

**THE SIXTY-FIRST DAY**

---

CARSON CITY (Friday), April 8, 2005

Assembly called to order at 11:38 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblymen Horne, Mabey, and Seale, who were excused.

Prayer by the Chaplain, Pastor Stan Pesis.

Friday, sweet beckoning Friday, filled with the promise of respite. When our duties and responsibilities prevent us from enjoying the day or days of rest for which we yearn, we ask this of You, O Lord: Help us see in the face of those around us, others who also looked forward to refreshment. Let us find ways to encourage one another and to appreciate one another, legislators, staffers, clerks, secretaries, guards, lobbyists, attachés, and all whose responsibilities keep them from enjoying the gift of family and rest this weekend.

AMEN.

Pledge of Allegiance to the Flag.

Assemblyman Ocegueda 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 Commerce and Labor, to which was referred Assembly Bill No. 216, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BARBARA BUCKLEY, *Chairman*

*Mr. Speaker:*

Your Committee on Education, to which was referred Assembly Bill No. 76, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Education, to which was referred Assembly Bill No. 388, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BONNIE PARNELL, *Chairman*

*Mr. Speaker:*

Your Concurrent Committee on Education, to which was referred Assembly Bill No. 336, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Concurrent Committee on Education, to which was referred Assembly Bill No. 398, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BONNIE PARNELL, *Chairman*

*Mr. Speaker:*

Your Committee on Elections, Procedures, Ethics, and Constitutional Amendments, to which was referred Assembly Bill No. 136, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Elections, Procedures, Ethics, and Constitutional Amendments, to which was referred Assembly Bill No. 212, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and rerefer to the Committee on Ways and Means.

ELLEN KOIVISTO, *Chairman*

*Mr. Speaker:*

Your Committee on Elections, Procedures, Ethics, and Constitutional Amendments, to which was referred Assembly Joint Resolution No. 3, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

HARRY MORTENSON, *Chairman*

*Mr. Speaker:*

Your Committee on Government Affairs, to which was referred Assembly Bill No. 345, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

DAVID PARKS, *Chairman*

*Mr. Speaker:*

Your Concurrent Committee on Government Affairs, to which was referred Assembly Bill No. 170, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID PARKS, *Chairman*

*Mr. Speaker:*

Your Committee on Health and Human Services, to which was referred Assembly Bill No. 524, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Health and Human Services, to which was referred Assembly Bill No. 46, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Health and Human Services, to which was referred Assembly Bill No. 127, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

SHEILA LESLIE, *Chairman*

*Mr. Speaker:*

Your Committee on Judiciary, to which was referred Assembly Bills Nos. 118 and 383, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Judiciary, to which was referred Assembly Bill No. 486, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Judiciary, to which was referred Assembly Bill No. 123, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

Also, your Committee on Judiciary, to which was referred Assembly Bill No. 190, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BERNIE ANDERSON, *Chairman*

*Mr. Speaker:*

Your Committee on Transportation, to which was referred Assembly Bill No. 368, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Transportation, to which was referred Assembly Bill No. 505, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN OCEGUERA, *Chairman*

#### MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 6, 2005

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 94, 95.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 23, 33.

MARY JO MONGELLI

*Assistant Secretary of the Senate*

SENATE CHAMBER, Carson City, April 7, 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. 3.

MARY JO MONGELLI

*Assistant Secretary of the Senate*

#### MOTIONS, RESOLUTIONS, AND NOTICES

##### NOTICE OF EXEMPTION

April 8, 2005

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Assembly Bills Nos. 274, 293, 299, 301, 321, 328, 342, 350, 388, 397, 407, 411, 435, 441, 484, 504, and 515.

MARK STEVENS

*Fiscal Analysis Division*

##### NOTICE OF EXEMPTION

April 8, 2005

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Assembly Bills Nos. 20, 108, 116, 266, 283, 309, 361, 373, 400, 429, 447, 448, 532, and 533.

MARK STEVENS

*Fiscal Analysis Division*

Senate Concurrent Resolution No. 3.

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

Motion carried.

#### INTRODUCTION, FIRST READING, AND REFERENCE

Senate Bill No. 23.

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

Motion carried.

Senate Bill No. 33.

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

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 11:50 a.m.

#### ASSEMBLY IN SESSION

At 11:54 a.m.

Mr. Speaker presiding.

Quorum present.

#### MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Ocegüera moved that the action whereby Senate Concurrent Resolution No. 3 was referred to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments be rescinded.

Motion carried.

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

Motion carried.

Assemblyman Mortenson moved that Assembly Bill No. 289 be taken from the Second Reading File and rereferred to the Committee on Ways and Means.

Motion carried.

Assemblyman Parks moved that Assembly Bill No. 235 be taken from the Chief Clerk's desk and placed at the bottom of the General File.

Remarks by Assemblyman Parks.

Motion carried.

#### SECOND READING AND AMENDMENT

Assembly Bill No. 21.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 65.

Amend section 1, page 2, line 10, by deleting "~~Riotously~~" and inserting "~~Riotously~~".

Amend section 1, page 2, line 11, by deleting "~~With,~~" and inserting "~~With,~~".

Amend section 1, page 2, line 14, by deleting "*Constitutes*" and inserting: "*Is a battery that constitutes*".

Assemblyman Anderson moved the adoption of the amendment.

Remarks by Assemblyman Anderson.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 32.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture, and Mining:

Amendment No. 210

Amend section 1, page 2, by deleting lines 9 through 15 and inserting:

“2. *All proprietary information concerning:*

(a) *Numbers of animals;*

(b) *The quantity of production;*

(c) *Fiscal or tax matters; or*

(d) *The security of any facility,*

*which specifically relates to a natural person, company, corporation or other entity, and which is collected by the Department pursuant to the provisions of titles 49 and 50 of NRS and chapters 581, 582, 583, 586, 587, 588 and 590 of NRS is confidential.”.*

Assemblyman Claborn moved the adoption of the amendment.

Remarks by Assemblyman Claborn.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 33.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture, and Mining:

Amendment No. 86.

Amend section 1, page 3, by deleting lines 6 through 16 and inserting:

“8. The State Land Registrar may require any person requesting”.

Amend the title of the bill by deleting the third and fourth lines and inserting: “owned by the State of Nevada; and”.

Assemblyman Claborn moved the adoption of the amendment.

Remarks by Assemblyman Claborn.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 35.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 40.

Amend sec. 2, page 2, by deleting lines 3 through 7 and inserting:

“Sec. 2. 1. *Except as otherwise provided in subsection 2, a youth who is in foster care may enter into an agreement with an agency which provides*

*child welfare services to continue to receive maintenance and special services if the youth:*

(a) *Is enrolled as a full-time student at a university, college, trade school or technical school; and*

(b) *Maintains at least a 2.0 grade point average on a 4.0 grading scale.*

2. *The Division shall establish criteria with respect to youth who have a documented physical or mental disability to exempt those youth from the requirement to be enrolled full time to enter into an agreement pursuant to subsection 1.”.*

Amend sec. 2, page 2, line 8, by deleting “2.” and inserting “3.”.

Amend sec. 2, page 2, line 9, by deleting “*child must*” and inserting “*youth must*”.

Amend sec. 2, page 2, by deleting lines 11 and 12 and inserting:

“*evidencing his satisfaction of the requirements of subsection 1 to the extent that he is not exempt pursuant to subsection 2.”.*

Amend sec. 2, page 2, line 13, by deleting “3.” and inserting “4.”.

Amend sec. 2, page 2, by deleting lines 15 through 24 and inserting: “*youth.*

5. *The agreement may be terminated by:*

(a) *Mutual agreement;*

(b) *The agency which provides child welfare services if the youth fails to comply with any term or condition in the agreement; or*

(c) *The youth if the youth no longer wishes to receive maintenance and special services pursuant to the agreement.*

6. *As used in this section, “youth” means a person who is 18 years of age or older but less than 22 years of age and who was in foster care when he reached 18 years of age.”.*

Amend sec. 6, page 4, line 35, after “*child*” by inserting: “*is a youth who*”.

Amend sec. 7, page 6, line 1, by deleting “*child*” and inserting “*youth*”.

Amend sec. 7, page 6, line 5, by deleting “*child.*” and inserting “*youth.*”.

Assemblywoman Leslie moved the adoption of the amendment.

Remarks by Assemblywoman Leslie.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 48.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 123.

Amend sec. 4, page 15, by deleting lines 18 through 20 and inserting:

“(b) *Obtain approval for the pupil*”.

Amend sec. 4, page 15, line 28, by deleting “*must*” and inserting “*may*”.

Amend sec. 4, page 15, line 36, by deleting: “*the sequence or*” and inserting: “*a sequence or combination of*”.

