

**THE FORTY-THIRD DAY**

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CARSON CITY (Monday), March 21, 2005

Assembly called to order at 11:17 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Dr. Terry Arnold.

Our Heavenly Father, please let the words of our mouths and the meditation of our hearts be acceptable in Your sight, O Lord, our Rock and our Redeemer. In the name of our Savior I pray.  
AMEN.

Pledge of Allegiance to the Flag.

Assemblyman Oceguela moved that further reading of the Journal be dispensed with, and the Speaker and Chief Clerk be authorized to make the necessary corrections and additions.

Motion carried.

## REPORTS OF COMMITTEES

*Mr. Speaker:*

Your Committee on Elections, Procedures, Ethics, and Constitutional Amendments, to which were referred Assembly Joint Resolutions Nos. 11, 13 of the 72nd Session, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

HARRY MORTENSON, *Chairman*

## MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 17, 2005

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 34, Amendment No. 34, and respectfully requests your honorable body to concur in said amendment.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 7.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 141.

MARY JO MONGELLI

*Assistant Secretary of the Senate*

## SECOND READING AND AMENDMENT

Assembly Bill No. 79.

Bill read second time and ordered to third reading.

Assembly Bill No. 141.

Bill read second time and ordered to third reading.

Assembly Bill No. 164.

Bill read second time and ordered to third reading.

Senate Bill No. 114.

Bill read second time and ordered to third reading.

GENERAL FILE AND THIRD READING

Assembly Bill No. 82.

Bill read third time.

Remarks by Assemblymen Ocegüera and Carpenter.

Roll call on Assembly Bill No. 82:

YEAS—42.

NAYS—None.

Assembly Bill No. 82 having received a constitutional majority,  
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 88.

Bill read third time.

Remarks by Assemblyman Goicoechea.

Roll call on Assembly Bill No. 88:

YEAS—42.

NAYS—None.

Assembly Bill No. 88 having received a constitutional majority,  
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 204.

Bill read third time.

Remarks by Assemblyman Arberry.

Roll call on Assembly Bill No. 204:

YEAS—42.

NAYS—None.

Assembly Bill No. 204 having received a constitutional majority,  
Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

By Assemblymen Giunchigliani, Conklin, Denis, Hogan, Horne, Koivisto,  
and Ohrenschall:

Assembly Joint Resolution No. 5—Proposing to amend the Nevada  
Constitution to revise the provisions governing a petition for initiative or  
referendum.

RESOLVED by the Assembly and Senate of the State of Nevada, Jointly, That Section 2 of  
Article 19 of the Nevada Constitution be amended to read as follows:

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 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.~~

~~3.—If the~~ An initiative petition that proposes a statute or an amendment to a statute ~~[, the]~~ must be in the form required by Section 3 of this Article and must be proposed by a number of registered voters from each congressional district in this State equal to 15 percent or more of the number of voters who voted at the last preceding general election in the congressional district, but the total number of registered voters signing the initiative petition must be equal to 15 percent or more of the voters who voted in the entire State at the last preceding general election. 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 person who intends to circulate ~~[#]~~ the initiative petition that proposes a statute or an amendment to a statute shall file a copy of the petition 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]~~

3. An initiative petition that proposes an amendment to the Constitution ~~[, the]~~ must be in the form required by Section 3 of this Article and must be proposed by a number of registered voters from each congressional district in this State equal to 20 percent or more of the number of voters who voted at the last preceding general election in the congressional district, but the total number of registered voters signing the initiative petition must be equal to 20 percent or more of the voters who voted in the entire State at the last preceding general election. 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 person who intends to

circulate [~~it~~] the initiative petition that proposes an amendment to the Constitution shall file a copy of the petition 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 4 or 5, [~~or 6~~] become a part of this Constitution upon completion of the canvass of votes by the Supreme Court.

[~~5~~] 4. 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~~] 5. 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.

And be it further

RESOLVED, That Section 4 of Article 19 of the Nevada Constitution be amended to read as follows:

Sec. 4. 1. The initiative and referendum powers provided for in this Article are further reserved to the registered voters of each county and each municipality as to all local, special and municipal legislation of every kind in or for such county or municipality. In counties and municipalities initiative petitions may be instituted by a number of registered voters in the county or municipality equal to [~~45~~] 20 percent or more of the voters who voted at the last preceding general county or municipal election. Referendum petitions may be instituted by [~~40~~] 15 percent or more of such voters.

2. If an initiative petition that is instituted in a county or municipality is submitted to the voters of the county or municipality at an election and 55 percent or more of the voters vote for the disapproval of the measure, for the 2 years following the year of the election at which the measure was disapproved, an initiative petition must not be instituted for a measure that is substantially similar to the measure that was disapproved.

Assemblywoman Giunchigliani moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblymen Buckley, Ocegüera, Leslie, McCleary, Anderson, Allen, Arberry, Atkinson, Carpenter, Conklin, Denis, Gerhardt, Giunchigliani, Goicoechea, Grady, Hardy, Hogan, Holcomb, Horne, Kirkpatrick, Koivisto, Manendo, McClain, Mortenson, Munford, Ohrenschall, Parks, Parnell, Perkins, Pierce, Sherer, Sibley, and Smith; Senators Titus, Coffin, Care, Schneider, and Lee:

Assembly Joint Resolution No. 6—Urging Congress to amend the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 to provide an affordable, easily understood comprehensive program for coverage of prescription drug benefits.

Assemblywoman Buckley moved that the resolution be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblywoman Giunchigliani:

Assembly Joint Resolution No. 7—Proposing to amend the Nevada Constitution to repeal the limitations on terms of elected officers.

RESOLVED by the Assembly and Senate of the State of Nevada, Jointly, That Section 3 of Article 4 of the Nevada Constitution be amended to read as follows:

Sec. 3. ~~[4-]~~ The members of the Assembly shall be chosen biennially by the qualified electors of their respective districts, on the Tuesday next after the first Monday in November and their term of Office shall be two years from the day next after their election.

~~[2- No person may be elected or appointed as a member of the Assembly who has served in that Office, or at the expiration of his current term if he is so serving will have served, 12 years or more, from any district of this State.]~~

And be it further

RESOLVED, That Section 4 of Article 4 of the Nevada Constitution be amended to read as follows:

Sec. 4. ~~[4-]~~ Senators shall be chosen at the same time and places as members of the Assembly by the qualified electors of their respective districts, and their term of Office shall be four years from the day next after their election.

~~[2- No person may be elected or appointed as a Senator who has served in that Office, or at the expiration of his current term if he is so serving will have served, 12 years or more, from any district of this State.]~~

And be it further

Resolved, That Section 3 of Article 5 of the Nevada Constitution be amended to read as follows:

Sec. 3. No person shall be eligible to the Office of Governor, who is not a qualified elector, and who, at the time of such election, has not attained the age of twenty five years; and who shall not have been a citizen resident of this State for two years next preceding the election . ~~[2- nor shall any person be elected to the Office of Governor more than twice; and no person who has held the Office of Governor, or acted as Governor for more than two years of a term to which some other person was elected Governor shall be elected to the Office of Governor more than once.]~~

And be it further

RESOLVED, That Section 19 of Article 5 of the Nevada Constitution be amended to read as follows:

Sec. 19. 1. A Secretary of State, a Treasurer, a Controller, and an Attorney General, shall be elected at the same time and places, and in the same manner as the Governor. The term of Office of each shall be the same as is prescribed for the Governor.

