records.

The chairman of each committee shall keep, or cause to be kept, a complete record of the committee proceedings in which there must be entered:

1. The time and place of each meeting;
2. The attendance and absence of members;
3. The names of all persons appearing before the committee, with the names of persons, firms, corporations or associations in whose behalf such appearance is made; and
4. The subjects or measures considered and action taken.

Rule No. 48. Disposition of Committee Records.

All minutes, records and documents in the possession of committees and their chairmen must be filed in the offices of the Legislative Counsel Bureau upon adjournment sine die.

Rule No. 49. Committee Hearings.

1. The presence of a quorum of the committee is desirable but not required to conduct a public hearing. At the discretion of the chairman, members of the committee may attend, participate in and, if applicable, vote during the hearing via simultaneous telephone or video conference.

2. Public hearings are opened by the chairman, who announces the subject under consideration and provides for those wishing to address the committee to be heard. These persons shall rise in an order determined by the chairman, address the chair and furnish their names, addresses and firms or other organizations represented. Committee members may address the chairman for permission to question the witness.

Rule No. 50. Reserved.

Rule No. 51. Reserved.

Rule No. 52. Reserved.

The next rule is 60.

VII. RULES GOVERNING MOTIONS

A. PROCEDURE

Rule No. 60. Entertaining.

No motion may be debated until it is distinctly announced by the presiding officer. If desired by the presiding officer or any member, the motion must be reduced to writing and be read by the Chief Clerk before the motion is debated. A motion may be withdrawn by the maker at any time before amendment or before the motion is put to vote.

Rule No. 61. Reserved.

Rule No. 62. Reserved.

B. PARTICULAR MOTIONS

Rule No. 63. Reserved.

Rule No. 64. Reserved.

Rule No. 65. Indefinite Postponement.

When a question is postponed indefinitely, the same question must not be considered again during the 22nd Special Session of the Legislature and the question is not subject to a motion for reconsideration.

Rule No. 66. To Strike Enacting Clause.

A motion to strike out the enacting clause of a bill or resolution does not take precedence over any other subsidiary motion. If the motion is carried, it shall be considered equivalent to the rejection of such bill or resolution.

Rule No. 67. Division of Question.

Any member may call for a division of the question, which shall be divided, if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly. A motion to strike out being lost shall preclude neither amendment nor a motion to strike out and insert. A motion to strike out and insert shall be deemed indivisible.

Rule No. 68. To Reconsider.

No motion to reconsider a vote is in order.

The next rule is 80.

VIII. DEBATE

Rule No. 80. Speaking on Question.

No member shall speak more than twice during the consideration of any one question, on the same day, and at the same stage of proceedings, without leave. Members who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of others who have not spoken.

Rule No. 81. Previous Question.

The previous question shall be put only when demanded by three members. The previous question shall not be moved by the member last speaking on the question.

Rule No. 82. Privilege of Closing Debate.

The author of a bill, a resolution or a main question shall have the privilege of closing the debate, unless the previous question has been sustained.

The next rule is 90.

IX. CONDUCT OF BUSINESS

A. RULES AND PROCEDURE

Rule No. 90. Mason's Manual.

The rules of parliamentary practice contained in Mason's Manual of Legislative Procedure shall govern the Assembly in all cases in which they are applicable and in which they are not inconsistent with the Rules and orders of the Assembly for the 22nd Special Session of the Legislature, and the Joint Rules of the Senate and Assembly for the 22nd Special Session of the Legislature.

Rule No. 91. Rescission, Change or Suspension of Rule.

No rule or order of the Assembly for the 22nd Special Session of the Legislature may be rescinded or changed without a vote of two-thirds of the members elected, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-thirds of the members present.

Rule No. 92. Notices of Bills, Topics and Public Hearings.

1. Except as otherwise provided in subsection 3, all committees shall provide adequate notice of public hearings on bills, resolutions or other topics which are to come before the committees. The notice must include the date, time, place and agenda to be covered. The notice must be posted conspicuously in the legislative building, appear in the daily history and be made available to the news media. The daily history must include the most current version of the notice that is available at the time the daily history is created and an informational statement informing the public where more current information, if any, regarding such notices may be found.

2. The noticing requirements of this rule may be suspended for emergency situations but only after approval by a two-thirds vote of a committee.

3. Subsection 1 does not apply to:

- (a) Committee meetings held on the floor of the Assembly during a recess; or*
- (b) Conference committee meetings.*

Rule No. 93. Reserved.

Rule No. 94. Privilege of the Floor and Lobbying.

No person, except Senators, former Assemblymen and state officers, may be admitted at the bar of the Assembly, except by special invitation on the part of some member; but a majority may authorize the Speaker to have the Assembly cleared of all such persons. No person may do any lobbying upon the floor of the Assembly at any time, and it is the duty of the Sergeant at Arms to remove any person violating any of the provisions of this rule.

Rule No. 95. Material Placed on Legislators' Desks.

All papers, letters, notes, pamphlets and other written material placed upon an Assemblyman's desk shall contain the signature of the Legislator requesting the placement of such material on the desk or shall contain a designation of the origin of such material. This rule

does not apply to books containing the legislative bills and resolutions, the legislative daily histories, the legislative daily journals or Legislative Counsel Bureau material.

Rule No. 96. Peddling, Begging and Soliciting.

1. Peddling, begging and soliciting are strictly forbidden in the Assembly Chamber, and in the lobby, gallery and halls adjacent thereto.

2. No part of the Assembly Chamber may be used for, or occupied by signs or other devices for any kind of advertising.

3. No part of the hallways adjacent to the Assembly Chambers may be used for or occupied by signs or other devices for any kind of advertising for commercial or personal gain. Notices for nonprofit, nonpartisan, civic or special legislative events may be posted in a designated area of the hallways adjacent to the Assembly Chambers with the approval of the Chief Clerk.

Rule No. 97. Petitions and Memorials.