Amend sec. 8, page 17, by deleting lines 34 through 36, and inserting:  
“board of trustees of a school district ~~[in a county whose population is 100,000 or more shall and any other board of trustees of a school district]~~  
and the governing body of a charter school may:”.

Amend sec. 8, page 18, by deleting lines 1 through 15.

Amend sec. 8, page 18, line 16, by deleting “4.” and inserting “2.”.

Amend the title of the bill by deleting the seventh through eleventh lines and inserting: “program of career and technical education; authorizing school districts and”.

Assemblywoman Parnell moved the adoption of the amendment.

Remarks by Assemblywoman Parnell.

Amendment adopted.

Bill ordered reprinted, engrossed, and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 57.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 87.

Amend the bill as a whole by renumbering sections 1 and 2 as sections 14 and 15 and adding new sections designated sections 1 through 13, following the enacting clause, to read as follows:

“Section 1. Chapter 428 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The board of county commissioners of each county shall pay for the nonfederal share of its expenses for the institutional care of medically indigent persons pursuant to the State Plan for Medicaid each quarter in an amount not to exceed the tax levied for such purpose pursuant to subsection 2.*

2. *In addition to the taxes levied pursuant to NRS 428.050, 428.185 and 428.285 and any tax levied pursuant to NRS 450.425, the board of county commissioners of each county shall levy an ad valorem tax at a rate which must not exceed 8 cents on each \$100 of assessed valuation of all taxable property in the county to pay for the nonfederal share of its expenses for the institutional care of medically indigent persons pursuant to the State Plan for Medicaid.*

3. *The tax levied pursuant to subsection 2 and its proceeds must be:*

(a) *Excluded in computing the maximum amount of money which the county is permitted to receive from taxes ad valorem and the highest permissible rate of such taxes; and*

(b) *Remitted in the manner provided for in NRS 361.745 to the State Controller for payment of the nonfederal share of the expenses of the county for the institutional care of medically indigent persons pursuant to the State Plan for Medicaid.*

4. *The State of Nevada, through the Department of Human Resources, shall pay for any nonfederal share of expenses for the institutional care of medically indigent persons pursuant to the State Plan for Medicaid which exceeds the amount remitted pursuant to subsection 3.*

*Sec. 2.* NRS 428.010 is hereby amended to read as follows:

428.010 1. Except as otherwise provided in NRS 422.382, to the extent that money may be lawfully appropriated by the board of county commissioners for this purpose pursuant to NRS 428.050, 428.285 and 450.425, *and section 1 of this act*, every county shall provide care, support and relief to the poor, indigent, incompetent and those incapacitated by age, disease or accident, lawfully resident therein, when those persons are not supported or relieved by their relatives or guardians, by their own means, or by state hospitals, or other state, federal or private institutions or agencies.

2. Except as otherwise provided in NRS 439B.330, the boards of county commissioners of the several counties shall establish and approve policies and standards, prescribe a uniform standard of eligibility, appropriate money for this purpose and appoint agents who will develop regulations and administer these programs to provide care, support and relief to the poor, indigent, incompetent and those incapacitated by age, disease or accident.

*Sec. 3.* NRS 428.020 is hereby amended to read as follows:

428.020 For the purposes of NRS 428.010 to 428.110, inclusive ~~to~~, *and section 1 of this act*:

1. The county of residence of a person is the county in which he is physically present with the intent to reside, at least for an indefinite period.

2. The county of residence of a person placed in institutional care is the county of residence of that person before he was placed in institutional care.

*Sec. 4.* NRS 428.030 is hereby amended to read as follows:

428.030 1. When any person meets the uniform standards of eligibility established by the board of county commissioners or by NRS 439B.310, if applicable, and complies with any requirements imposed pursuant to NRS 428.040, he is entitled to receive such relief as is in accordance with the policies and standards established and approved by the board of county commissioners and within the limits of the money which may be lawfully appropriated pursuant to NRS 428.050, 428.285 and 450.425 *and section 1 of this act* for this purpose.

2. The board of county commissioners of the county of residence of indigent inpatients shall pay hospitals for the costs of treating those indigent inpatients and any nonresident indigent inpatients who fall sick in the county an amount which is not less than the payment required for providing the same treatment to patients pursuant to the State Plan for Medicaid within the limits of money which may be lawfully appropriated pursuant to NRS 428.050, 428.285 and 450.425 *and section 1 of this act* for this purpose.

3. The board of county commissioners may:

(a) Make contracts for the necessary maintenance of indigent persons;



(b) Appoint such agents as the board deems necessary to oversee and provide the necessary maintenance of indigent persons;

(c) Authorize the payment of cash grants directly to indigent persons for their necessary maintenance; or

(d) Provide for the necessary maintenance of indigent persons by the exercise of the combination of one or more of the powers specified in paragraphs (a), (b) and (c).

4. A hospital may contract with the Department of Human Resources to obtain the services of a state employee to be assigned to the hospital to evaluate the eligibility of patients applying for indigent status. Payment for those services must be made by the hospital.

Sec. 5. NRS 428.050 is hereby amended to read as follows:

428.050 1. In addition to the tax levied pursuant to NRS 428.185 and 428.285 *and section 1 of this act* and any tax levied pursuant to NRS 450.425, the board of county commissioners of a county shall, at the time provided for the adoption of its final budget, levy an ad valorem tax to provide aid and relief to those persons coming within the purview of this chapter. In a county whose population is 400,000 or more, this levy must not exceed that adopted for the purposes of this chapter for the fiscal year ending June 30, 1971, diminished by 12.3 cents for each \$100 of assessed valuation. In a county whose population is less than 400,000 the rate of the tax must be calculated to produce not more than the amount of money allocated pursuant to NRS 428.295.

2. The board of county commissioners of any county in which there was no levy adopted for the purposes of this chapter for the fiscal year ending June 30, 1971, may request that the Nevada Tax Commission establish a maximum rate for the levy of taxes ad valorem by the county to provide aid and relief pursuant to this chapter.

3. No county may expend or contract to expend for that aid and relief a sum in excess of that provided by the maximum ad valorem levy set forth in subsection 1 of this section and NRS 428.185, 428.285 and 450.425, *and section 1 of this act*, or established pursuant to subsection 2, together with such outside resources as it may receive from third persons, including, but not limited to, expense reimbursements, grants-in-aid or donations lawfully attributable to the county indigent fund.

4. Except as otherwise provided in this subsection, no interfund transfer, medium-term obligation procedure or contingency transfer may be made by the board of county commissioners to provide resources or appropriations to a county indigent fund in excess of those which may be otherwise lawfully provided pursuant to subsections 1, 2 and 3 of this section and NRS 428.185, 428.285 and 450.425 ~~and section 1 of this act~~. If the health of indigent persons in the county is placed in jeopardy and there is a lack of money to provide necessary medical care under this chapter, the board of county commissioners may declare an emergency and provide additional money for medical care from whatever sources may be available.

Sec. 6. NRS 428.060 is hereby amended to read as follows:

428.060 1. If it appears to the satisfaction of the board of county commissioners that the county of residence of an indigent person applying for relief is another county in this State, the board shall provide temporary relief for the indigent in accordance with the policies and standards established and approved by the board of county commissioners and within the limits of money which may be lawfully appropriated thereby for this purpose pursuant to NRS 428.050, 428.285 and 450.425, *and section 1 of this act*, and shall notify immediately the board of county commissioners of the county of residence of the indigent person.

2. The notice must be in writing, attested by the clerk of the board of county commissioners, and deposited in the post office, addressed to the board of county commissioners of the other county.

3. The board of county commissioners receiving the notice may cause the indigent person to be removed immediately to that county, and shall pay a reasonable compensation for the temporary relief afforded. If the board of county commissioners chooses not to remove the indigent person, the county affording relief has a legal claim against any money lawfully available in that county for the relief necessarily furnished, and may recover it in a suit at law.

Sec. 7. NRS 428.090 is hereby amended to read as follows:

428.090 1. When a nonresident or any other person who meets the uniform standards of eligibility prescribed by the board of county commissioners or by NRS 439B.310, if applicable, falls sick in the county, not having money or property to pay his board, nursing or medical aid, the board of county commissioners of the proper county shall, on complaint being made, give or order to be given such assistance to the poor person as is in accordance with the policies and standards established and approved by the board of county commissioners and within the limits of money which may be lawfully appropriated for this purpose pursuant to NRS 428.050, 428.285 and 450.425 ~~and~~ *and section 1 of this act*.

2. If the sick person dies, the board of county commissioners shall give or order to be given to the person a decent burial or cremation.

3. Except as otherwise provided in NRS 422.382, the board of county commissioners shall make such allowance for the person's board, nursing, medical aid, burial or cremation as the board deems just and equitable, and order it paid out of the county treasury.