2. Any elector shall be eligible to any of these Offices . ~~[, but no person may be elected to any of them more than twice, or more than once if he has previously held the Office by election or appointment.]~~

And be it further

RESOLVED, That Section 3 of Article 15 of the Nevada Constitution be amended to read as follows:

Sec. 3. ~~[4.]~~ No person shall be eligible to any office who is not a qualified elector under this Constitution.

~~[2. No person may be elected to any state office or local governing body who has served in that office, or at the expiration of his current term if he is so serving will have served, 12 years or more, unless the permissible number of terms or duration of service is otherwise specified in this Constitution.]~~

Assemblywoman Buckley moved that the resolution be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

#### INTRODUCTION, FIRST READING, AND REFERENCE

By Assemblymen Denis, Pierce, McCleary, Leslie, Parks, Anderson, Atkinson, Buckley, Claborn, Conklin, Gansert, Gerhardt, Giunchigliani, Hogan, Holcomb, Kirkpatrick, Mabey, Munford, Oceguela, Seale, and Smith; Senators Carlton and Horsford:

Assembly Bill No. 227—AN ACT relating to notaries public; prohibits a notary public who is not an attorney licensed to practice law in this State from using the term “notario,” “notario publico” or any other equivalent non-English term in any form of communication that advertises his services as a notary public; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen McCleary, Parnell, Manendo, Munford, Claborn, Anderson, Atkinson, Buckley, Conklin, Gerhardt, Koivisto, McClain, Mortenson, Oceguela, Parks, and Pierce:

Assembly Bill No. 228—AN ACT relating to educational personnel; prescribing a minimum base salary for certain teachers; requiring the board of trustees of each school district to increase the annual base salary of each licensed teacher in the district by a certain percentage; requiring the Department of Education to establish a task force to study the effectiveness of financial incentives on the recruitment and retention of qualified teachers; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblymen Atkinson, McCleary, Allen, Buckley, Claborn, Denis, Giunchigliani, Goicoechea, Hettrick, Horne, Kirkpatrick, Koivisto, Manendo, McClain, Mortenson, Munford, Ocegüera, Ohrenschall, Parks, Perkins, and Sibley:

Assembly Bill No. 229—AN ACT relating to traffic laws; reducing the distance from the nearest track at certain railroad crossings within which the driver of a vehicle must stop; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Atkinson, Conklin, Parks, Allen, Anderson, Arberry, Buckley, Carpenter, Claborn, Denis, Giunchigliani, Goicoechea, Hettrick, Horne, Kirkpatrick, Koivisto, Manendo, McClain, McCleary, Mortenson, Munford, Ocegüera, Ohrenschall, Parnell, and Pierce:

Assembly Bill No. 230—AN ACT relating to vehicles; revising the provisions governing the transfer of the registration of certain vehicles; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Atkinson, Horne, McClain, Parks, Allen, Arberry, Buckley, Christensen, Claborn, Conklin, Denis, Gansert, Giunchigliani, Kirkpatrick, Koivisto, Manendo, McCleary, Mortenson, Munford, Ocegüera, Ohrenschall, Perkins, Pierce, and Sibley:

Assembly Bill No. 231—AN ACT relating to real property; requiring the construction, maintenance, reconstruction and repair of sidewalks on certain real property located within 1 mile of a public school; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Perkins:

Assembly Bill No. 232—AN ACT relating to weapons; authorizing certain law enforcement officers and retired law enforcement officers to carry certain concealed weapons and firearms in certain circumstances; clarifying certain terms used in the provisions concerning concealed weapons and firearms; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman Perkins:

Assembly Bill No. 233—AN ACT relating to homeland security; providing that the Nevada Commission on Homeland Security consists of 10 members; providing that the Director of the Department of Public Safety may employ certain persons on behalf of the Nevada Commission on Homeland Security; requiring the Commission to approve the submission of an application by a response agency for a grant relating to acts of terrorism or other related emergencies; requiring a response agency to adopt and implement any national system administered by the United States Department of Homeland Security for preventing and responding to acts of terrorism; revising provisions relating to membership of the Commission; revising provisions relating to exceptions to the Open Meeting Law; revising provisions relating to appointment of committees of the Commission; revising provisions relating to the inspection, copying, duplication or reproduction of restricted documents; revising provisions relating to emergency response plans; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblywoman Gansert:

Assembly Bill No. 234—AN ACT relating to anatomical gifts; transferring certain duties pertaining to anatomical gifts from the Bureau of Consumer Protection in the Office of the Attorney General to the University of Nevada School of Medicine; expanding the types of information given to certain applicants for drivers' licenses and identification cards concerning anatomical gifts; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblyman Grady:

Assembly Bill No. 235—AN ACT relating to cities; revising the provisions governing the changing of the boundaries of wards established in cities incorporated by general law; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Hardy:

Assembly Bill No. 236—AN ACT relating to energy; revising provisions governing net metering systems; exempting certain types of renewable energy systems from the requirements of the Utility Environmental Protection Act; prohibiting certain restrictions on the location and use of



wind energy systems; requiring local building codes to allow the use of certain types of renewable energy systems under certain circumstances; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Hardy:

Assembly Bill No. 237—AN ACT relating to justices' courts; revising the jurisdiction of certain justices' courts with respect to the issuance of orders for protection against domestic violence; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman Hardy:

Assembly Bill No. 238—AN ACT relating to statutory liens; lowering the amount of the surety bond that must be provided by a lessee for the benefit of a contractor under certain circumstances; allowing for alternative types and amounts of security to be agreed upon by a lessee and contractor under certain circumstances; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman Hardy:

Assembly Bill No. 239—AN ACT relating to state government; making various changes relating to motor vehicles, drivers' licenses and certain operations of the Department of Motor Vehicles; reducing the fees for hunting and fishing licenses for certain military veterans; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblyman Hettrick:

Assembly Bill No. 240—AN ACT relating to transportation; exempting operators of interstate and intrastate charter bus service from regulation by the Transportation Services Authority; revising provisions relating to the jurisdiction of the Transportation Services Authority over common motor carriers that are not fully regulated carriers; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblyman Hettrick:

Assembly Bill No. 241—AN ACT relating to taxation; authorizing county assessors to grant an abatement of property taxes for certain residences to avoid severe economic hardship; providing for the repayment of all or a portion of the abated taxes upon the sale of the property or other mitigation of the severe economic hardship; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By Assemblymen Goicoechea and Marvel:

Assembly Bill No. 242—AN ACT making an appropriation to the Office of the Attorney General for the start-up costs of the quarterly publication of the National Center for Missing and Exploited Children; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Marvel:

Assembly Bill No. 243—AN ACT relating to estates in property; revising the definition of “securities account” for the purposes of the Uniform TOD Security Registration Act; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Goicoechea, Marvel, Carpenter, and Grady; Senator Rhoads:

Assembly Bill No. 244—AN ACT relating to taxation; revising the provisions governing the distribution of the proceeds of the tax on the net proceeds of minerals; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Marvel (by request):