Petitions, memorials and other papers addressed to the Assembly shall be presented by the Speaker, or by a member in the Speaker's place. A brief statement of the contents thereof shall be made by the introducer. They shall not be debated on the day of their being presented, but shall be on the table, or be referred, as the Assembly shall determine.

Rule No. 98. Request of Purpose.

A member may request the purpose of a bill or joint resolution upon its introduction.

Rule No. 99. Remarks.

It shall be in order for members to make remarks and to have such remarks entered in the Journal.

Rule No. 100. Precedence of Parliamentary Authority.

The precedence of parliamentary authority in the Assembly is:

1. The Constitution of the State of Nevada.

2. The Statutes of the State of Nevada.

3. The Rules of the Assembly for the 22nd Special Session of the Legislature and the Joint Rules of the Senate and Assembly for the 22nd Special Session of the Legislature.

4. Mason's Manual of Legislative Procedure.

Rule No. 101. Reserved.

Rule No. 102. Privileged Questions.

Privileged questions have precedence of all others in the following order:

1. Motions to fix the time to which the Assembly shall adjourn.

2. Motions to adjourn.

3. Questions relating to the rights and privileges of the Assembly or any of its members.

4. A call of the House.

5. Motions for special orders.

Rule No. 103. Reserved.

B. BILLS

Rule No. 104. Reserved.

Rule No. 105. Substitute Bills.

A substitute bill shall be deemed and held to be an amendment, and treated in all respects as such. However, a substitute bill may be amended after its adoption, in the same manner as if it were an original bill.

Rule No. 106. Skeleton Bills.

The introduction of skeleton bills is not authorized.

*Rule No. 107. Reserved.**Rule No. 108. Reserved.**Rule No. 109. Reading of Bills.*

The presiding officer shall announce at each reading of a bill whether it be the first, second or third reading. The first reading of a bill shall be for information. If there is objection, the question shall be, "Shall the bill be rejected?" If the question to reject fails to receive a majority vote by the members present, or if there is no objection, the bill shall take the proper course. No bill shall be referred to a committee until after the first reading, nor amended until after the second reading.

Rule No. 110. Second Reading and Amendment of Bills.

1. All bills must be read the second time after which they are reported by committee. Upon second reading, Assembly bills reported without amendments shall be placed on the General File and Senate bills reported without amendments shall be placed on the General File. Committee amendments reported with bills shall be considered upon their second reading, and such amendments may be adopted by a majority vote of the members present. Any amendment which is numbered, copied and made available to all members must be moved and voted upon by number unless any member moves that it be read in full. Assembly bills so amended must be reprinted, engrossed and placed on the General File. Senate bills so amended must be reprinted, then engrossed or reengrossed, as applicable, and placed on the General File.

2. Only amendments proposed by the Select Committee or a conference committee may be considered on the floor of the Assembly. Such a motion to amend may be adopted on the floor of the Assembly by a majority vote of the members present. Bills so amended on second reading must be treated the same as bills with amendments proposed by a committee. Any bill so amended upon the General File must be reprinted and then engrossed or reengrossed, as applicable.

3. The reprinting of amended bills may be dispensed with only in accordance with the provisions of law.

Rule No. 111. Consent Calendar.

1. A committee may by unanimous vote of the members present report a bill with the recommendation that it be placed on the consent calendar. The question of recommending a bill for the consent calendar may be voted upon in committee only after the bill has been recommended for passage and only if no amendment is recommended.

2. The Chief Clerk shall maintain a list of bills recommended for the consent calendar. The list must be printed in the daily history and must include the summary of each bill and the date the bill is scheduled for consideration on final passage.

3. At any time before the presiding officer calls for a vote on the passage of the consent calendar, a member may give written notice to the Chief Clerk or state orally from the floor of the Assembly in session that he requests the removal of a particular bill from the consent calendar. If a member so requests, the Chief Clerk shall remove the bill from the consent calendar and transfer it to the second reading file. A bill removed from the consent calendar may not be restored to that calendar.

4. During floor consideration of the consent calendar, members may ask questions and offer explanations relating to the respective bills.

5. When the consent calendar is brought to a vote, the bills remaining on the consent calendar must be read by number and summary and the vote must be taken on their final passage as a group.

Rule No. 112. Reserved.

Rule No. 113. General File.

All bills reported to the Assembly, after receiving their second readings must be placed upon a General File, to be kept by the Chief Clerk. Bills must be taken from the General File and acted upon in the order in which they were reported, unless otherwise specially ordered by the Assembly. But engrossed bills shall be placed at the head of the file, in the order in which they are received. The Chief Clerk shall post a daily statement of the bills on the General File, setting forth the order in which they are filed and specifying the alterations arising from the disposal of business each day. The Chief Clerk shall likewise post notices of special orders as made.

*Rule No. 114. Reserved.**Rule No. 115. Reserved.**Rule No. 116. Vetoed Bills.*

Bills that have passed both Houses of the Legislature and are transmitted to the Assembly accompanied by a message or statement of the Governor's disapproval or veto of the same must be taken up and considered immediately upon the coming in of the message transmitting the same, or become the subject of a special order. When the message is received, or (if made a special order) when the special order is called, the said message or statement must be read together with the bill or bills so disapproved or vetoed. The message and bill must be read by the Chief Clerk without interruption, consecutively, one following the other, and not upon separate occasions. No such bill or message may be referred to any committee, or otherwise acted upon save as provided by law and custom; that is to say, that immediately following such reading the only question (except as hereinafter stated) which may be put by the Speaker is, "Shall the bill pass, notwithstanding the objections of the Governor?" It shall not be in order, at any time, to vote upon such a vetoed bill unless the same shall first have been read, from the first word of its title to and including the last word of its final section. No motion may be entertained after the Speaker has stated the question, save a motion to adjourn or a motion for the previous question, but the merits of the bill itself may be debated. The message or statement containing the objections of the Governor to the bill must be entered in the Journal of the Assembly. The consideration of a vetoed bill, and the objections of the Governor thereto, shall be a privileged question, and shall take precedence over all others.