4. The responsibility of the board of county commissioners to provide medical aid or any other type of remedial aid under this section is relieved to the extent provided in NRS 422.382 and to the extent of the amount of money or the value of services provided by:

(a) The Department of Human Resources to or for such persons for medical care or any type of remedial care under the State Plan for Medicaid; and

(b) The Fund for Hospital Care to Indigent Persons under the provisions of NRS 428.115 to 428.255, inclusive.

Sec. 8. NRS 428.185 is hereby amended to read as follows:

428.185 1. In addition to the taxes levied pursuant to NRS 428.050 and 428.285 *and section 1 of this act* and any tax levied pursuant to NRS 450.425, the board of county commissioners of each county shall levy an ad valorem tax at a rate which must be calculated by:

(a) First multiplying the tax rate of 1.5 cents on each \$100 of assessed valuation by the assessed valuation of all taxable property in this State, including new real property, possessory interests and mobile homes, during the next fiscal year.

(b) Then subtracting the amount of unencumbered money in the Fund on May 1 of the current fiscal year.

(c) Then setting the rate so that the revenue from the tax does not exceed the amount resulting from the calculations made in paragraphs (a) and (b).

2. The tax so levied and its proceeds must be excluded in computing the maximum amount of money which the county is permitted to receive from taxes ad valorem and the highest permissible rate of such taxes.

3. The proceeds of this tax must be remitted in the manner provided for in NRS 361.745 to the State Controller for credit to the Fund.

Sec. 9. NRS 428.285 is hereby amended to read as follows:

428.285 1. The board of county commissioners of each county shall establish a tax rate of at least 6 cents on each \$100 of assessed valuation for the purposes of the tax imposed pursuant to subsection 2. A board of county commissioners may increase the rate to not more than 10 cents on each \$100 of assessed valuation.

2. In addition to the levies provided in NRS 428.050 and 428.185 *and section 1 of this act* and any tax levied pursuant to NRS 450.425, the board of county commissioners shall levy a tax ad valorem at a rate necessary to produce revenue in an amount equal to an amount calculated by multiplying the assessed valuation of all taxable property in the county by the tax rate established pursuant to subsection 1, and subtracting from the product the amount of unencumbered money remaining in the fund on May 1 of the current fiscal year.

3. For each fiscal year beginning on or after July 1, 1989, the board of county commissioners of each county shall remit to the State Controller from the money in the fund an amount of money equivalent to 1 cent on each \$100 of assessed valuation of all taxable property in the county for credit to the supplemental fund.

4. The tax so levied and its proceeds must be excluded in computing the maximum amount of money which the county is permitted to receive from taxes ad valorem and the highest permissible rate of such taxes.

Sec. 10. NRS 439B.330 is hereby amended to read as follows:

439B.330 1. Except as otherwise provided in NRS 439B.300 and subsection 2, ~~of this section,~~ each county shall use the definition of “indigent” in NRS 439B.310 to determine a person’s eligibility for medical

assistance pursuant to chapter 428 of NRS, other than assistance provided pursuant to NRS 428.115 to 428.255, inclusive.

2. A board of county commissioners may, if it determines that a hospital within the county is serving a disproportionately large share of low-income patients:

- (a) Pay a higher rate to the hospital for treatment of indigent inpatients;
- (b) Pay the hospital for treatment of indigent inpatients whom the hospital would otherwise be required to treat without receiving compensation from the county; or
- (c) Both pay at a higher rate and pay for inpatients for whom the hospital would otherwise be uncompensated.

3. Each hospital which treats an indigent inpatient shall submit to the board of county commissioners of the county of residence of the patient a discharge form identifying the patient as a possible indigent and containing the information required by the Department and the county to be included in all such forms.

4. The county which receives a discharge form from a hospital for an indigent inpatient shall verify the status of the patient and the amount which the hospital is entitled to receive. A hospital aggrieved by a determination of a county regarding the indigent status of an inpatient may appeal the determination to the Director or a person designated by the Director to hear such an appeal. The decision of the Director or the person he designates must be mailed by registered or certified mail to the county and the hospital. The decision of the Director or the person he designates may be appealed to a court having general jurisdiction in the county within 15 days after the date of the postmark on the envelope in which the decision was mailed.

5. Except as otherwise provided in subsection 2 of this section and subsection 3 of NRS 439B.320, if the county is the county of residence of the patient and the patient is indigent, the county shall pay to the hospital the amount required, within the limits of money which may lawfully be appropriated for this purpose pursuant to NRS 428.050, 428.285 and 450.425 ~~[-]~~ *and section 1 of this act.*

6. For the purposes of this section, the county of residence of the patient is the county of residence of that person before he was admitted to the hospital.

Sec. 11. NRS 439B.340 is hereby amended to read as follows:

439B.340 1. Before September 30 of each year, each county in which hospitals subject to the provisions of NRS 439B.300 to 439B.340, inclusive, are located shall provide to the Department a report showing:

- (a) The total number of inpatients treated by each such hospital who are claimed by the hospital to be indigent;
- (b) The number of such patients for whom no reimbursement was provided by the county because of the limitation imposed by subsection 3 of NRS 439B.320;

(c) The total amount paid to each such hospital for treatment of such patients; and

(d) The amount the hospital would have received for patients for whom no reimbursement was provided.

2. The Director shall verify the amount of treatment provided to indigent inpatients by each hospital to which no reimbursement was provided by:

(a) Determining the number of indigent inpatients who received treatment. For a hospital that has contracted with the Department of Human Resources pursuant to subsection 4 of NRS 428.030, the Director shall determine the number based upon the evaluations of eligibility made by the employee assigned to the hospital pursuant to the contract. For all other hospitals, the Director shall determine the number based upon the report submitted pursuant to subsection 1 of this section.

(b) Multiplying the number of indigent inpatients who received each type of treatment by the highest amount paid by the county for that treatment.

(c) Adding the products of the calculations made pursuant to paragraphs (a) and (b) for all treatment provided.

If the total amount of treatment provided to indigent inpatients in the previous fiscal year by the hospital was less than its minimum obligation for the year, the Director shall assess the hospital for the amount of the difference between the minimum obligation and the actual amount of treatment provided by the hospital to indigent inpatients. If a decision of a county regarding the indigent status of one or more inpatients is pending appeal before the Director or upon receiving satisfactory proof from a hospital that the decision is pending appeal before a court having general jurisdiction in the county pursuant to subsection 4 of NRS 439B.330, the Director shall defer assessing the hospital the amount that may be offset by the determination on appeal until a final determination of the matter is made.

3. If the Director determines that a hospital has met its obligation to provide treatment to indigent inpatients, he shall certify to the county in which the hospital is located that the hospital has met its obligation. The county is not required to pay the hospital for the costs of treating indigent inpatients until the certification is received from the Director. The county shall pay the hospital for such treatment within 30 days after receipt of the certification to the extent that money was available for payment pursuant to NRS 428.050, 428.285 and 450.425 *and section 1 of this act* at the time the treatment was provided.

4. The Director shall determine the amount of the assessment which a hospital must pay pursuant to this section and shall notify the hospital in writing of that amount on or before November 1 of each year. The notice must include, but is not limited to, a written statement for each claim which is denied indicating why the claim was denied. Payment is due 30 days after receipt of the notice, except for assessments deferred pursuant to subsection 2 which, if required, must be paid within 30 days after the court hearing the

appeal renders its decision. If a hospital fails to pay the assessment when it is due the hospital shall pay, in addition to the assessment:

(a) Interest at a rate of 1 percent per month for each month after the assessment is due in which it remains unpaid; and

(b) Any court costs and fees required by the Director to obtain payment of the assessment and interest from the hospital.

5. Any money collected pursuant to this section must be paid to the county in which the hospital paying the assessment is located for use in paying other hospitals in the county for the treatment of indigent inpatients by those hospitals. The money received by a county from assessments made pursuant to this section does not constitute revenue from taxes ad valorem for the purposes of NRS 354.59811, 428.050, 428.285 and 450.425, *and section 1 of this act*, and must be excluded in determining the maximum rate of tax authorized by those sections.

Sec. 12. NRS 439B.410 is hereby amended to read as follows:

439B.410 1. Except as otherwise provided in subsection 4, each hospital in this State has an obligation to provide emergency services and care, including care provided by physicians and nurses, and to admit a patient where appropriate, regardless of the financial status of the patient.

2. Except as otherwise provided in subsection 4, it is unlawful for a hospital or a physician working in a hospital emergency room to:

(a) Refuse to accept or treat a patient in need of emergency services and care; or

(b) Except when medically necessary in the judgment of the attending physician:

(1) Transfer a patient to another hospital or health facility unless, as documented in the patient's records:

(I) A determination has been made that the patient is medically fit for transfer;

(II) Consent to the transfer has been given by the receiving physician, hospital or health facility;

(III) The patient has been provided with an explanation of the need for the transfer; and

(IV) Consent to the transfer has been given by the patient or his legal representative; or

(2) Provide a patient with orders for testing at another hospital or health facility when the hospital from which the orders are issued is capable of providing that testing.