Assembly Bill No. 245—AN ACT relating to taxation; clarifying that certain taxes on the transfer of real property apply to transfers of controlling interest in business entities that own real property in this State; requiring the proceeds of the taxes on such transfers to be used for the maintenance of public buildings; establishing the Fund for Maintenance of Public Buildings into which such proceeds must be deposited; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Anderson:

Assembly Bill No. 246—AN ACT relating to religious freedom; prohibiting a governmental entity from substantially burdening the exercise of religion of a person in certain circumstances; authorizing a person whose exercise of religion has been so burdened to assert the violation as a claim or defense in a judicial proceeding; authorizing a court to award damages against a governmental entity that substantially burdens the exercise of religion in certain circumstances; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman Holcomb:

Assembly Bill No. 247—AN ACT relating to planning; providing that regional plans and master plans adopted by local governments in certain counties are deemed to include certain provisions requiring that any proposed change in land use that would result in an increase in the use of water must be offset by an equivalent decrease in the use of water elsewhere in the water planning region or by the addition of new water resources to the water planning region; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblywoman Buckley:

Assembly Bill No. 248—AN ACT relating to public health; requiring a portion of the money in the Fund for a Healthy Nevada to be used to provide certain services to certain senior citizens who reside in certain assisted living facilities; requiring the Housing Division of the Department of Business and Industry to certify certain assisted living facilities for the purpose of providing services pursuant to the home and community-based services waiver in the State Plan for Medicaid; requiring the Department of Human Resources to apply to the Secretary of Health and Human Services to amend the State Plan for Medicaid to amend its waiver to provide certain home and community-based services in certain assisted living facilities; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblywoman Buckley:

Assembly Bill No. 249—AN ACT relating to vehicles; authorizing the Director of the Department of Motor Vehicles to expend money appropriated by the Legislature to assist in the acquisition of certain evidence; authorizing the Department to impose an administrative fine against a person who engages in certain deceptive trade practices relating to the purchase or sale of a vehicle; authorizing a person who is injured by a bonded dealer, distributor, rebuilder, manufacturer, representative or salesman to bring an action or to apply to the Director for compensation from the bond; providing that a rebuilt vehicle may not be registered unless it is inspected and certified by a garageman or the owner of a body shop; prohibiting a person from removing certain markings on a certificate of title for a rebuilt vehicle; revising the circumstances under which a lien claimant may sell or auction a vehicle upon which he holds a lien; revising the duties of a manufacturer or its agent or authorized dealer concerning the sale, lease or transfer of ownership of a vehicle that fails to conform to certain express warranties; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Arberry (by request):

Assembly Bill No. 250—AN ACT relating to massage therapy; creating the Board of Massage Therapists; prescribing the powers and duties of the Board; providing for its membership; prohibiting a person from engaging in the practice of massage therapy unless he is issued a license by the Board; prescribing the requirements for the issuance or renewal of a license; setting forth the grounds for disciplinary action against a massage therapist; providing the actions the Board may take against a person who commits certain acts; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Arberry and Senator Horsford:

Assembly Bill No. 251—AN ACT relating to disadvantaged businesses; authorizing a preference for disadvantaged businesses under certain circumstances for certain contracts for public works and state and local government purchasing; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Conklin:

Assembly Bill No. 252—AN ACT relating to educational personnel; prescribing a limit on the number of administrators employed in certain large school districts; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblyman Goicoechea:

Assembly Bill No. 253—AN ACT relating to water; creating the Interbasin Transfer Adjudication Fund to be used to support the adjudication of certain existing water rights related to interbasin transfers of ground water; requiring the State Engineer to adjudicate certain existing rights to water before approving an application for an interbasin transfer of ground water; making an appropriation to the Interbasin Transfer Adjudication Fund; making an appropriation to conduct an inventory of water resources in this State; providing for a legislative study of water resources and management; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By Assemblyman Claborn:

Assembly Bill No. 254—AN ACT relating to industrial insurance; prohibiting an employer from appealing or contesting a determination made relating to a claim for compensation under certain circumstances; increasing the maximum amount of certain fines and benefit penalties; expanding the list of prohibited acts for which a benefit penalty may be imposed; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblywoman Kirkpatrick (by request):

Assembly Bill No. 255—AN ACT relating to taxation; providing for the licensing and regulation of purchasers of dyed special fuel in bulk; requiring each purchaser of dyed special fuel in bulk to submit to the Department of Motor Vehicles a monthly report setting forth certain information relating to dyed special fuel; requiring the Department to cancel certain licenses that have been surrendered to the Department; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Buckley and Manendo:

Assembly Bill No. 256—AN ACT relating to driving under the influence of alcohol or a controlled substance; establishing the crimes of vehicular homicide and homicide by vessel for a person who drives a motor vehicle or operates a vessel under the influence of alcohol or certain controlled or prohibited substances in certain circumstances; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblywoman Pierce:

Assembly Bill No. 257—AN ACT relating to property; prohibiting a financial institution from including a provision in a loan agreement that allows the financial institution to satisfy a debt or liability owed to the financial institution under the loan agreement from certain money in an account unrelated to the loan agreement; exempting payments received pursuant to the federal Social Security Act from execution and attachment; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Conklin, Anderson, Horne, Gerhardt, and Denis:

Assembly Bill No. 258—AN ACT relating to concealed firearms; authorizing certain law enforcement officers and retired law enforcement officers to carry certain concealed firearms and weapons in certain circumstances; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Conklin, Anderson, Horne, Gerhardt, and Denis:

Assembly Bill No. 259—AN ACT relating to peace officers; making various changes concerning administrative files of peace officers; providing that evidence obtained in violation of certain provisions may not be used in an administrative proceeding or civil action against a peace officer; providing that the home address and photograph of a peace officer are confidential; revising various provisions relating to an interrogation or a hearing concerning a peace officer; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Allen, Hardy, and Hettrick; Senators Mathews and Heck (by request):

Assembly Bill No. 260—AN ACT relating to environmental health specialists; defining the practice of environmental health; requiring persons who engage in the practice of environmental health to be registered; providing for registration of environmental health specialist trainees; authorizing the Board of Registered Environmental Health Specialists to employ certain persons; requiring the Chairman of the Board to be elected biennially on or before a certain date; providing for the issuance of a basic certificate of registration as an environmental health specialist under certain circumstances; revising the requirements for registration as an environmental health specialist; authorizing the Board to register certain persons by reciprocity; exempting certain retired persons from the requirements for continuing education; requiring an applicant for a certificate of registration as an environmental health specialist trainee or for a basic certificate of registration as an environmental health specialist to pay a fee; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Allen and Hardy (by request):

Assembly Bill No. 261—AN ACT relating to motor vehicles; revising provisions concerning negligence and causation in relation to certain acts of unrestrained riding within or upon a motor vehicle; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblyman Sibley:

Assembly Bill No. 262—AN ACT making an appropriation to the Health Division of the Department of Human Resources for a power generator for the bioterrorism laboratory in Nevada; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Sibley (by request):

Assembly Bill No. 263—AN ACT relating to veterinarians; requiring a licensed veterinarian to obtain informed consent in writing from the owner of an animal before administering a vaccination to, or performing a diagnostic procedure on, the animal; providing exceptions; prohibiting the licensed veterinarian from misrepresenting certain information concerning the

vaccination or diagnostic procedure; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Angle and Holcomb:

Assembly Bill No. 264—AN ACT relating to trade practices; requiring notice to be provided to consumers of retail products which have radio frequency identification tags; establishing certain labeling requirements for such products; making certain acts deceptive trade practices; providing civil and administrative penalties; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Angle and Holcomb:

Assembly Bill No. 265—AN ACT relating to domestic wells; revising the provisions governing permits for the development and use of underground water from domestic wells; providing civil liability for certain violations of such a permit; providing causes of action against the State Engineer and the State of Nevada under certain circumstances if an owner of a domestic well suffers a reduction in the amount of underground water available for diversion; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Angle and Holcomb:

Assembly Bill No. 266—AN ACT relating to state financial administration; providing in skeleton form that the interest and income earned on the money in certain accounts and funds be credited to the State General Fund and accounted for separately; providing for the quarterly distribution of such money among the county school districts for use only for the provision of books, supplies or instructional materials for the classroom; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Anderson, Parnell, Conklin, Allen, Angle, Gerhardt, Holcomb, Horne, Mortenson, and Ocegüera:

Assembly Bill No. 267—AN ACT relating to crimes; prohibiting the abuse, neglect, exploitation or isolation of a vulnerable person; requiring the



report of the abuse, neglect, exploitation or isolation of a vulnerable person; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

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 11:56 a.m.

#### ASSEMBLY IN SESSION

At 12:02 p.m.

Mr. Speaker presiding.

Quorum present.

By Assemblymen Angle and Holcomb:

Assembly Bill No. 268—AN ACT relating to state financial administration; requiring the Legislative Auditor, if he finds evidence of willful noncompliance with applicable laws or regulations, to report that noncompliance to the Governor, each member of the Legislature and the Attorney General; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblymen Angle and Holcomb:

Assembly Bill No. 269—AN ACT relating to elections; requiring a person to show a form of valid identification before casting a ballot at a poll; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblymen Angle and Holcomb:

Assembly Bill No. 270—AN ACT relating to transportation; requiring employees of the Transportation Services Authority and the Taxicab Authority to wear identifying uniforms and use marked vehicles when exercising enforcement powers in the field; increasing the required standard for such employees to stop or detain a vehicle when exercising such powers; making employees of the Transportation Services Authority and the Taxicab Authority who are peace officers eligible for certain retirement benefits; requiring the Transportation Services Authority and the Taxicab Authority to adopt certain procedures and policies governing their organization and operation; requiring certain notice to be provided before the examination of certain records; removing the authority of the Transportation Services

Authority to impose certain administrative fines; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Pierce, Leslie, Parks, and Parnell:

Assembly Bill No. 271—AN ACT relating to hospice care; authorizing a licensed facility for hospice care to provide certain palliative services to a patient who is terminally ill; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblywoman Ohrenschall:

Assembly Bill No. 272—AN ACT relating to correctional facilities; providing that only female officers, employees or independent contractors may serve in a correctional facility or institution that requires direct contact with female offenders; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblywoman Ohrenschall:

Assembly Bill No. 273—AN ACT relating to nursing; requiring the State Board of Nursing to establish a program for the repayment of loans to assist certain licensees in the repayment of educational loans; requiring the State Board to adopt regulations to establish and carry out the program; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblywoman Ohrenschall:

Assembly Bill No. 274—AN ACT relating to offenders; requiring sex offenders and offenders convicted of a crime against a child to register with each local jurisdiction in which they reside if they reside at multiple residences; establishing the Attorney General's Offender Information Website to provide certain information to the public concerning sex offenders and offenders convicted of a crime against a child; providing penalties; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman Carpenter:

Assembly Bill No. 275—AN ACT relating to public works; prohibiting the involvement of the State Public Works Board in certain activities of local governments; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Smith, Giunchigliani, Denis, McClain, Hogan, Koivisto, and Weber (by request):

Assembly Bill No. 276—AN ACT relating to pharmacists; requiring a registered pharmacist, upon request by a patient, to transmit a prescription for the patient to another registered pharmacist under certain circumstances; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Hettrick:

Assembly Bill No. 277—AN ACT relating to vehicles; revising the provisions concerning the responsibility of the registered owner of an abandoned vehicle; requiring the Department of Motor Vehicles to take certain actions relating to the removal of an abandoned vehicle; requiring the Department, under certain circumstances, to suspend the license and registration of a person who abandons a vehicle; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblyman Hogan:

Assembly Bill No. 278—AN ACT relating to residential leases; authorizing certain persons to terminate such a lease under certain circumstances; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Giunchigliani, Conklin, Denis, Hogan, Horne, Koivisto, and Ohrenschall:

Assembly Bill No. 279—AN ACT relating to public education; changing the name of the State Board for Occupational Education to the State Board for Career and Technical Education; changing the term “occupational education” to “career and technical education”; requiring each school district to establish and maintain a program of career and technical education in accordance with the regulations adopted by the State Board for Career and

Technical Education; establishing career and technical education diplomas; authorizing a school district to hire certain persons with technical expertise to assist with classroom instruction for a program of career and technical education; requiring school districts to schedule start times for public schools in a certain manner; authorizing school districts and charter schools to request permission from the Board of Regents of the University of Nevada for high school teachers to teach dual-credit courses; authorizing teachers to submit evaluations of principals; revising various provisions governing pupils; making an appropriation; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Giunchigliani, Conklin, Denis, Hogan, Horne, Koivisto, and Ohrenschall:

Assembly Bill No. 280—AN ACT relating to higher education; requiring the State Board of Education and the Council to Establish Academic Standards for Public Schools to work with the Board of Regents of the University of Nevada to ensure that the courses and academic standards required in high school sufficiently prepare students for college; authorizing school districts and charter schools to request permission from the Board of Regents for certain high school teachers to provide instruction for dual-credit courses; requiring full access to library and research services for students enrolled at an institution within the University and Community College System of Nevada; revising the terms of office of members of the Board of Regents; revising provisions regarding the degrees and transferability of credits earned within the System; revising the definition of the term “public work” as that term applies to the System; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblyman Holcomb:

Assembly Bill No. 281—AN ACT relating to tort actions; limiting the amount of noneconomic damages that may be awarded in certain civil actions; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Giunchigliani, Conklin, Denis, Hogan, Horne, Koivisto, and Ohrenschall:

Assembly Bill No. 282—AN ACT relating to guardianship; requiring professional guardians to meet national standards of training and

competence; requiring certain guardians to submit to an investigation of their criminal history; requiring guardians to complete a training program conducted by the public guardian; authorizing a public guardian to compel certain guardians to make and file a verified account in a guardianship proceeding; increasing the fees to commence a proceeding for the appointment of a guardian to provide money for the training and registration of public guardians; requiring that certain fees to commence a proceeding for the appointment of a guardian be paid to a fund for the office of the public guardian; requiring a public guardian to conduct a training program for guardians; requiring a public guardian to meet national standards of training and competence; requiring a board of county commissioners to establish the office of public guardian; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman Sherer:

Assembly Bill No. 283—AN ACT relating to state parks; directing the Division of State Lands and Division of State Parks of the State Department of Conservation and Natural Resources to make every reasonable effort to obtain the transfer of land for a state park in Esmeralda County and to establish the state park if the land is transferred; requiring the Division of State Lands and Division of State Parks to report to the Interim Finance Committee the progress made toward establishing the state park; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By Assemblyman Sherer:

Assembly Bill No. 284—AN ACT relating to insurance; requiring certain policies of health insurance and health care plans to provide coverage for medical transportation to medical facilities under certain circumstances; requiring such coverage to be provided pursuant to the same conditions for coverage that are required in the policy or plan; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Sherer (by request):

Assembly Bill No. 285—AN ACT relating to transportation; abolishing the Transportation Services Authority; transferring the duties and responsibilities for regulating certain operators of tow cars to the Nevada Highway Patrol; transferring the duties and responsibilities for regulating

carriers of household goods and related storage facilities to the Consumer Affairs Division of the Department of Business and Industry; transferring the duties and responsibilities for regulating taxicabs to the Taxicab Authority under certain circumstances; transferring the duties and responsibilities for regulating all other common motor carriers to the Department of Motor Vehicles; providing for the regulation of limousines by the Taxicab Authority under certain circumstances; authorizing certain local governmental entities to assume regulatory authority over taxicabs and limousines based within the jurisdiction of the governmental entity; establishing the Consumer Affairs Division Regulatory Fund and the Nevada Highway Patrol Regulatory Fund; eliminating the Transportation Services Authority Regulatory Fund; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblyman McCleary:

Assembly Bill No. 286—AN ACT relating to public highways; requiring the Department of Transportation to construct sound barriers along a portion of U.S. Interstate No. 95 in Clark County; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblyman Ocegueda:

Assembly Bill No. 287—AN ACT relating to public works; requiring contractors and subcontractors to provide and maintain a bona fide health care plan for certain employees employed on a public works project; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Government Affairs

Motion carried.

By Assemblyman Ocegueda:

Assembly Bill No. 288—AN ACT relating to health care; making various changes concerning the qualifications of the members of the Board of Medical Examiners; making various changes concerning the duties and proceedings of the Board of Medical Examiners; restricting the advertising of board certification; expanding the scope of permissible voluntary practice by a retired physician; requiring prescriptions to be legible; requiring a hospital or surgical center for ambulatory patients to maintain and report certain information to the Board; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Mortenson:

Assembly Bill No. 289—AN ACT relating to cultural resources; requiring the Administrator of the Office of Historic Preservation of the Department of Cultural Affairs to establish a stewardship program for the protection of cultural resources; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By Assemblymen Parks and Pierce (by request):

Assembly Bill No. 290—AN ACT relating to common-interest communities; requiring a member of an executive board of an association in a common-interest community who stands to personally profit from a matter before the board to disclose the matter and abstain from voting on such matter; prohibiting an association from requiring a unit's owner to obtain any approval from the association in order to rent or lease the unit; requiring that bids for an association project be opened at a meeting of the executive board; providing that the association shall establish an adequate reserve fund given the nature and extent of the liability and responsibility of the association; requiring a unit's owner to provide certain documents to a purchaser within a certain period; providing that a purchaser may cancel the contract of purchase with a unit's owner in certain circumstances; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Parks, Atkinson, Claborn, Goicoechea, Grady, Hardy, Kirkpatrick, Munford, Parnell, and Pierce (by request):

Assembly Bill No. 291—AN ACT relating to employment agencies; requiring the licensing and regulation of talent agencies; prohibiting a talent agency from harassing a person placed for employment by another agency; requiring a talent agency to include certain provisions in a contract for employing talent; requiring a talent agency to pay wages owed to talent within a certain number of days; providing a limit on the fee a talent agency may charge for placing a person in employment; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

Senate Bill No. 141.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblywoman Buckley moved that the action whereby Assembly Bill No. 228 was referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments be rescinded.

Motion carried.

Assemblywoman Buckley moved that Assembly Bill No. 228 be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

Assemblywoman Buckley moved that the action whereby Assembly Bill No. 283 was referred to the Committee on Natural Resources, Agriculture, and Mining be rescinded.

Motion carried.

Assemblywoman Buckley moved that Assembly Bill No. 283 be referred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Buckley moved that the action whereby Assembly Bill No. 287 was referred to the Committee on Government Affairs be rescinded.

Motion carried.

Assemblywoman Buckley moved that Assembly Bill No. 287 be referred to the Committee on Commerce and Labor.

Motion carried.

Assemblywoman Buckley moved that the Assembly recess until 5:00 p.m.

Motion carried.

Assembly in recess at 12:20 p.m.

ASSEMBLY IN SESSION

At 5:28 p.m.

Mr. Speaker presiding.

Quorum present.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 21, 2005

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 11.

MARY JO MONGELLI

*Assistant Secretary of the Senate*



## MOTIONS, RESOLUTIONS, AND NOTICES

By Senators Raggio and Titus:

Senate Concurrent Resolution No. 11—Temporarily suspending subparagraph (1) of paragraph (d) of subsection 1 of Joint Standing Rule No. 14.2.

Resolved by the Senate of the State of Nevada, the Assembly Concurring, That subparagraph (1) of paragraph (d) of subsection 1 of Joint Standing Rule No. 14.2 is hereby temporarily suspended and the last day for introduction of a bill or joint resolution that was requested by a legislator is the 47th calendar day of the 73rd Regular Session of the Legislature.

Assemblywoman Buckley moved the adoption of the resolution.

Remarks by Assemblywoman Buckley.

Resolution adopted.

## INTRODUCTION, FIRST READING, AND REFERENCE

By Assemblymen Goicoechea, Marvel, and Carpenter:

Assembly Bill No. 292—AN ACT relating to taxation; requiring earlier filing of statements of estimated gross yield, net proceeds and royalties by persons extracting minerals in this State; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Parks, Hardy, Hogan, McCleary, Horne, Anderson, Carpenter, Claborn, Giunchigliani, Grady, Kirkpatrick, Koivisto, Leslie, Manendo, McClain, Pierce, Seale, and Smith (by request):

Assembly Bill No. 293—AN ACT relating to taxation; providing an exemption from the governmental services tax for vehicles registered by a resident of Nevada who is on active duty in the Armed Forces of the United States; authorizing such a person to waive his exemption and designate any additional amount to be credited to the Gift Account for Veterans' Homes; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Parks moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Munford, Holcomb, and Sibley:

Assembly Bill No. 294—AN ACT relating to public schools; requiring the Clark County School District to construct a vocational-technical high school within the boundaries of Assembly District 6; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Education.

Motion carried.