*Rule No. 117. Reserved.**C. RESOLUTIONS**Rule No. 118. Treated as Bills—Joint Resolutions.*

The procedure of enacting joint resolutions must be identical to that of enacting bills. However, joint resolutions proposing amendments to the Constitution must be entered in the Journal in their entirety.

*Rule No. 119. Reserved.**D. ORDER OF BUSINESS**Rule No. 120. Order of Business.*

The Order of Business must be as follows:

- 1. Call to Order.*
- 2. Reading and Approval of Journal.*
- 3. Presentation of Petitions.*
- 4. Reports of the Standing Committees.*
- 5. Reports of Select Committees.*
- 6. Communications.*
- 7. Messages from the Senate.*
- 8. Motions, Resolutions and Notices.*

9. *Introduction, First Reading and Reference.*
10. *Consent Calendar.*
11. *Second Reading and Amendment.*
12. *General File and Third Reading.*
13. *Unfinished Business of Preceding Day.*
14. *Special Orders of the Day.*
15. *Remarks from the Floor, limited to 10 minutes.*

Rule No. 121. Reserved.

Rule No. 122. Reserved.

Rule No. 123. Reserved.

Rule No. 124. Reserved.

Rule No. 125. Reserved.

Rule No. 126. Reserved.

Rule No. 127. Reserved.

Rule No. 128. Reserved.

The next rule is 140.

X. MISCELLANEOUS

Rule No. 140. Reserved.

Rule No. 141. Use of the Assembly Chamber.

The Assembly Chamber shall not be used for any public or private business other than legislative, except by permission of the Assembly.

Assemblyman Ocegüera moved the adoption of the resolution.

Remarks by Assemblyman Ocegüera.

Resolution adopted.

By the Committee of the Whole:

Assembly Joint Resolution No. 1—AN ACT relating to amend the Nevada Constitution to revise the provisions governing a petition for initiative or referendum; and providing other matters properly relating thereto.

Section 1. 1. A person who intends to circulate a petition that a statute or resolution or part thereof enacted by the Legislature be submitted to a vote of the people, before circulating the petition for signatures, shall file a copy thereof with the Secretary of State. He shall file the copy not earlier than August 1 of the year before the year in which the election will be held.

2. Whenever a number of registered voters of this State equal to 10 percent or more of the number of voters who voted at the last preceding general election shall express their wish by filing with the Secretary of State, not less than 120 days before the next general election, a petition in the form provided for in Section 3 of this Article that any statute or resolution or any part thereof enacted by the Legislature be submitted to a vote of the people, the officers charged with the duties of announcing and proclaiming elections and of certifying nominations or questions to be voted upon shall submit the question of approval or disapproval of such statute or resolution or any part thereof to a vote of the voters at the next succeeding election at which such question may be voted upon by the registered voters of the entire State. *The number of registered voters required to file the petition must be determined at the time the copy of the*

petition is filed with the Secretary of State pursuant to this section. The circulation of the petition shall cease on the day the petition is filed with the Secretary of State or such other date as may be prescribed for the verification of the number of signatures affixed to the petition, whichever is earliest.

3. If a majority of the voters voting upon the proposal submitted at such election votes approval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall stand as the law of the State and shall not be amended, annulled, repealed, set aside, suspended or in any way made inoperative except by the direct vote of the people. If a majority of such voters votes disapproval of such statute or resolution or any part thereof, such statute or resolution or any part thereof shall be void and of no effect.

Sec. 2. 1. Notwithstanding the provisions of Section 1 of Article 4 of this Constitution, but subject to the limitations of Section 6 of this Article, the people reserve to themselves the power to propose, by initiative petition, statutes and amendments to statutes and amendments to this Constitution, and to enact or reject them at the polls.

2. An initiative petition shall be in the form required by Section 3 of this Article and shall be proposed by a number of registered voters *from each congressional district in this State* equal to 10 percent or more of the number of voters who voted at the last preceding general election in ~~[not less than 75 percent of the counties in the State, but the total number of registered voters signing the initiative petition shall be equal to 10 percent or more of the voters who voted in the entire State at the last preceding general election.]~~ *the congressional district. The number of registered voters required to file the initiative petition must be determined at the time the copy of the initiative petition is filed with the Secretary of State pursuant to this Section.*

3. If the initiative petition proposes a statute or an amendment to a statute, the person who intends to circulate it shall file a copy with the Secretary of State before beginning circulation and not earlier than January 1 of the year preceding the year in which a regular session of the Legislature is held. After its circulation, it shall be filed with the Secretary of State not less than 30 days prior to any regular session of the Legislature. The circulation of the petition shall cease on the day the petition is filed with the Secretary of State or such other date as may be prescribed for the verification of the number of signatures affixed to the petition, whichever is earliest. The Secretary of State shall transmit such petition to the Legislature as soon as the Legislature convenes and organizes. The petition shall take precedence over all other measures except appropriation bills, and the statute or amendment to a statute proposed thereby shall be enacted or rejected by the Legislature without change or amendment within 40 days. If the proposed statute or amendment to a statute is enacted by the Legislature and approved by the Governor in the same manner as other statutes are enacted, such statute or amendment to a statute shall become law, but shall be subject to referendum petition as provided in Section 1 of this Article. If the statute or amendment to a statute is rejected by the Legislature, or if no action is taken thereon within 40 days, the Secretary of State shall submit the question of approval or disapproval of such statute or amendment to a statute to a vote of the voters at the next succeeding general election. If a majority of the voters voting on such question at such election votes approval of such statute or amendment to a statute, it shall become law and take effect upon completion of the canvass of votes by the Supreme Court. An initiative measure so approved by the voters shall not be amended, annulled, repealed, set aside or suspended by the Legislature within 3 years from the date it takes effect. If a majority of such voters votes disapproval of such statute or amendment to a statute, no further action shall be taken on such petition. If the Legislature rejects such proposed statute or amendment, the Governor may recommend to the Legislature and the Legislature may propose a different measure on the same subject, in which event, after such different measure has been approved by the Governor, the question of approval or disapproval of each measure shall be submitted by the Secretary of State to a vote of the voters at the next succeeding general election. If the conflicting provisions submitted to the voters are both approved by a majority of the voters voting on such measures, the measure which receives the largest number of affirmative votes shall thereupon become law. If at the session of the Legislature to which an initiative petition proposing an amendment to a statute is presented which the Legislature rejects or upon which it takes no action, the Legislature amends the statute which the petition proposes to amend in a respect which does not conflict in substance with the proposed amendment, the Secretary of State in submitting the

statute to the voters for approval or disapproval of the proposed amendment shall include the amendment made by the Legislature.