3. A physician, hospital or other health facility which treats a patient as a result of a violation of subsection 2 by a hospital or a physician working in the hospital is entitled to recover from that hospital an amount equal to three times the charges for the treatment provided that was billed by the physician, hospital or other health facility which provided the treatment, plus reasonable attorney's fees and costs.

4. This section does not prohibit the transfer of a patient from one hospital to another:

(a) When the patient is covered by an insurance policy or other contractual arrangement which provides for payment at the receiving hospital;

(b) After the county responsible for payment for the care of an indigent patient has exhausted the money which may be appropriated for that purpose pursuant to NRS 428.050, 428.285 and 450.425 ~~and~~ *and section 1 of this act*; or

(c) When the hospital cannot provide the services needed by the patient.

No transfer may be made pursuant to this subsection until the patient's condition has been stabilized to a degree that allows the transfer without an additional risk to the patient.

5. As used in this section:

(a) "Emergency services and care" means medical screening, examination and evaluation by a physician or, to the extent permitted by a specific statute, by a person under the supervision of a physician, to determine if an emergency medical condition or active labor exists and, if it does, the care, treatment and surgery by a physician necessary to relieve or eliminate the emergency medical condition or active labor, within the capability of the hospital. As used in this paragraph:

(1) "Active labor" means, in relation to childbirth, labor that occurs when:

(I) There is inadequate time before delivery to transfer the patient safely to another hospital; or

(II) A transfer may pose a threat to the health and safety of the patient or the unborn child.

(2) "Emergency medical condition" means the presence of acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical attention could reasonably be expected to result in:

(I) Placing the health of the patient in serious jeopardy;

(II) Serious impairment of bodily functions; or

(III) Serious dysfunction of any bodily organ or part.

(b) "Medically fit" means that the condition of the patient has been sufficiently stabilized so that he may be safely transported to another hospital, or is such that, in the determination of the attending physician, the transfer of the patient constitutes an acceptable risk. Such a determination must be based upon the condition of the patient, the expected benefits, if any, to the patient resulting from the transfer and whether the risks to the patient's health are outweighed by the expected benefits, and must be documented in the patient's records before the transfer.

6. If an allegation of a violation of the provisions of subsection 2 is made against a hospital licensed pursuant to the provisions of chapter 449 of NRS, the Health Division of the Department of Human Resources shall conduct an investigation of the alleged violation. Such a violation, in addition to any criminal penalties that may be imposed, constitutes grounds for the denial,

suspension or revocation of such a license, or for the imposition of any sanction prescribed by NRS 449.163.

7. If an allegation of a violation of the provisions of subsection 2 is made against:

(a) A physician licensed to practice medicine pursuant to the provisions of chapter 630 of NRS, the Board of Medical Examiners shall conduct an investigation of the alleged violation. Such a violation, in addition to any criminal penalties that may be imposed, constitutes grounds for initiating disciplinary action or denying licensure pursuant to the provisions of subsection 3 of NRS 630.3065.

(b) An osteopathic physician licensed to practice osteopathic medicine pursuant to the provisions of chapter 633 of NRS, the State Board of Osteopathic Medicine shall conduct an investigation of the alleged violation. Such a violation, in addition to any criminal penalties that may be imposed, constitutes grounds for initiating disciplinary action pursuant to the provisions of subsection 1 of NRS 633.131.

Sec. 13. NRS 450.425 is hereby amended to read as follows:

450.425 1. The board of county commissioners of a county in which a county hospital is established may, upon approval by a majority of the voters voting on the question in an election held throughout the county, levy an ad valorem tax of not more than 2.5 cents on each \$100 of assessed valuation upon all taxable property in the county, to pay the cost of services rendered in the county by the hospital pursuant to subsection 3 of NRS 450.420. The approval required by this subsection may be requested at any primary or general election.

2. Any tax imposed pursuant to this section is in addition to the taxes imposed pursuant to NRS 428.050, 428.185 and 428.285 ~~and~~ *and section 1 of this act*. The proceeds of any tax levied pursuant to this section are exempt from the limitations imposed by NRS 354.59811, 428.050 and 428.285 *and section 1 of this act* and must be excluded in determining the maximum rate of tax authorized by those sections.”.

Amend the title of the bill, first line, after “welfare;” by inserting: “requiring the board of county commissioners of each county to levy certain taxes to pay for the nonfederal share of its expenses for the institutional care of medically indigent persons pursuant to the State Plan for Medicaid;”.

Amend the summary of the bill to read as follows:

“SUMMARY—Revises provisions concerning nonfederal share of expenses for institutional care of medically indigent persons pursuant to State Plan for Medicaid. (BDR 38-175)”.

Assemblywoman Leslie moved the adoption of the amendment.

Remarks by Assemblywoman Leslie.

Amendment adopted.

Bill ordered reprinted, engrossed, and to the Concurrent Committee on Ways and Means.



Assembly Bill No. 64.

Bill read second time.

The following amendment was proposed by the Committee on Elections, Procedures, Ethics, and Constitutional Amendments:

Amendment No. 120.

Amend the bill as a whole by renumbering sections 1 through 3 as sections 2 through 4 and adding a new section designated section 1, following the enacting clause, to read as follows:

“Section 1. NRS 281.4645 is hereby amended to read as follows:

281.4645 1. The Commission Counsel is the legal adviser to the Commission. For each opinion of the Commission, the Commission Counsel shall prepare, at the direction of the Commission, the appropriate findings of fact and conclusions as to relevant standards and the propriety of particular conduct within the time set forth in subsection 4 of NRS 281.511. The Commission Counsel shall not issue written opinions concerning the applicability of the statutory ethical standards to a given set of facts and circumstances except as directed by the Commission.

2. The Commission may rely upon the legal advice of the Commission Counsel in conducting its daily operations.

3. If the Commission Counsel is prohibited from acting on a particular matter ~~[pursuant to NRS 281.501, he shall disclose the reasons therefor to the Chairman and]~~ *or is otherwise unable to act on a particular matter, the Commission may:*

*(a) Request that the Attorney General ~~[shall]~~ appoint a deputy to act in the place of the Commission Counsel ~~[for that particular matter.] ; or~~*

*(b) Employ outside legal counsel.”.*

Amend section 1, page 2, line 3, by deleting: “annual compensation of \$6,000 or more” and inserting: “~~[annual compensation of \$6,000 or more]~~ *compensation other than travel and per diem expenses*”.

Amend sec. 3, page 3, by deleting line 8 and inserting: “and the amendatory provisions of subsection 2 of section 2 of this act apply retroactively to January 1, 2004.”.

Amend the title of the bill, first line, after “government;” by inserting: “authorizing the Commission on Ethics to use legal counsel other than the Commission Counsel under certain circumstances; providing that candidates for public office must file a statement of financial disclosure with the Secretary of State if they will be entitled to receive any amount of compensation, other than travel and per diem expenses, for serving in the office sought;”.

Amend the summary of the bill to read as follows:

“SUMMARY—Revises provisions relating to ethics in government. (BDR 23-1079)”.

Assemblyman Conklin moved the adoption of the amendment.

Remarks by Assemblyman Conklin.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 89.

Bill read second time.

The following amendment was proposed by the Committee on Elections, Procedures, Ethics, and Constitutional Amendments:

Amendment No. 118.

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

“Section 1. Chapter 293 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *The county clerk may designate any building owned or leased by the county, or any portion of such a building, as a county facility at which electors may register to vote.*

2. *A county facility designated pursuant to subsection 1 must be operated as an auxiliary county facility at which voter registration is carried out in addition to being carried out at the office of the county clerk.*

3. *If the county clerk designates a county facility pursuant to subsection 1, the county clerk shall determine the hours of operation for the facility and shall, in cooperation with the Secretary of State, ensure that the facility is operated, staffed and equipped in compliance with all applicable provisions of title 24 of NRS and all other applicable provisions of state and federal law relating to the registration of electors in this State.”.*

Amend section 1, page 2, by deleting lines 10 and 11 and inserting:

“(e) *Such other county and municipal facilities as a county clerk or city clerk may designate pursuant to section 1 or 4 of this act, as applicable; and”.*

Amend the bill as a whole by renumbering sections 2 through 4 as sections 4 through 6 and adding a new section designated sec. 3, following section 1, to read as follows:

“Sec. 3. NRS 293.560 is hereby amended to read as follows:

293.560 1. Except as otherwise provided in NRS 293.502, registration must close at 9 p.m. on the third Tuesday preceding any primary or general election and at 9 p.m. on the third Saturday preceding any recall or special election, except that if a recall or special election is held on the same day as a primary or general election, registration must close at 9 p.m. on the third Tuesday preceding the day of the elections.