By Assemblymen Leslie, Smith, and Ocegüera:

Assembly Bill No. 295—AN ACT relating to crimes; creating the crime of vehicular manslaughter; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblywomen Koivisto, Smith, and McClain:

Assembly Bill No. 296—AN ACT relating to health care; requiring certain major hospitals to accept certain payments for the provision of emergency services and care to certain patients as payment in full; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblywoman Koivisto:

Assembly Bill No. 297—AN ACT relating to the Southern Nevada Veterans Memorial Cemetery; naming the Chapel at the Cemetery the Ken Brown Chapel; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblywomen Koivisto, McClain, and Smith (by request):

Assembly Bill No. 298—AN ACT relating to elections; providing in skeleton form for the conversion of the offices of mayor and city councilmen to partisan offices; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblyman Marvel:

Assembly Bill No. 299—AN ACT relating to state lands; authorizing the exchange of certain parcels of land with the Reno-Sparks Indian Colony; authorizing the construction of a new restitution center for the Department of Corrections; authorizing an agreement to share sales tax revenue from a proposed retail project on property owned by the Reno-Sparks Indian Colony; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen McClain, Parks, Atkinson, Buckley, Claborn, Conklin, Denis, Gerhardt, Giunchigliani, Hogan, Koivisto, Leslie, Manendo, McCleary, Munford, Ocegüera, Pierce, and Smith:

Assembly Bill No. 300—AN ACT making an appropriation to provide assistance in rent for low-income families; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Sibley, Hardy, and Christensen:

Assembly Bill No. 301—AN ACT relating to taxation; removing veterans from the classes of persons whose exemption from personal property tax is reduced by the amount of the exemption from the governmental services tax allowed those persons; increasing to 100 percent the veterans' exemption from the governmental services tax; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Growth and Infrastructure.

Motion carried.

By Assemblyman McCleary:

Assembly Bill No. 302—AN ACT relating to elections; creating a presidential preference primary election; establishing requirements for participation in the presidential preference primary election by major political parties and registered voters; establishing provisions governing how the results of the presidential preference primary election will effect the selection of a candidate for nomination for President of the United States; making an appropriation; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblyman Mabey:

Assembly Bill No. 303—AN ACT relating to mold; requiring the Health Division of the Department of Human Resources to license and regulate persons engaged in certain activities related to the control of mold; requiring the Division to establish and collect certain fees; setting forth the requirements for eligibility for the issuance of a license or certificate of registration by the Division; requiring the holder of a license for mold assessment or mold remediation to prepare certain assessments or work plans; authorizing the Health Division to take certain disciplinary actions relating to the assessment or remediation of mold; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Hardy, Mabey, Hettrick, and Marvel:

Assembly Bill No. 304—AN ACT relating to public contracts; revising requirements relating to performance contracts for operating cost-savings measures in buildings occupied by state agencies; providing requirements for such performance contracts that are financed as installment-purchase contracts or lease-purchase contracts; authorizing the issuance of refunding obligations relating to performance contracts; clarifying the inapplicability of the requirements relating to prevailing wages to the payment of the wages of inmates of custodial or penal institutions working on public works; providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Mabey:

Assembly Bill No. 305—AN ACT relating to education; requiring that a student successfully complete at least one advanced placement course to be eligible for a millennium scholarship if he is enrolled in a school district or private school that offers those courses; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen McClain, Atkinson, Koivisto, Giunchigliani, Parks, Hogan, Leslie, Manendo, McCleary, and Pierce:

Assembly Bill No. 306—AN ACT relating to local governments; providing in skeleton form for the consolidation of certain governments and services within certain urbanized areas of a county; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen McClain, Koivisto, Carpenter, Smith, Giunchigliani, Arberry, Atkinson, Buckley, Claborn, Conklin, Denis, Gerhardt, Leslie, Manendo, McCleary, Munford, Ocegüera, Parks, Parnell, and Pierce:

Assembly Bill No. 307—AN ACT relating to motor vehicles; making various changes concerning the registration of motor vehicles; requiring the Department of Motor Vehicles to compile certain statistical information relating to veterans; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Hettrick, Christensen, Mabey, Hardy, Angle, Carpenter, Gansert, Goicoechea, Grady, Holcomb, Marvel, Sherer, and Weber:

Assembly Bill No. 308—AN ACT relating to health care; establishing a limitation on the amount of noneconomic damages that may be awarded in an action against a residential facility for groups based upon professional negligence; making various changes concerning the introduction of evidence of payment by collateral sources in such an action; making various changes concerning the payment of future damages in such an action; limiting attorneys' fees in such an action; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Manendo, Parnell, Anderson, McCleary, Parks, Allen, Atkinson, Buckley, Carpenter, Claborn, Conklin, Denis, Gansert, Gerhardt, Goicoechea, Hardy, Hogan, Holcomb, Horne, Kirkpatrick, Koivisto, Leslie, Mabey, Marvel, McClain, Mortenson, Munford, Ocegüera, Ohrenschall, Perkins, Pierce, Sibley, Smith, and Weber:

Assembly Bill No. 309—AN ACT relating to the University and Community College System of Nevada; providing for the waiver of fees for certain veterans who are recipients of the Purple Heart and who attend a university, state college or community college within the System; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblywoman Smith and Senator Titus:

Assembly Bill No. 310—AN ACT making an appropriation to the Department of Human Resources for the establishment of a 2-1-1 telephone number in certain areas of the State to provide residents with information concerning services available to children and families; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblyman Manendo; Senators Titus and Care:

Assembly Bill No. 311—AN ACT making an appropriation to the Department of Transportation for the construction of an extension to the sound barrier along the east side of U.S. Highway No. 95/Interstate Highway No. 515 near Elaina Avenue in Las Vegas; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Sibley, Hardy, Mabey, Conklin, Parks, Allen, Atkinson, Buckley, Carpenter, Christensen, Denis, Gansert, Gerhardt, Giunchigliani, Goicoechea, Grady, Hettrick, Horne, Kirkpatrick, Manendo, McCleary, Munford, Ocegüera, Perkins, Seale, Sherer, and Weber; Senators Titus, Coffin, Townsend, Beers, Carlton, Amodei, Cegavske, Hardy, Heck, Lee, and Wiener:

Assembly Bill No. 312—AN ACT relating to real property; requiring certain governmental entities to conduct certain sales and other disposals of certain public lands and real property by public auction; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblymen Anderson, Giunchigliani, Buckley, Ocegüera, Conklin, and Perkins:

Assembly Bill No. 313—AN ACT relating to state financial administration; creating a revolving account for loans to repair owner-occupied homes damaged by natural disasters; renaming the Fund to Stabilize the Operation of the State Government as the Rainy Day Fund; revising the standards and procedures for expenditure of money in the Fund; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen McCleary, McClain, Holcomb, Manendo, Mortenson, Seale, and Sibley:

Assembly Bill No. 314—AN ACT relating to public officers; prohibiting ex-felons from being elected, appointed or otherwise holding public office; requiring elected public officers and members of public boards who are appointed by the Governor, the Legislature or members of the Legislature to have resided in the State, district, county, township or other area prescribed by law to which the office or position pertains for at least 6 months immediately preceding the date of the close of filing of declarations of candidacy or preceding the appointment; eliminating the provisions that provided for the automatic restoration to certain ex-felons of the right to hold public office upon specified future dates; eliminating the right to hold public office of an ex-felon who had previously received restoration of that right; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

Motion carried.