4. If the initiative petition proposes an amendment to the Constitution, the person who intends to circulate it shall file a copy with the Secretary of State before beginning circulation and not earlier than September 1 of the year before the year in which the election is to be held. After its circulation it shall be filed with the Secretary of State not less than 90 days before any regular general election at which the question of approval or disapproval of such amendment may be voted upon by the voters of the entire State. The circulation of the petition shall cease on the day the petition is filed with the Secretary of State or such other date as may be prescribed for the verification of the number of signatures affixed to the petition, whichever is earliest. The Secretary of State shall cause to be published in a newspaper of general circulation, on three separate occasions, in each county in the State, together with any explanatory matter which shall be placed upon the ballot, the entire text of the proposed amendment. If a majority of the voters voting on such question at such election votes disapproval of such amendment, no further action shall be taken on the petition. If a majority of such voters votes approval of such amendment, the Secretary of State shall publish and resubmit the question of approval or disapproval to a vote of the voters at the next succeeding general election in the same manner as such question was originally submitted. If a majority of such voters votes disapproval of such amendment, no further action shall be taken on such petition. If a majority of such voters votes approval of such amendment, it shall, unless precluded by subsection 5 or 6, become a part of this Constitution upon completion of the canvass of votes by the Supreme Court.

5. If two or more measures which affect the same Section of a statute or of the Constitution are finally approved pursuant to this Section, or an amendment to the Constitution is finally so approved and an amendment proposed by the Legislature is ratified which affect the same Section, by the voters at the same election:

(a) If all can be given effect without contradiction in substance, each shall be given effect.

(b) If one or more contradict in substance the other or others, the measure which received the largest favorable vote, and any other approved measure compatible with it, shall be given effect. If the one or more measures that contradict in substance the other or others receive the same number of favorable votes, none of the measures that contradict another shall be given effect.

6. If, at the same election as the first approval of a constitutional amendment pursuant to this Section, another amendment is finally approved pursuant to this Section, or an amendment proposed by the Legislature is ratified, which affects the same Section of the Constitution but is compatible with the amendment given first approval, the Secretary of State shall publish and resubmit at the next general election the amendment given first approval as a further amendment to the Section as amended by the amendment given final approval or ratified. If the amendment finally approved or ratified contradicts in substance the amendment given first approval, the Secretary of State shall not submit the amendment given first approval to the voters again.

Assemblyman Ocegüera moved that all rules be suspended, reading so far had considered first reading, rules further suspended, resolution considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Ocegüera.

Motion carried unanimously.

INTRODUCTION, FIRST READING, AND REFERENCE

By the Committee of the Whole:

Assembly Bill No. 1—AN ACT relating to statutes; making technical corrections to certain legislative measures; and providing other matters properly relating thereto; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Ocegüera.

Motion carried unanimously.

By the Committee of the Whole:

Assembly Bill No. 2—AN ACT relating to public welfare; repealing, reenacting, reorganizing and revising certain provisions relating to the Welfare Division, the Division of Health Care Financing and Policy and the Division of Child and Family Services of the Department of Human Resources; revising certain provisions relating to property tax assistance for senior citizens; revising certain provisions relating to the Chief Research and Statistical Analyst of the Health Division of the Department of Human Resources; providing that the Director of the Department or his designee is responsible for appointing and removing certain employees of the Department; repealing certain provisions which require the Department of Employment, Training and Rehabilitation to employ job development coordinators to promote employment for persons who receive public assistance; repealing certain provisions concerning community service block grants; transferring certain duties of the Health Division of the Department of Human Resources concerning services for the abuse of alcohol or drugs to the Division of Mental Health and Developmental Services of the Department; requiring the Department of Human Resources to prepare and submit certain plans concerning such transfer to the Governor and the Interim Finance Committee; changing the name of the Department of Human Resources to the Department of Health and Human Services; changing the name of the Welfare Division of the Department of Human Resources to the Division of Welfare and Supportive Services of the Department of Health and Human Services; reenacting certain penalties; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Ocegüera.

Motion carried unanimously.

By the Committee of the Whole:

Assembly Bill No. 3—AN ACT relating to energy; making various changes to encourage energy efficiency in construction and renovation; providing for a partial abatement of certain taxes for certain energy efficient buildings and green buildings; requiring the University and Community College System of Nevada to provide instruction in certain areas related to green buildings; providing for the licensure of certain persons engaged in

photovoltaic system projects; requiring the Director of the Office of Energy to adopt certain regulations, plans and guidelines regarding building standards and energy efficiency; requiring the State to reduce its grid-based purchases for state-owned buildings; increasing the number of members of the Task Force for Renewable Energy and Energy Conservation; revising provisions relating to the universal energy charge and the Fund for Energy Assistance and Conservation; revising provisions governing the portfolio standard for renewable energy and energy from a qualified energy recovery process; allowing a provider of electric service to receive credits under the portfolio standard for certain energy efficiency measures; authorizing the Public Utilities Commission of Nevada to establish a temporary renewable energy development program for certain purposes; enacting provisions concerning the financial impact of certain long-term contracts required by the portfolio standard; revising the Solar Energy Systems Demonstration Program Act; transferring certain funds to the Trust Fund for Renewable Energy and Energy Conservation; providing penalties; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution, and placed on third reading and final passage.