2. The office of the county clerk must be open from 9 a.m. to 5 p.m. and from 7 p.m. to 9 p.m., including Saturdays, during the last days before the close of registration, according to the following schedule:

(a) In a county whose population is less than 100,000, the office of the county clerk must be open during the last day before registration closes.

(b) In all other counties, the office of the county clerk must be open during the last 5 days before registration closes.

3. Except for a special election held pursuant to chapter 306 or 350 of NRS:

(a) The county clerk of each county shall cause a notice signed by him to be published in a newspaper having a general circulation in the county indicating ~~the~~ :

(1) *The day that registration will be closed* ~~[-]~~ ; and

(2) *If the county clerk has designated a county facility pursuant to section 1 of this act, the location of that facility.*

If no such newspaper is published in the county, the publication may be made in a newspaper of general circulation published in the nearest county in this State.

(b) The notice must be published once each week for 4 consecutive weeks next preceding the close of registration for any election.

4. The offices of the county clerk , *a county facility designated pursuant to section 1 of this act* and other ex officio registrars may remain open on the last Friday in October in each even-numbered year.

5. For the period beginning on the fifth Sunday preceding any primary or general election and ending on the third Tuesday preceding any primary or general election, an elector may register to vote only by appearing in person at the office of the county clerk ~~[-]~~ or, if open, *a county facility designated pursuant to section 1 of this act.*

6. *A county facility designated pursuant to section 1 of this act may be open during the periods described in this section for such hours of operation as the county clerk may determine, as set forth in subsection 3 of section 1 of this act."*

Amend sec. 2, page 3, by deleting lines 7 through 11 and inserting: "*must be operated as an auxiliary municipal facility at which voter registration*".

Amend sec. 2, page 3, line 15, after "clerk" by inserting: "*shall determine the hours of operation for the facility and*".

Amend sec. 3, page 3, by deleting lines 28 through 30 and inserting:

"2. The office of the city clerk must be open from 9 a.m. to 5 p.m. and from 7 p.m. to".

Amend sec. 3, page 3, by deleting lines 35 and 36 and inserting: "the city clerk must be open during the last".

Amend sec. 3, page 3, by deleting lines 39 and 40 and inserting: "the city clerk must be open during the last".

Amend sec. 3, page 4, line 6, by deleting "2" and inserting "4".

Amend sec. 3, page 4, by deleting lines 17 and 18 and inserting: "at the office of the city clerk ~~[-]~~ or, if open, *a municipal facility designated pursuant to section 4 of this act.*

5. *A municipal facility designated pursuant to section 4 of this act may be open during the periods described in this section for such hours of*

*operation as the city clerk may determine, as set forth in subsection 3 of section 4 of this act.”.*

Amend the title of the bill by deleting the first and second lines and inserting:

“AN ACT relating to elections; authorizing county clerks and city clerks to designate additional facilities at which”.

Amend the summary of the bill to read as follows:

“SUMMARY—Authorizes county clerks and city clerks to designate additional facilities at which electors may register to vote. (BDR 24-508)”.

Assemblyman Conklin moved the adoption of the amendment.

Remarks by Assemblyman Conklin.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 92.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 79.

Amend section 1, page 1, line 5, by deleting “3” and inserting “2”.

Amend sec. 2, page 3, line 1, by deleting “3” and inserting “2”.

Assemblyman Anderson moved the adoption of the amendment.

Remarks by Assemblyman Anderson.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 109.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 102.

Amend the bill as a whole by renumbering sections 1 through 8 as sections 5 through 12 and adding new sections designated sections 1 through 4, following the enacting clause, to read as follows:

“Section 1. NRS 385.34691 is hereby amended to read as follows:

385.34691 1. The State Board shall prepare a plan to improve the achievement of pupils enrolled in the public schools in this State. The plan:

(a) Must be prepared in consultation with:

(1) Employees of the Department;

(2) At least one employee of a school district in a county whose population is 100,000 or more, appointed by the Nevada Association of School Boards;

(3) At least one employee of a school district in a county whose population is less than 100,000, appointed by the Nevada Association of School Boards; and

(4) At least one representative of the Statewide Council for the Coordination of the Regional Training Programs created by NRS 391.516, appointed by the Council; and

(b) May be prepared in consultation with:

- (1) Representatives of institutions of higher education;
- (2) Representatives of regional educational laboratories;
- (3) Representatives of outside consultant groups;
- (4) Representatives of the regional training programs for the professional development of teachers and administrators ~~established pursuant to~~ *created by* NRS 391.512;

(5) The Bureau; and

(6) Other persons who the State Board determines are appropriate.

2. A plan to improve the achievement of pupils enrolled in public schools in this State must include:

(a) A review and analysis of the data upon which the report required pursuant to NRS 385.3469 is based and a review and analysis of any data that is more recent than the data upon which the report is based.

(b) The identification of any problems or factors common among the school districts or charter schools in this State, as revealed by the review and analysis.

(c) Strategies based upon scientifically based research, as defined in 20 U.S.C. § 7801(37), that will strengthen the core academic subjects, as set forth in NRS 389.018.

(d) Strategies to improve the academic achievement of pupils enrolled in public schools in this State, including, without limitation, strategies to:

(1) Instruct pupils who are not achieving to their fullest potential;

(2) Increase the rate of attendance of pupils and reduce the number of pupils who drop out of school;

(3) Integrate technology into the instructional and administrative programs of the school districts;

(4) Manage effectively the discipline of pupils; and

(5) Enhance the professional development offered for the teachers and administrators employed at public schools in this State to include the activities set forth in 20 U.S.C. § 7801(34), as deemed appropriate by the State Board.

(e) Strategies designed to provide to the pupils enrolled in middle school, junior high school and high school, the teachers and counselors who provide instruction to those pupils, and the parents and guardians of those pupils information concerning:

(1) The requirements for admission to an institution of higher education and the opportunities for financial aid;

(2) The availability of millennium scholarships pursuant to NRS 396.911 to 396.938, inclusive; and

(3) The need for a pupil to make informed decisions about his curriculum in middle school, junior high school and high school in preparation for success after graduation.

(f) An identification, by category, of the employees of the Department who are responsible for ensuring that each provision of the plan is carried out effectively.

(g) For each provision of the plan, a timeline for carrying out that provision, including, without limitation, a timeline for monitoring whether the provision is carried out effectively.

(h) For each provision of the plan, measurable criteria for determining whether the provision has contributed toward improving the academic achievement of pupils, increasing the rate of attendance of pupils and reducing the number of pupils who drop out of school.

(i) Strategies to improve the allocation of resources from this State, by program and by school district, in a manner that will improve the academic achievement of pupils. If this State has a financial analysis program that is designed to track educational expenditures and revenues to individual schools, the State Board shall use that statewide program in complying with this paragraph. If a statewide program is not available, the State Board shall use the Department's own financial analysis program in complying with this paragraph.

(j) Based upon the reallocation of resources set forth in paragraph (i), the resources available to the State Board and the Department to carry out the plan.

(k) A summary of the effectiveness of appropriations made by the Legislature to improve the academic achievement of pupils and programs approved by the Legislature to improve the academic achievement of pupils.

3. The State Board shall:

(a) Review the plan prepared pursuant to this section annually to evaluate the effectiveness of the plan; and

(b) Based upon the evaluation of the plan, make revisions, as necessary, to ensure that the plan is designed to improve the academic achievement of pupils enrolled in public schools in this State.

4. On or before December 15 of each year, the State Board shall submit the plan or the revised plan, as applicable, to the:

(a) Governor;

(b) Committee;

(c) Bureau;

(d) Board of Regents of the University of Nevada;

(e) Council to Establish Academic Standards for Public Schools created by NRS 389.510;

(f) Board of trustees of each school district; and

(g) Governing body of each charter school.