By Assemblymen Pierce, Parks, Buckley, Giunchigliani, and McClain:

Assembly Bill No. 315—AN ACT relating to motor vehicles; requiring disclosure of the existence of certain event recording devices in motor vehicles under certain circumstances; restricting the use of information retrieved from an event data recording device under certain circumstances; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Denis, Pierce, Conklin, and Giunchigliani:

Assembly Bill No. 316—AN ACT relating to employment; providing for the regulation of agents who book performing artists with client businesses; providing that an agent shall be deemed to be the employer of such a performing artist; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblywoman Leslie (by request):

Assembly Bill No. 317—AN ACT relating to taxation; providing for the imposition of the tax on live entertainment provided by all houses of prostitution; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Weber, Mabey, and Hardy; Senator Titus (by request):

Assembly Bill No. 318—AN ACT relating to crimes; providing that a dog is vicious if it kills another domesticated animal in certain circumstances; authorizing the destruction of a dog that is found to be vicious because it killed or inflicted substantial bodily harm upon a human being or killed another domesticated animal; prohibiting the possession of a bird or an animal with the intent that the bird or animal will be engaged in any illegal fight between birds or animals; providing penalties; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblywoman Weber (by request):

Assembly Bill No. 319—AN ACT relating to military services; prohibiting employers from discriminating against a person because of his service in the military or his application to perform that service; providing for certain rights and benefits relating to employment for such a person; providing for the continuation of coverage for insurance and retirement plans while a person serves in the military under certain circumstances; providing for the exemptions of certain fees; requiring the establishment of policies relating to the continuation of postsecondary education by persons who serve in the military services; providing that elected offices held by persons who enter service in the military services are deemed to not be vacant during that period of service; providing legal remedies to enforce rights and benefits provided to persons who serve in the military; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblyman Perkins:

Assembly Bill No. 320—AN ACT relating to taxes on retail sales; providing for the submission to the voters of the question whether the Sales and Use Tax Act of 1955 should be amended to authorize the Legislature to prescribe temporary exemptions from sales and use taxes to provide for sales tax holidays; contingently authorizing the Legislature to prescribe temporary exemptions from the Local School Support Tax Law and certain analogous taxes; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblyman Perkins:

Assembly Bill No. 321—AN ACT relating to state financial administration; requiring the Governor to publish a Nevada Report to Taxpayers on the status of the state finances; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblyman Perkins:

Assembly Bill No. 322—AN ACT relating to health care; requiring each hospital to adopt and carry out a plan for providing benefits to the community it serves; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.



By Assemblymen Gansert, Smith, Angle, Anderson, Leslie, Marvel, and Parnell; Senators Townsend, Raggio, Washington, and Mathews:

Assembly Bill No. 323—AN ACT relating to water; requiring the Bureau of Consumer Protection in the Office of the Attorney General to conduct an audit and investigation of the rate-setting practices of the Truckee Meadows Water Authority; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblywoman Angle:

Assembly Bill No. 324—AN ACT relating to tort actions; limiting the amount of noneconomic damages that may be awarded in certain civil actions; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Weber and Hardy:

Assembly Bill No. 325—AN ACT relating to child care facilities; requiring the Chief of the Bureau of Services for Child Care of the Division of Child and Family Services of the Department of Human Resources to create a pilot project to evaluate licensed child care facilities; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 326—AN ACT relating to insurance; establishing an expedited process pursuant to which certain increases or decreases in rates of insurance become effective upon the filing of the rates with the Commissioner of Insurance under certain circumstances; authorizing the Commissioner to order the rates to be discontinued under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 327—AN ACT relating to county hospitals; authorizing the board of hospital trustees of a county hospital to compensate physicians for providing certain medical services to indigent patients; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblyman McCleary:

Assembly Bill No. 328—AN ACT relating to State Government; providing for automatic increases in the salaries of state officers and employees in certain circumstances; requiring the Director of the Department of Personnel to biennially survey the salaries of certain local governmental officers and employees; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Perkins:

Assembly Bill No. 329—AN ACT relating to juvenile justice; providing the juvenile court the power to designate proceedings as extended jurisdiction juvenile prosecutions; to allow certain criminal prosecutions by a juvenile court; providing that a juvenile court may impose certain adult sentences in extended jurisdiction juvenile prosecutions; providing for placement of a child who violates parole in a facility for detention of children or a county jail; providing that records of extended jurisdiction juvenile prosecutions must not be sealed; providing that certain information may be released to and published by news media regarding a child subject to an extended jurisdiction juvenile prosecution; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

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 5:46 p.m.

#### ASSEMBLY IN SESSION

At 5:51 p.m.

Mr. Speaker presiding.

Quorum present.

By Assemblymen Allen and Sibley; Senator Beers:

Assembly Bill No. 330—AN ACT relating to state financial administration; revising the formula for calculating the limit for each biennium on total proposed expenditures from the State General Fund for purposes other than construction; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblywoman Pierce:

Assembly Bill No. 331—AN ACT relating to water; providing expressly that the State Engineer shall reject an application for water rights for a speculative purpose; limiting the State Engineer to considering only the factors expressly included in statute in determining whether to grant applications for water rights; directing the State Engineer to consider any analysis of proposed interbasin transfers of ground water obtained from certain state agencies; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By Assemblywoman Giunchigliani:

Assembly Bill No. 332—AN ACT relating to special districts; providing in skeleton form for the creation of the Washoe County Water District; setting forth the powers of the District and the form and method of governance of the District; providing for the storage, conservation, distribution and sale of water within the District; authorizing the District to purchase, acquire and construct the facilities necessary to provide water to customers within the District; providing for the provision of sewage service within the District; authorizing the District to purchase, acquire and construct the facilities necessary to provide sewer services to customers within the District; authorizing the issuance of general obligation and revenue bonds; providing the power to tax; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By Assemblyman Claborn:

Assembly Bill No. 333—AN ACT relating to wildlife; requiring an application for the issuance of a tag to hunt a big game mammal to be submitted by the applicant in person at a location in this State specified by the Department of Wildlife; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Natural Resources, Agriculture, and Mining.

Motion carried.

By Assemblyman Ocegüera:

Assembly Bill No. 334—AN ACT relating to privacy; requiring a governmental entity, except in certain circumstances, to ensure that social security numbers in its books and records are maintained in a confidential

manner; requiring a governmental agency or person who does business in this State that owns, licenses or maintains computerized data to notify certain persons if personal information included in that data was, or is reasonably believed to have been, acquired by an unauthorized person; expanding the types of prohibited computer contaminants to include spyware; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Education:

Assembly Bill No. 335—AN ACT relating to education; making appropriations for educational technology, the expansion of the co-teaching program in the Clark County School District and the contractual services of a consultant to provide personalized study guides to pupils who fail one or more portions of the high school proficiency examination; requiring the Superintendent of Public Instruction to establish an Advisory Task Force to Review Certain Academic Standards and the High School Proficiency Examination; prescribing the membership and duties of the Advisory Task Force; requiring the Department of Education to review, during the 2005-2007 interim, certain issues related to distance education; requiring the Legislative Committee on Education to review, during the 2005-2007 interim, the transition of pupils from high school to postsecondary education; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

By the Committee on Education:

Assembly Bill No. 336—AN ACT relating to education; revising provisions governing the plan to improve the achievement of pupils prepared by the State Board of Education and the plans to improve the achievement of pupils prepared by school districts to include strategies to increase and improve parental involvement; authorizing the regional training programs for the professional development of teachers and administrators to provide training and information concerning effective communication with parents; making an appropriation for the contractual services of a consultant to provide certain information to parents regarding the performance of their children on certain examinations; providing for the establishment of the Advisory Council on Parental Involvement; prescribing the membership and duties of the Advisory Council; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Education.