Remarks by Assemblyman Ocegüera.

Motion carried unanimously.

By the Committee of the Whole:

Assembly Bill No. 4—AN ACT relating to education; making an appropriation for certain schools to provide full-day kindergarten; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Ocegüera.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Assembly Joint Resolution No. 1.

Resolution read third time.

Roll call on Assembly Joint Resolution No. 1:

YEAS—30.

NAYS—Allen, Carpenter, Christensen, Goicoechea, Grady, Hardy, Hettrick, Holcomb, Mabey, Marvel, Sherer, Weber—12.

Assembly Joint Resolution No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1.

Bill read third time.

Remarks by Assemblyman Anderson.

Roll call on Assembly Bill No. 1:

YEAS—42.

NAYS—None.

Assembly Bill No. 1 having received a constitutional majority,

Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2.

Bill read third time.

Remarks by Assemblywoman Leslie.

Roll call on Assembly Bill No. 2:

YEAS—42.

NAYS—None.

Assembly Bill No. 2 having received a constitutional majority,

Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblywoman Buckley moved that Assembly Bill No. 3 be taken from its position on the General File and placed at the bottom of the General File.

Remarks by Assemblywoman Buckley.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 4.

Bill read third time.

Roll call on Assembly Bill No. 4:

YEAS—42.

NAYS—None.

Assembly Bill No. 4 having received a constitutional majority,

Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 8:13 a.m.

ASSEMBLY IN SESSION

At 8:18 a.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 7, 2005

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 1, 2, 3, 4.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING, AND REFERENCE

Senate Bill No. 1.

Assemblyman Ocegüera moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Ocegüera.

Motion carried unanimously.

Senate Bill No. 2.

Assemblyman Ocegüera moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Ocegüera.

Motion carried unanimously.

Senate Bill No. 3.

Assemblyman Ocegüera moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Ocegüera.

Motion carried unanimously.

Senate Bill No. 4.

Assemblyman Ocegüera moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Ocegüera.

Motion carried unanimously.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblywoman Buckley moved that Assembly Bill No. 3 be taken from its position on the General File and placed at the bottom of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 1.

Bill read third time.

Remarks by Assemblymen Conklin, Parks, and Manendo.

Conflict of interest declared by Assemblymen Conklin and Parks.

Potential conflict of interest declared by Assemblyman Manendo.

Roll call on Senate Bill No. 1:

YEAS—40.

NAYS—None.

NOT VOTING—Conklin, Parks—2.

Senate Bill No. 1 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 2.

Bill read third time.

Roll call on Senate Bill No. 2:

YEAS—42.

NAYS—None.

Senate Bill No. 2 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 3.

Bill read third time.

Roll call on Senate Bill No. 3:

YEAS—41.

NAYS—None.

NOT VOTING—Marvel.

Senate Bill No. 3 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 8:28 a.m.

ASSEMBLY IN SESSION

At 8:49 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblywoman Leslie moved that that the action whereby Assembly Bill No. 2 was passed be rescinded.

Motion carried.

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 8:50 a.m.

ASSEMBLY IN SESSION

At 9:54 a.m.

Mr. Speaker presiding.

Quorum present.

COMMUNICATIONS

STATE OF NEVADA OFFICE OF THE GOVERNOR EXECUTIVE ORDER

On June 7, 2005, I, Kenny C. Guinn, Governor of the State of Nevada, through my proclamation, convened a Special Session of the Nevada Legislature. The Senate Majority Leader and the Speaker of the Assembly have requested that I extend the 22nd Special Session of the Nevada Legislature. Therefore, by virtue of the authority vested in me by the Constitution of the State of Nevada, I hereby amend my proclamation of June 7, 2005, and extend the 22nd Special Session of the Nevada Legislature until 12:00 noon on June 7, 2005.

IN WITNESS WHEREOF, I have
hereunto set my hand and caused the
Great Seal of the State of Nevada to
be affixed at the State Capitol in
Carson City this 7th day of June, in
the year two thousand five.

Kenny C. Guinn
Governor

Dean Heller
Secretary of State

Ellick C. Hsu
Deputy Secretary of State

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 7, 2005

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 4; Assembly Joint Resolution No. 1.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 1.

MARY JO MONGELLI
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING, AND REFERENCE

By the Committee of the Whole:

Assembly Bill No. 5—AN ACT relating to the Nevada Equal Rights Commission; requiring the approval of the Legislature for the Commission to enter into certain contracts or memoranda of understanding to investigate and enforce laws relating to fair housing; revising provisions governing the

receipt and investigation of complaints of discrimination in employment, housing and public accommodation by the Commission; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Ocegüera.

Motion carried unanimously.

By the Committee of the Whole:

Assembly Bill No. 6—AN ACT relating to state financial administration; providing funding for the Nevada Commission on Sports; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Ocegüera.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 4.

Bill read third time.

The following amendment was proposed by the Committee of the Whole:

Amendment No. 2.

Amend sec. 7, page 8, line 30, by deleting “2005.” and inserting “2006.”.

Amend sec. 8, page 8, line 33, by deleting “2006.” and inserting “2005.”.

Assemblywoman Smith moved the adoption of the amendment.

Remarks by Assemblywoman Smith.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Ocegüera moved that all rules be suspended and the reprinting of Senate Bill No. 4 be dispensed with, the Chief Clerk be authorized to insert Amendment No. 2, and the bill be placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 4.

Bill read third time.

Remarks by Assemblywomen Angle and Buckley.

Roll call on Senate Bill No. 4:

YEAS—36.

NAYS—Angle, Christensen, Giunchigliani, Holcomb, Sherer—5.

EXCUSED—McCleary.

Senate Bill No. 4 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 10:04 a.m.

ASSEMBLY IN SESSION

At 10:09 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

Assembly Ocegüera moved to suspend Joint Standing Rule No. 8.2(c), which pertains to requiring a concurrent resolution in the returning of a bill from one House to the other House when necessary and appropriate.