Sec. 2. NRS 385.354 is hereby amended to read as follows:

385.354 1. If the board of trustees of a school district in a county whose population is 400,000 or more, or the superintendent of schools of such a school district, creates regional subdistricts within the school district, each regional subdistrict shall, on or before August 15 of each year, prepare

an annual report. The annual report must include, without limitation, for the immediately preceding school year:

- (a) A description of the geographic area that comprises the subdistrict.
- (b) A list of the administrative leadership of the subdistrict.
- (c) The number of public meetings, if any, held by the subdistrict.
- (d) The information required by subsection 2 of NRS 385.347, reported for the subdistrict as a whole and for each school within the subdistrict.
- (e) The total number of administrators employed to provide services within the subdistrict, and the total amount of money paid to those administrators for salaries and benefits.
- (f) The total number of teachers and other educational personnel employed to provide instruction and other educational services in schools within the subdistrict, and the total amount of money paid to those teachers and personnel for salaries and benefits.
- (g) The number of substitute teachers who were employed to provide instruction in schools within the subdistrict for a period of 30 consecutive days or more and the subject areas taught by those substitute teachers.
- (h) The number of administrators, teachers and other educational personnel identified in paragraphs (e) and (f) that attended a regional training program for the professional development of teachers and administrators ~~established pursuant to~~ *created by* NRS 391.512, including, without limitation:
  - (1) The type of training received; and
  - (2) A summary of the evaluation of the training by the teachers and administrators who participated.
- (i) Demographic information concerning the pupils enrolled in schools within the subdistrict, including, without limitation:
  - (1) Race;
  - (2) Ethnicity;
  - (3) Gender;
  - (4) The percentage of pupils with disabilities who received special education pursuant to NRS 388.440 to 388.520, inclusive;
  - (5) The percentage of gifted and talented pupils who received special education pursuant to NRS 388.440 to 388.520, inclusive;
  - (6) The percentage of pupils who participated in the program for free or reduced-price school lunches pursuant to 42 U.S.C. §§ 1751 et seq.; and
  - (7) The percentage of pupils who participated in educational programs for migratory children provided pursuant to 20 U.S.C. §§ 6391 et seq.
- (j) The number of schools, if any, within the subdistrict that were designated as demonstrating need for improvement.
- (k) A summary of each program for remediation, if any, purchased for the schools within the subdistrict, including, without limitation:
  - (1) The name of the program; and
  - (2) The costs of the program.

(l) The number of preschool children who participated in early childhood education programs provided by the school district, the subdistrict or schools within the subdistrict.

(m) The budget for the subdistrict, including, without limitation, the:

(1) Amount of money from the school district's total budget that was allocated to the subdistrict or for use to operate the schools within the subdistrict; and

(2) Actual expenditures of the subdistrict or school district, as applicable, expressed on a per pupil basis, to operate the schools within the subdistrict.

(n) The establishment of zones of attendance, if any, or changes made to the existing zones of attendance, if any, that affected the subdistrict and the number of pupils within the subdistrict who were affected by each change.

(o) The number of schools within the subdistrict, if any, that converted to a year-round schedule.

(p) A description of the procedure of the subdistrict for hearing grievances and complaints of parents and legal guardians of pupils enrolled in schools within the subdistrict.

2. On or before August 15 of each year, each regional subdistrict shall submit to the board of trustees of the school district in which the subdistrict is located, the written report prepared pursuant to subsection 1. On or before December 15 of each year, the board of trustees shall submit a written compilation of the reports to the:

(a) Legislative Commission;

(b) Committee; and

(c) Department.

The written compilation must include, without limitation, an analysis and evaluation of the equity among the regional subdistricts based upon the information reported.

3. The board of trustees of a school district that includes regional subdistricts which are required to submit reports pursuant to this section shall prescribe forms for the reports.

Sec. 3. NRS 385.374 is hereby amended to read as follows:

385.374 The membership of each support team established pursuant to NRS 385.3721:

1. Must consist of, without limitation:

(a) Teachers and principals who are considered highly qualified and who are not employees of the public school for which the support team is established;

(b) At least one representative of the Department;

(c) Except for a charter school, at least one administrator at the district level who is employed by the board of trustees of the school district;

(d) At least one parent or guardian of a pupil who is enrolled in the public school for which the support team is established; and



(e) In addition to the requirements of paragraphs (a) to (d), inclusive, for a charter school:

(1) At least one member of the governing body of the charter school, regardless of the sponsor of the charter school; and

(2) If the charter school is sponsored by the board of trustees of a school district, at least one employee of the school district, which may include an administrator.

2. May consist of, without limitation:

(a) Except for a charter school, one or more members of the board of trustees of the school district in which the school is located;

(b) Representatives of institutions of higher education;

(c) Representatives of regional educational laboratories;

(d) Representatives of outside consultant groups;

(e) Representatives of the regional training program for the professional development of teachers and administrators ~~[established pursuant to]~~ *created* by NRS 391.512 that provides services to the school district in which the school is located;

(f) The Bureau; and

(g) Other persons who the Department determines are appropriate.

Sec. 4. NRS 391.512 is hereby amended to read as follows:

391.512 1. ~~{The Clark County School District, Douglas County School District, Elko County School District and Washoe County School District shall each}~~ *There are hereby created the Southern Nevada Regional Training Program, the Western Nevada Regional Training Program, the Northeastern Nevada Regional Training Program and the Northwestern Nevada Regional Training Program. The governing body of each regional training program shall establish and operate a:*

(a) Regional training program for the professional development of teachers and administrators.

(b) Nevada Early Literacy Intervention Program through the regional training program established pursuant to paragraph (a).

2. Except as otherwise provided in subsection 6, the ~~[regional training program established by the Clark County School District]~~ *Southern Nevada Regional Training Program* must primarily provide services to teachers and administrators who are employed by school districts in:

(a) Clark County;

(b) Esmeralda County;

(c) Lincoln County; and

(d) Nye County.

3. Except as otherwise provided in subsection 6, the ~~[regional training program established by the Douglas County School District]~~ *Western Nevada Regional Training Program* must primarily provide services to teachers and administrators who are employed by school districts in:

(a) Carson City;

(b) Churchill County;

- (c) Douglas County;
- (d) Lyon County; and
- (e) Mineral County.

4. Except as otherwise provided in subsection 6, the ~~[regional training program established by the Elko County School District]~~ *Northeastern Nevada Regional Training Program* must primarily provide services to teachers and administrators who are employed by school districts in:

- (a) Elko County;
- (b) Eureka County;
- (c) Lander County;
- (d) Humboldt County; and
- (e) White Pine County.

5. Except as otherwise provided in subsection 6, the ~~[regional training program established by the Washoe County School District]~~ *Northwestern Nevada Regional Training Program* must primarily provide services to teachers and administrators who are employed by school districts in:

- (a) Pershing County;
- (b) Storey County; and
- (c) Washoe County.

6. Each regional training program shall, when practicable, make reasonable accommodations for the attendance of teachers and administrators who are employed by school districts outside the primary jurisdiction of the regional training program.

7. *The board of trustees of the:*

(a) *Clark County School District shall serve as the fiscal agent for the Southern Nevada Regional Training Program.*

(b) *Douglas County School District shall serve as the fiscal agent for the Western Nevada Regional Training Program.*

(c) *Elko County School District shall serve as the fiscal agent for the Northeastern Nevada Regional Training Program.*

(d) *Washoe County School District shall serve as the fiscal agent for the Northwestern Nevada Regional Training Program.*

*As fiscal agent, each school district is responsible for the payment, collection and holding of all money received from this State for the maintenance and support of the regional training program and Nevada Early Intervention Program established and operated by the applicable governing body.”.*

Amend sec. 5, page 6, line 28, by deleting “shall:” and inserting: “shall use the money to:”.

Amend sec. 5, page 6, by deleting lines 29 through 35 and inserting:

“(a) Serve as the fiscal agent for the regional training program created pursuant to NRS 391.512, as prescribed in subsection 7 of NRS 391.512; and

(b) Serve as the fiscal agent for the Nevada Early Literacy Intervention Program established by the regional training program created pursuant to NRS 391.512, as prescribed in subsection 7 of NRS 391.512.”.

Amend sec. 6, page 7, line 6, by deleting “established” and inserting “created.”.

Amend sec. 8, page 8, line 12, by deleting “2” and inserting “6”.

Amend sec. 8, page 8, line 16, by deleting: “1 and 3 to 7” and inserting: “1 to 5, inclusive, and 7 to 11”.

Amend the title of the bill, first line, after “education;” by inserting: “redesignating the four regional training programs for the professional development of teachers and administrators based upon the geographic regions served by those programs; designating the board of trustees of certain school districts as the fiscal agent for the programs;”.

Amend the summary of the bill to read as follows:

“SUMMARY—Revises provisions governing regional training programs for professional development of teachers and administrators and makes appropriations. (BDR 34-479)”.

Assemblywoman Parnell moved the adoption of the amendment.

Remarks by Assemblywoman Parnell.

Amendment adopted.

Bill ordered reprinted, engrossed, and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 124.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 78.

Amend section 1, page 2, line 3, by deleting “4,” and inserting “5.”.

Amend section 1, page 2, line 4, by deleting “*lesser*” and inserting “*lessee*”.

Amend section 1, page 2, line 5, by deleting “*the*” and inserting “*an*”.

Amend section 1, page 2, by deleting line 7 and inserting: “*with the intent to record a motion picture that is being exhibited in that theater.*”.