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 337—AN ACT relating to public welfare; requiring the licensure of agencies which provide personal care services in the homes of elderly persons and persons with disabilities; requiring such agencies to file a surety bond or deposit other security to provide indemnification to certain persons; requiring the periodic investigation of the criminal histories of employees and independent contractors of such agencies; requiring a person who maintains or is employed by such an agency to report the abuse, neglect or isolation of an older person and to report certain misconduct of nurses and nursing assistants; authorizing a person who receives nonmedical services from such an agency to submit a claim for damages to the property of the person by a person who maintains or is employed by the agency to the Aging Services Division of the Department of Human Resources; providing penalties; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 338—AN ACT relating to insurance; providing for the regulation of discount health plans; providing the tax rate on premiums for risk retention groups; decreasing certain fees for risk retention groups; authorizing an insurer to invest in bonds or notes secured by second liens upon real property under certain circumstances; setting forth the circumstances under which a producer of insurance may pay a commission for selling, soliciting or negotiating insurance in this State; authorizing the Nevada Insurance Guaranty Association to carry out certain acts requested by the Commissioner of Insurance; providing that coverage under a conversion health benefit plan must be renewed by the carrier that issued it under certain circumstances; providing for the establishment and regulation of sponsored captive insurers; providing for the establishment and regulation of branch captive insurers; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblywoman Gansert:

Assembly Bill No. 339—AN ACT relating to gaming; requiring certain counties to conduct a study concerning neighborhood gaming; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Giunchigliani, Leslie, Parks, Ohrenschall, Anderson, Buckley, Claborn, Denis, Koivisto, McClain, McCleary, and Perkins:

Assembly Bill No. 340—AN ACT relating to financial services; revising certain provisions relating to check-cashing services, deferred deposit services and payday loan services; limiting the interest and fees on certain types of services; limiting the amount of certain loans made to each borrower; requiring an investigation of the loan history of certain borrowers through an electronic database; requiring the Commissioner of Financial Institutions to adopt regulations regarding such databases; prohibiting the rollover of certain loans; requiring local governing bodies to adopt zoning regulations restricting the location of businesses which offer certain services; requiring persons who provide loans secured by tax refunds to provide certain notices regarding fees; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Parks, Giunchigliani, Leslie, and McClain (by request):

Assembly Bill No. 341—AN ACT relating to appraisers of real estate; exempting persons who assess the value of property in connection with a proceeding for eminent domain from the provisions governing appraisers; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblywomen Leslie, Pierce, and Buckley:

Assembly Bill No. 342—AN ACT relating to health care; making various changes concerning the analysis and reporting of trends regarding sentinel events reported by certain medical facilities; expanding the hospitals that the Director of the Department of Human Resources is required to audit to ensure compliance with various provisions to restrain the costs of health care; making various changes concerning the reporting of financial information by hospitals to the Department of Human Resources; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblymen Giunchigliani, Smith, Ohrenschall, Manendo, Parks, Buckley, Claborn, Gerhardt, Koivisto, Leslie, McClain, and Pierce:

Assembly Bill No. 343—AN ACT relating to manufactured housing; requiring the Manufactured Housing Division of the Department of Business and Industry to provide certain information to landlords of manufactured home parks; requiring employees of the Division to report certain violations

to the Administrator of the Division and to certain electric utilities; prohibiting certain persons from unlawfully connecting a manufactured home to an electric utility; requiring landlords of manufactured home parks to make certain disclosures relating to water services provided through a master meter; providing for the creation of an account to provide assistance to certain persons who are required to relocate because the State or a political subdivision has determined that a manufactured home park is unsuitable for use; requiring owners of manufactured home parks to pay annual fees to fund the account; requiring all manufactured homes, mobile homes, commercial coaches and travel trailers sold in this State to be equipped with a smoke detector; requiring certain inspections of manufactured homes, mobile homes and commercial coaches; prohibiting the construction, expansion or operation of a mobile home park without a permit issued by the State Health Officer or the appropriate local board of health certifying the safety of the infrastructure of the park for the provision of utilities; providing civil and criminal penalties; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Atkinson, Horne, Conklin, and Hogan:

Assembly Bill No. 344—AN ACT relating to homesteads; providing that a homestead exemption exists by operation of law; increasing the amount of the exemption; and providing other matters properly relating thereto.

Assemblywoman Buckley moved that the bill be referred to the Committee on Judiciary.

Motion carried.

#### MOTIONS, RESOLUTIONS, AND NOTICES

Assemblywoman Buckley moved that the action whereby Assembly Bill No. 310 was referred to the Committee on Health and Human Services be rescinded.

Motion carried.

Assemblywoman Buckley moved that Assembly Bill No. 310 be referred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Buckley moved that the action whereby Assembly Bill No. 312 was referred to the Committee on Government Affairs be rescinded.

Motion carried.

Assemblywoman Buckley moved that Assembly Bill No. 312 be referred to the Committee on Growth and Infrastructure.

Motion carried.

Assemblywoman Buckley moved that the action whereby Assembly Bill No. 319 was referred to the Committee on Judiciary be rescinded.

Motion carried.

Assemblywoman Buckley moved that Assembly Bill No. 319 be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

Assemblywoman Buckley moved that the action whereby Assembly Bill No. 321 was referred to the Committee on Ways and Means be rescinded.

Motion carried.

Assemblywoman Buckley moved that Assembly Bill No. 321 be referred to the Concurrent Committees on Government Affairs and Ways and Means.

Motion carried.

Assemblywoman Buckley moved that the action whereby Assembly Bill No. 331 was referred to the Committee on Natural Resources, Agriculture, and Mining be rescinded.

Motion carried.

Assemblywoman Buckley moved that Assembly Bill No. 331 be referred to the Committee on Government Affairs.

Motion carried.

Assemblywoman Buckley moved that the action whereby Assembly Bill No. 336 was referred to the Committee on Education be rescinded.

Motion carried.

Assemblywoman Buckley moved that Assembly Bill No. 336 be referred to the Concurrent Committees on Education and Ways and Means.

Motion carried.

#### UNFINISHED BUSINESS

##### SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bill No. 61 and Senate Bill No. 38.

##### GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Allen, the privilege of the floor of the Assembly Chamber for this day was extended to Nathan Workman.

On request of Assemblyman Atkinson, the privilege of the floor of the Assembly Chamber for this day was extended to Haley Atkinson.

On request of Assemblyman Christensen, the privilege of the floor of the Assembly Chamber for this day was extended to Reed Christensen and Cole Christensen.

On request of Assemblyman Hettrick, the privilege of the floor of the Assembly Chamber for this day was extended to Adam Welsh.



On request of Assemblywoman Kirkpatrick, the privilege of the floor of the Assembly Chamber for this day was extended to Brent Howard.

On request of Assemblywoman Parnell, the privilege of the floor of the Assembly Chamber for this day was extended to Zachary Carrubba and Kimberly Carrubba.

Assemblywoman Buckley moved that the Assembly adjourn until Tuesday, March 22, 2005, at 11:00 a.m., where it would reconvene in the old Assembly Chambers in the historic Capitol Building.

Motion carried.

Assembly adjourned at 6:04 p.m.

Approved:

RICHARD D. PERKINS  
*Speaker of the Assembly*

Attest: NANCY S. TRIBBLE  
*Chief Clerk of the Assembly*