Motion carried.

Assemblyman Ocegüera moved that Assembly Bill No. 5 be taken from its position on the General File and placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 5.

Bill read third time.

Roll call on Assembly Bill No. 5:

YEAS—32.

NAYS—Angle, Christensen, Hardy, Holcomb, Seale, Sherer, Sibley—7.

EXCUSED—Carpenter, Goicoechea, Mabey—3.

Assembly Bill No. 5 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Mr. Speaker announced if there were no objections, the Assembly would recess subject to the call of the Chair.

Assembly in recess at 10:12 a.m.

ASSEMBLY IN SESSION

At 11:20 a.m.

Mr. Speaker presiding.

Quorum present.

COMMUNICATIONS

STATE OF NEVADA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER

A PROCLAMATION BY THE GOVERNOR:

On June 7, 2005, I, Kenny C. Guinn, Governor of the State of Nevada, through my proclamation, convened a Special Session of the Nevada Legislature. The Senate Majority Leader and the Speaker of the Assembly have requested that I extend the 22nd Special Session of the Nevada Legislature. Therefore, by virtue of the authority vested in me by the Constitution of the State of Nevada, I hereby amend my proclamation of June 7, 2005, and extend the 22nd Special Session of the Nevada Legislature until 2:00 p.m. on June 7, 2005.

IN WITNESS WHEREOF, I have
hereunto set my hand and caused the
Great Seal of the State of Nevada to
be affixed at the State Capitol in
Carson City this 7th day of June, in
the year two thousand five.

Kenny C. Guinn
Governor

Dean Heller
Secretary of State

INTRODUCTION, FIRST READING, AND REFERENCE

By the Committee of the Whole:

Assembly Bill No. 7—AN ACT making appropriations to the Nevada Commission on Sports to fund operational expenses and to Big Brothers Big Sisters of Northern Nevada, Inc., for costs relating to the purchase of a facility; and providing other matters properly relating thereto.

Assemblyman Oceguela moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Oceguela moved that Assembly Bill No. 3 be taken from its position on the General File and placed at the bottom of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 2.

Bill read third time.

The following amendment was proposed by Committee of the Whole:

Amendment No. 5.

Amend sec. 211, pages 82 and 83, by deleting line 45 on page 82 and lines 1 through 13 on page 83 and inserting:

“Sec. 211. The Department of Human Resources shall develop a plan for the transfer of services for the abuse of alcohol or drugs from the Health Division of the Department to the Division of Mental Health and Developmental Services of the Department pursuant to sections 185.9 and 189 to 207, inclusive, of this act and submit the plan to the Governor and the Legislative Committee on Health Care on or before March 31, 2006, for review and approval.”.

Amend the bill as a whole by adding a new section designated sec. 211.5, following sec. 211, to read as follows:

“Sec. 211.5. 1. The Legislative Committee on Health Care shall conduct an interim study of the organizational and delivery structure of services for the treatment and prevention of substance abuse in this State.

2. The study must include, without limitation:

(a) An evaluation of the manner in which the organizational and delivery structure of services for the treatment and prevention of substance abuse in this State may be improved so that the services are provided in the most effective manner for the residents of this State;

(b) An analysis of the services for the treatment and prevention of substance abuse that are currently funded or provided by public agencies in this State to determine whether any of these services are overlapping or duplicative, and whether any of these services could successfully be integrated; and

(c) An analysis of the utilization of services for the treatment and prevention of substance abuse in this State and of projections for the future needs for such services in this State, including, without limitation:

(1) An examination of the barriers that persons diagnosed with both a mental illness and a substance abuse problem encounter in attempting to receive appropriate services for the treatment of substance abuse in this State;

(2) An examination of the barriers that pregnant women encounter in attempting to receive appropriate services for the treatment of substance abuse in this State;

(3) An examination of the collaboration of the different divisions of the Department of Human Resources in the provision of services to persons with substance abuse problems in this State, and an examination of whether that collaboration is focused on the best interests of the persons receiving the services; and

(4) An examination of the provision of services for the prevention of substance abuse in this State, and an examination of whether these services are effective at preventing or reducing the incidence of substance abuse problems in this State.

3. The Legislative Committee on Health Care shall ensure that the persons and entities which provide services for the treatment or prevention of mental illness or substance abuse in this State are involved in the study.

4. The Legislative Committee on Health Care shall submit a report of the results of the study and any recommendations for legislation to the 74th Session of the Nevada Legislature.”.

Amend sec. 220, page 86, line 32, by deleting “2006.” and inserting “2007.”.

Amend the title of the bill, by deleting the twenty-fourth line and inserting: “Governor and the Legislative Committee on Health Care; requiring the Legislative Committee on Health Care to conduct an interim study concerning the organizational and delivery structure of services for the treatment and prevention of substance abuse in this State; changing”.

Assemblyman Ocegüera moved the adoption of the amendment.

Remarks by Assemblywoman Leslie.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Ocegüera moved that all rules be suspended and the reprinting of Assembly Bill No. 2 be dispensed with, the Chief Clerk be authorized to insert Amendment No. 5, and the bill be placed on third reading and final passage

Motion carried unanimously.

Assemblyman Ocegüera moved to dispense with the reading of the titles and histories on all bills and resolutions for the current legislative day.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 2.

Bill read third time.

Roll call on Assembly Bill No. 2:

YEAS—39.

NAYS—None.

EXCUSED—Carpenter, Goicoechea, Mabey—3.

Assembly Bill No. 2 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Ocegüera moved that Assembly Bill No. 6 be taken from the General File and placed on the Chief Clerk’s desk.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 7.

Bill read third time.

Roll call on Assembly Bill No. 7:

YEAS—38.

NAYS—Koivisto.

EXCUSED—Carpenter, Goicoechea, Mabey—3.

Assembly Bill No. 7 having received a constitutional majority,
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Mr. Speaker announced if there were no objections, the Assembly would
recess subject to the call of the Chair.