Amend section 1, page 2, by deleting lines 13 through 28 and inserting:

“3. *An owner or lessee of a motion picture theater and an authorized agent or employee of an owner or lessee of a motion picture theater who has reason to believe that a person has operated an audiovisual recording function of any device in the motion picture theater in violation of subsection 1 may take the person into custody and detain him, on the premises of the motion picture theater, in a reasonable manner and for a reasonable length of time, for the purpose of informing a peace officer of the circumstances of such detention. The owner, lessee, agent or employee is presumed to have reason to believe that a person has operated an audiovisual recording function of any device in violation of subsection 1 if the owner, lessee, agent or employee observed the person aiming the device at a screen or other surface while a motion picture was being exhibited on the screen or other surface. Such taking into custody and detention by an owner, lessee, agent or employee does not render the owner, lessee, agent or employee criminally or*

*civilly liable for false arrest, false imprisonment, slander or unlawful detention unless the taking into custody and detention are unreasonable under all the circumstances.*

4. *An owner, lessee, agent or employee is not entitled to the immunity from liability provided for in this section unless there is displayed in a conspicuous place on the premises of the motion picture theater a notice in boldface type clearly legible and in substantially the following form:*

*It is a crime to record a movie in this theater. If the owner or lessee of the theater or his employee or agent has reason to believe that a person is recording a movie in this theater, he may detain the person on the premises of the theater for the purpose of notifying a peace officer. Violators of this crime are subject to arrest and prosecution. Section 1 of this act.”.*

Amend section 1, page 2, line 29, by deleting “4.” and inserting “5.”.

Amend section 1, page 2, line 35, by deleting “5.” and inserting “6.”.

Amend the title of the bill, fourth line, after “from” by inserting “criminal and”.

Amend the summary of the bill to read as follows:

“SUMMARY—Prohibits operation of audiovisual recording function of device in motion picture theater under certain circumstances. (BDR 15-644)”.

Assemblyman Anderson moved the adoption of the amendment.

Remarks by Assemblyman Anderson.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 139.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 139.

Amend section 1, page 2, by deleting line 9 and inserting: “*person who claims the applicant as a dependent.*”.

Amend section 1, page 2, line 14, by deleting “*all*” and inserting “*the 25*”.

Amend section 1, page 2, line 16, by deleting: “*25 or more*” and inserting: “*the greatest number of*”.

Amend section 1, page 2, line 17, by deleting “*person*” and inserting “*dependent*”.

Amend section 1, page 2, by deleting lines 22 and 23 and inserting:

“(b) *The total number of its employees and dependents of its employees who received assistance*”.

Amend the title of the bill, fourth and fifth lines, by deleting: “provides financial support for the applicant;” and inserting: “claims the applicant as a dependent;”.

Assemblywoman Pierce moved the adoption of the amendment.

Remarks by Assemblywoman Pierce.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 159.

Bill read second time.

The following amendment was proposed by the Committee on Natural Resources, Agriculture, and Mining:

Amendment No. 41.

Amend section 1, page 2, line 3, by deleting “*three*,”.

Amend the title of the bill, first line, by deleting “expanding” and inserting “revising”.

Amend the summary of the bill to read as follows:

“SUMMARY—Revises number of members who may be appointed to county advisory board to manage wildlife in larger counties. (BDR 45-333)”.

Assemblyman Claborn moved the adoption of the amendment.

Remarks by Assemblyman Claborn.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 162.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 90.

Amend the bill as a whole by deleting sections 1 through 12 and renumbering sections 13 and 14 as sections 1 and 2.

Amend sec. 14, page 15, line 28, by deleting “*13*” and inserting “*1*”.

Amend the bill as a whole by deleting sections 15 through 17 and renumbering sections 18 through 20 as sections 3 through 5.

Amend sec. 18, page 20, line 2, by deleting “; ~~for~~” and inserting “or”.

Amend sec. 18, page 20, by deleting line 3 and inserting “school district”.

Amend sec. 18, page 20, line 5, by deleting “; ~~for~~” and inserting “or”.

Amend sec. 18, page 20, by deleting line 6 and inserting “trustees, as”.

Amend sec. 18, page 20, by deleting lines 18 through 25 and inserting:

“~~[2.]~~ 3. *Upon the initial renewal of a written charter and each renewal thereafter, the governing body of a charter school may request a change in the sponsorship of the charter school to an entity that is authorized to sponsor charter schools pursuant to NRS 386.515. The State Board shall adopt objective criteria for the conditions under which such a request may be granted.*”.

Amend sec. 18, page 21, line 8, by deleting “*13*” and inserting “*1*”.

Amend sec. 20, page 24, by deleting lines 8 through 28 and inserting:

“2. ~~[Except as otherwise provided in this subsection, the provisions of the collective bargaining agreement entered into by the board of trustees of the school district in which the charter school is located apply to the terms~~

~~and conditions of employment of employees of the charter school who are on a leave of absence from the school district pursuant to subsection 5, including, without limitation, any provisions relating to representation by the employee organization that is a party to the collective bargaining agreement of the school district in a grievance proceeding or other dispute arising out of the agreement. The provisions of the collective bargaining agreement apply to each employee for the first 3 years that he is on a leave of absence from the school district. After the first 3 years that the employee is on a leave of absence:~~

~~(a) If he is subsequently reassigned by the school district pursuant to subsection 5, he is covered by the collective bargaining agreement of the school district.~~

~~(b) If he continues his employment with the charter school, he is covered by the collective bargaining agreement of the charter school, if applicable.~~

~~3.—Except as otherwise provided in subsection 2, the~~ *The governing*”.

Amend sec. 20, page 24, line 29, after “school” by inserting:

*“may make all decisions concerning the terms and conditions of employment with the charter school and any other matter relating to employment with the charter school. In addition, the governing body”.*

Amend sec. 20, page 24, line 35, by deleting “4.” and inserting “[4.] 3.”.

Amend sec. 20, page 24, line 43, by deleting “5;” and inserting “[5.] 4;”.

Amend sec. 20, page 25, line 3, by deleting “5.” and inserting “[5.] 4.”.

Amend sec. 20, page 25, line 4, by deleting “5.” and inserting “[5.] 4.”.

Amend sec. 20, page 25, by deleting lines 23 through 30 and inserting:

~~“[6.] 5.~~ An employee who is on a leave of absence from a school district pursuant to this section ~~[shall]~~ :

*(a) Shall* contribute to and be eligible for all benefits for which he would otherwise be entitled, including, without limitation, participation in the Public Employees’ Retirement System and accrual of time for the purposes of leave and retirement.

*(b) Continues, while he is on leave, to be covered by the collective bargaining agreement of the school district only with respect to any matter relating to his status or employment with the district.*

The time during which such an employee is on a leave of absence and employed in a charter school does not count toward the acquisition of permanent status with the school district.”.

Amend sec. 20, page 25, line 31, by deleting “7.” and inserting “[7.] 6.”.

Amend sec. 20, page 25, line 35, by deleting “8.” and inserting “[8.] 7.”.

Amend sec. 20, page 25, line 40, by deleting “9.” and inserting “[9.] 8.”.

Amend sec. 20, page 26, line 6, by deleting “10.” and inserting “[10.] 9.”.

Amend the bill as a whole by deleting sec. 21 and renumbering sections 22 and 23 as sections 6 and 7.

Amend the bill as a whole by deleting sec. 24 and renumbering sec. 25 as sec. 8.

Amend sec. 25, page 32, by deleting lines 11 through 25 and inserting:

*“A person who is licensed pursuant to subparagraph (7) of paragraph (a) of subsection 1 of NRS 391.019:”.*

Amend sec. 25, page 32, line 26, by deleting “(a)” and inserting “1.”.

Amend sec. 25, page 32, line 27, by deleting “(b)” and inserting “2.”.

Amend sec. 25, page 32, line 30, by deleting “(c)” and inserting “3.”.

Amend the bill as a whole by renumbering sections 26 and 27 as sections 10 and 11 and adding a new section designated sec. 9, following sec. 25, to read as follows:

“Sec. 9. NRS 391.019 is hereby amended to read as follows:

391.019 1. Except as otherwise provided in NRS 391.027, the Commission:

(a) Shall adopt regulations:

(1) Prescribing the qualifications for licensing teachers and other educational personnel, including, without limitation, the qualifications for a license to teach middle school or junior high school education, and the procedures for the issuance and renewal of such licenses.

(2) Identifying fields of specialization in teaching which require the specialized training of teachers.

(3) Except as otherwise provided in NRS 391.125, requiring teachers to obtain from the Department an endorsement in a field of specialization to be eligible to teach in that field of specialization.

(4) Setting forth the educational requirements a teacher must satisfy to qualify for an endorsement in each field of specialization.

(5) Setting forth the qualifications and requirements for obtaining a license or endorsement to teach American Sign Language, including, without limitation, being qualified to engage in the practice of interpreting pursuant to subsection 3 of NRS 656A.100.