Assembly in recess at 11:27 a.m.

ASSEMBLY IN SESSION

At 11:59 a.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 3.

Bill read third time.

Roll call on Assembly Bill No. 3:

YEAS—38.

NAYS—None.

EXCUSED—Carpenter, Goicoechea, Hardy, Mabey—4.

Assembly Bill No. 3 having received a constitutional majority,
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 7, 2005

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly
Bills Nos. 2, 5, 7.

Also, I have the honor to inform your honorable body that the Senate amended, and on this
day passed, as amended, Assembly Bill No. 1, Amendment No. 1; Assembly Bill No. 4,
Amendment No. 4, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed
Senate Bill No. 5.

MARY JO MONGELLI

Assistant Secretary of the Senate

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1.

The following Senate amendment was read:

Amendment No. 1.

Amend the bill as a whole by deleting sec. 3 and inserting:

“Sec. 3. (Deleted by amendment.)”.

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

“Sec. 4. Section 8 of Assembly Bill No. 334 of this session is hereby amended to read as follows:

Sec. 8. 1. This ~~act~~ section becomes effective on *January 1, 2006*.

2. *Sections 2, 3, 5 and 7 of this act become effective on January 1, 2007.*”.

Amend sec. 11, page 7, line 21, after “*fine of*” by inserting: “*not more than*”.

Assemblyman Arberry moved that the Assembly concur in the Senate amendment to Assembly Bill No. 1.

Remarks by Assemblyman Arberry.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

Assembly Bill No. 4.

The following Senate amendment was read:

Amendment No. 4.

Amend section 1, pages 1 and 2, by deleting lines 7 through 18 on page 1 and lines 1 through 9 on page 2, and inserting:

“2. The Department of Education shall distribute the allocation made by subsection 1 to school districts that elect to provide full-day kindergarten during the 2006–2007 school year at certain schools within the school district. In no event is a school district required to submit an application for an allocation of money or otherwise required to provide full-day kindergarten.

3. Except as otherwise provided in subsection 4, a school district that elects to receive an allocation of money pursuant to this section shall use the money to provide full-day kindergarten in each school within the school district that is prioritized for full-day kindergarten based upon the percentage of pupils enrolled in the school who are eligible for free or reduced price lunches pursuant to 42 U.S.C. §§ 1751 et seq. A school district shall allocate the money by assigning first priority to those schools within the school district that have the highest percentage of pupils who are eligible for free or reduced price lunches. If a school within a school district that is required to provide full-day kindergarten pursuant to this section currently provides full-day kindergarten with money that it receives from the Federal Government or other funding allocations, the school may redirect that money, to the extent authorized by applicable federal law, for other programs of remediation at the school and use the money provided by the Department of Education from the allocation to provide full-day kindergarten during the 2006–2007 school year.”.

Amend the bill as a whole by deleting sec. 2 and adding a new section designated sec. 2, following section 1, to read as follows:

“Sec. 2. This act becomes effective on July 1, 2005.”.

Assemblyman Arberry moved that the Assembly concur in the Senate amendment to Assembly Bill No. 4.

Remarks by Assemblyman Arberry.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, June 7, 2005

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bill No. 3.

MARY JO MONGELLI

Assistant Secretary of the Senate

INTRODUCTION, FIRST READING, AND REFERENCE

Senate Bill No. 5.

Assemblyman Horne moved that all rules be suspended, reading so far had considered first reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 5.

Bill read third time.

Roll call on Senate Bill No. 5:

YEAS—31.

NAYS—Christensen, Gansert, Grady, Weber—4.

EXCUSED—Carpenter, Goicoechea, Hardy, Mabey, Manendo, McCleary, Sherer—7.

Senate Bill No. 5 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblywoman Buckley moved to rescind the action whereby Senate Bill No. 5 was passed.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 5.

Bill read third time.

Roll call on Senate Bill No. 5:

YEAS—35.

NAYS—None.

EXCUSED—Carpenter, Goicoechea, Hardy, Mabey, Manendo, McCleary, Sherer—7.

Senate Bill No. 5 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

REMARKS FROM THE FLOOR

Assemblywoman Buckley requested that the following remarks be entered in the Journal.

ASSEMBLYWOMAN ANGLE:

Thank you, Mr. Speaker. I would like the record to show that on SB 1, I incorrectly voted. During the regular session, this bill was SB 526 and I voted no on that bill at that time. When it came over as SB 1, I did not recognize the bill, and, due to the lateness and extreme situation we are in, this bill got past me. I would just like the record to show that I would have voted no on that bill as well. Thank you, Mr. Speaker.

ASSEMBLYWOMAN BUCKLEY:

Thank you, Mr. Speaker. We have two more concurs which will take us probably one more minute and this Special Session will be over. I regret, so much, our messy end due to our fighting for what we believed in on the Millennium Scholarship. I just want to say a couple of words before we head out the door because I am so incredibly proud of the accomplishments of this Body and this Legislature during this entire legislative session. I made a couple of notes on some of the measures I am particularly proud of, and as you hear them, you will see your work over the last four months, because they all came from your endeavors.

Property tax relief—it feels like a long time ago, but we did such a good job. It was the biggest crisis facing our State and as a result of what we did single family homeowners do not have to worry about their appreciated values taking away their life's biggest treasure, their home.

The strides we made in education—a phase-in for full-day kindergarten. We created an Innovation in Education Fund of \$100 million to begin to experiment in items like School Within a School, Gate programs, things that will make children connect to the education that we offer. Vocational education funding—different things appeal to different kids. We funded, in a very meaningful way, \$2 million in vocational education funding. More flexibility for successful charter schools like the Agassi Foundation, parental involvement compacts, performance audits of the school districts, preserving the Millennium Scholarship Fund, and guarantees that community college credits transfer to the university.

In the health care arena, we passed landmark legislation to help employees of small businesses get health insurance, as well as covering an additional 25,000 working women who do not have health insurance who get pregnant every year. Funding for triage centers for mental health patients; housing for the mentally ill; mental health courts; reporting an analysis of office-based surgeries; prohibitions on discriminating against nurses who refuse unsafe assignments; background checks for doctors; funding for mental health courts; a hospital community reinvestment act; and an analysis to reduce hospital costs. Hopefully allowing safe, more affordable prescription drugs to be imported from Canada—13 to 8, it passed, yes. Creation of dental and senior vision programs with our tobacco dollars; a measure to allow seniors to terminate their leases if they need to go into a nursing home or assisted living; benefits for our National Guard; and legislation funding nonprofit, affordable assisted living.

There are laws protecting senior citizens' Social Security checks; consumer protection laws; payday loans; bans on advertising on *Notario Publicos* seeking to rip off people by using deceptive terms; protection against identity theft worked on by a member for about two years, prohibitions of deceptive gift cards that make people lose their money that they pay for those cards, and landmark DUI legislation by a couple of our members who have made it their specific mission to change and bring some justice to some terrible tragedies that we have had in Nevada. We passed a bill for graduated driver's licenses; finally, a comprehensive plan that considers driver's education and will hopefully prevent tragedies on our roads. We passed protection from senior abuse and those who are frail and abused; protection for DV victims by stopping their batterers from being able to buy their way out of crimes; creation of a website for sexual offenders so that our communities are protected; and we came into compliance with Megan's law and did more to protect our communities.

The list continues—protections against eminent domain abuses, providing fairness with post-adoptive contracts; accountability with water providers; an interim study on water issues;

funding to ensure protection of the rural communities and their concerns about water grabs; laws ensuring that homeowner associations do not prohibit kids from playing in the street; a new prescription drug benefit for individuals with disabilities; more protections for injured workers and benefits for those who have been left without a cost-of-living increase for decades; economic development measures for west Las Vegas; measures to prevent suspicious land swaps and secrecies in LLCs, and better representation in North Las Vegas by letting the people decide if they should have their representatives seek that election by their ward.

We passed tax relief by reducing taxes on bank branches, fixing the live entertainment tax, and giving some tax breaks. We passed smart growth and master plan protection; green building design; landmark energy legislation; transparency and accountability fixes in our initiative petitions; restrictions on local government officials fund-raising all the time; tightened ethics laws; and better reporting of financial conflicts.

We did a lot to be proud of. Do not let this one day and the messy end overshadow your tremendous work. It is such an honor to serve in this Body. We do good work together when we are able to work together and get the people's work done. You see the accomplishments that we all do. Every single one of you contributed to the success of some of the measures that I read.

I also want to thank you, Mr. Speaker, for setting the tone for this Session, that we were going to mark this Session by whether we acted. We were proactive and got things done and I think this list shows that we did. Thank you very much, everyone, for all of your hard work.

ASSEMBLYMAN HETTRICK:

Thank you, Mr. Speaker. I wanted to rise, as we are closing here, to make very brief comments. I know everyone is tired and I think staff is beat and I am not going to go very long.

I do want to say thank you, Mr. Speaker, for your opening remarks at the start of this Session. I think it created a different atmosphere, and it helped immensely in getting things off to a much better footing, and it proved to be advantageous for all of us in this House throughout the Session. I appreciate that. I have truly enjoyed working with you. I thank the Majority Leader for all the time I worked with her and the various efforts we made on various bills. I think we were roundly kidded, justifiably so, for the two of us going to the table on property tax. I think it showed that it was a bipartisan effort, and we worked well together and tried to accomplish something that was positive for the state of Nevada. I think we did that. I thank every member in this building. I think everyone of you is awesome. I enjoyed working with you. You are good people. Most of all, I thank the staff.

Mr. Speaker requested the privilege of the Chair for the purpose of making the following remarks:

I know I made some remarks last night, so I, too, will not go long. Yes, this will be my last session as a member of this Body. My path will have taken me in another direction when the time comes to set the tone and personality for the 2007 Legislative Session. Whether I am a part of that work in some other capacity or not, only time will tell. This much I know: with due respect to my friend from Douglas County, the Minority Leader, I hope to pass the Speaker's gavel to my very good friend and constant advisor, Barbara Buckley.

Barbara, thank you for all you have done to help, not just me, but this Legislature and those who preceded it. There is an old saying that goes something like this: "Beginnings are scary, endings are sometimes sad, but it is what comes in the middle that matters most." In this Legislative Session 2005, the year of "getting it done right," it really was what happened in the middle that lived up to this adage. This year, you mattered and the voters will thank you for it, all of you. I thank you for your service, your bipartisan approach to hard work, and for the privilege to have worked alongside of you.

ASSEMBLYMAN ANDERSON:

It would not break my heart to see you standing there upon that dais yet another time. I want it clearly understood what a great opportunity it has been, and a privilege, to have been in a House chaired by you.

Mr. Speaker appointed Assemblymen Buckley, Ocegüera, and Hettrick as a committee to wait upon His Excellency, Governor Kenny Guinn, Governor of the State of Nevada, and to inform him that the Assembly was ready to adjourn *sine die*.

Mr. Speaker appointed Assemblymen Anderson, Arberry, and Allen as a committee to wait upon the Senate and to inform that honorable body that the Assembly was ready to adjourn *sine die*.

A committee from the Senate, consisting of Senators Nolan, Beers, and Carlton, appeared before the Bar of the Assembly and announced that the Senate was ready to adjourn *sine die*.

Assemblywoman Buckley reported that her committee had informed the Governor that the Assembly was ready to adjourn *sine die*.

Assemblyman Anderson reported that his committee had informed the Senate that the Assembly was ready to adjourn *sine die*.

Assemblywoman Buckley moved that the Twenty-Second Special Session of the Assembly of the Legislature of the State of Nevada adjourn *sine die*.

Motion carried.

Assembly adjourned at 12:38 p.m.

Approved:

RICHARD D. PERKINS
Speaker of the Assembly

Attest: NANCY S. TRIBBLE
Chief Clerk of the Assembly