(6) Except as otherwise authorized by subsection 4 of NRS 656A.100, requiring teachers and other educational personnel to satisfy the qualifications set forth in subsection 3 of NRS 656A.100 if they:

(I) Provide instruction or other educational services; and

(II) Concurrently engage in the practice of interpreting, as defined in NRS 656A.060.

(7) *Providing for the issuance of a license to teach to a person who:*

(I) *Holds a graduate degree from an accredited college or university in the field for which he will be providing instruction;*

(II) *Is not licensed to teach public school in another state;*

(III) *Has at least 5 years of experience teaching with satisfactory evaluations at a school that is accredited by a national or regional accrediting agency recognized by the United States Department of Education; and*

(IV) *Submits proof of participation in a program of student teaching or mentoring or agrees to participate in a program of mentoring for the first year of his employment as a teacher with a school district or charter school.*

*An applicant for licensure pursuant to this subparagraph is exempt from each examination required by NRS 391.021 if the applicant successfully passed the examination in another state.*

(b) May adopt such other regulations as it deems necessary for its own government or to carry out its duties.

2. Any regulation which increases the amount of education, training or experience required for licensing:

(a) Must, in addition to the requirements for publication in chapter 233B of NRS, be publicized before its adoption in a manner reasonably calculated to inform those persons affected by the change.

(b) Must not become effective until at least 1 year after the date it is adopted by the Commission.

(c) Is not applicable to a license in effect on the date the regulation becomes effective.”.

Amend sec. 26, page 32, by deleting lines 37 and 38, and inserting:

“391.021 Except as otherwise provided in ~~[NRS]~~ subparagraph (7) of paragraph (a) of subsection 1 of NRS 391.019 and 391.027, the Commission shall adopt regulations”.

Amend sec. 27, page 33, by deleting lines 18 and 19 and inserting:

“application for the issuance of a license pursuant to subparagraph (7) of paragraph (a) of subsection 1 of NRS 391.019, an applicant for a license as a teacher or administrator or to”.

Amend the bill as a whole by renumbering sec. 28 as sec. 13 and adding a new section designated sec. 12, following sec. 27, to read as follows:

“Sec. 12. The amendatory provisions of section 5 of this act do not apply to a person who is, before July 1, 2005, employed by a charter school and on a leave of absence from a school district.”.

Amend sec. 28, page 33, line 25, by deleting “section 20” and inserting: “sections 4 and 12”.

Amend sec. 28, page 33, by deleting line 27 and inserting:

“2. Sections 1, 2, 3 and 5 to 11, inclusive, of this”.

Amend the title of the bill to read as follows:

“AN ACT relating to education; revising provisions governing the operation of charter schools, the employees of charter schools and the enrollment of pupils in charter schools; providing for the issuance of a license to teach to certain persons with graduate degrees and work experience; and providing other matters properly relating thereto.”.

Assemblywoman Parnell moved the adoption of the amendment.

Remarks by Assemblywoman Parnell.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 166.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:



Amendment No. 140.

Amend section 1, page 3, by deleting lines 16 and 17 and inserting: “court must compare *the amount of the offer with* the principal amount of the judgment, ~~[with the amount of the offer.]~~ without inclusion of costs.”.

Amend section 1, page 3, by deleting lines 22 and 23 and inserting:

“(2) The amount of taxable costs that the ~~[party to whom the offer was made]~~ claimant who obtained the judgment incurred before the date of service of the offer.

As used in this subsection, “claimant” means a plaintiff, counterclaimant, cross-claimant or third-party plaintiff.”.

Assemblyman Anderson moved the adoption of the amendment.

Remarks by Assemblyman Anderson.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

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

Assembly in recess at 12:25 p.m.

#### ASSEMBLY IN SESSION

At 12:29 p.m.

Mr. Speaker presiding.

Quorum present.

Assembly Bill No. 176.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 138.

Amend sec. 2, page 5, by deleting lines 1 through 4.

Amend sec. 3, page 7, line 12, by deleting: “July 1, 2005.” and inserting: “October 1, 2006.”.

Assemblywoman McClain moved the adoption of the amendment.

Remarks by Assemblywoman McClain.

Amendment adopted.

Bill ordered reprinted, engrossed, and to the Concurrent Committee on Ways and Means.

Assembly Bill No. 181.

Bill read second time and ordered to third reading.

Assembly Bill No. 182.

Bill read second time.

The following amendment was proposed by the Committee on Health and Human Services:

Amendment No. 73.

Amend section 1, page 3, lines 11 and 12, by deleting: *“board of trustees of the school district”* and inserting: *“principal or if applicable, the school nurse of the public school”*.

Amend section 1, page 3, line 36, by deleting *“subsection 3.”* and inserting: *“subsections 3 and 4.”*

Amend section 1, page 3, lines 37 and 38, by deleting: *“not: (a) Create”* and inserting *“not create”*.

Amend section 1, page 3, line 41, by deleting *“employment; or”* and inserting *“employment.”*

Amend section 1, pages 3 and 4, by deleting lines 42 through 44 on page 3 and lines 1 and 2 on page 4, and inserting:

*“4. If a pupil is granted authorization pursuant to this section to self-administer medication, the board of trustees of the school district, the school district and the public school in which the pupil is enrolled, and any employee or agent thereof, are immune from liability for the injury to or death of the pupil as a result of self-administration of a medication pursuant to this section or the failure of the pupil to self-administer such a medication.”*

Amend section 1, page 4, line 3, by deleting *“4.”* and inserting *“5.”*

Amend section 1, page 4, line 4, by deleting: *“board of trustees of a school district”* and inserting: *“principal or if applicable, the school nurse of the public school in which a pupil is enrolled”*.

Amend section 1, page 4, line 9, after *“principal”* by inserting: *“or if applicable, the school nurse”*.

Amend section 1, page 4, line 21, by deleting *“5.”* and inserting *“6.”*

Amend section 1, page 4, line 22, by deleting *“4”* and inserting *“5”*.

Amend section 1, page 4, lines 23 and 24, by deleting: *“board of trustees of a school district”* and inserting: *“principal or if applicable, the school nurse of the public school in which the pupil is enrolled”*.

Amend section 1, page 4, line 26, by deleting *“6.”* and inserting *“7.”*

Amend section 1, page 4, line 28, after *“principal”* by inserting: *“or if applicable, the school nurse”*.

Amend section 1, page 4, line 30, after *“principal”* by inserting: *“or if applicable, the school nurse”*.

Amend section 1, page 4, line 36, by deleting *“7.”* and inserting *“8.”*

Amend the title of the bill to read as follows:

*“AN ACT relating to pupils; requiring a principal or a school nurse of a public school to allow pupils to self-administer prescribed medications for asthma and anaphylaxis under certain circumstances; and providing other matters properly relating thereto.”*

Amend the summary of the bill to read as follows:

*“SUMMARY—Requires principals and school nurses to allow pupils to self-administer prescribed medications for asthma and anaphylaxis under certain circumstances. (BDR 34-1000)”*.

Assemblywoman Leslie moved the adoption of the amendment.

Remarks by Assemblywoman Leslie.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 184.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 93.

Amend section 1, page 2, line 3, by deleting “*shall*” and inserting:

*“shall, in consultation with representatives of school districts and parents and guardians of pupils enrolled in public schools in this State,”.*

Amend section 1, page 2, line 9, by deleting “*include,*” and inserting: “*be accompanied by,*”.

Amend section 1, page 2, line 14, after “*or*” by inserting: “*standards for the*”.

Amend section 1, page 2, line 16, before “*examinations*” by inserting “*major*”.

Amend section 1, page 2, line 17, by deleting “*projects;*” and inserting: “*projects, if those dates are known by the teacher at the time that the information is distributed;*”.

Amend section 1, page 2, line 18, by deleting “*policy*” and inserting: “*and grading policies*”.

Amend section 1, page 2, line 29, by deleting “*and*”.

Amend section 1, page 2, line 31, by deleting “*language.*” and inserting: “*language;*

*(k) Information describing the availability of free and reduced-price meals, including, without limitation, information regarding school breakfast, school lunch and summer meal programs; and*

*(l) Opportunities for parents and legal guardians to become involved in the education of their children and to volunteer for the school or class.”.*

Amend section 1, page 2, by deleting lines 40 and 41 and inserting:

*“(b) Provide the parent or legal guardian with a reasonable opportunity to sign the parental involvement compact.”.*

Assemblywoman Parnell moved the adoption of the amendment.

Remarks by Assemblywoman Parnell.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 186.

Bill read second time.

The following amendment was proposed by the Committee on Elections, Procedures, Ethics, and Constitutional Amendments:

Amendment No. 121.

Amend the bill as a whole by deleting sections 1 and 2 and renumbering sec. 3 as section 1.

Amend sec. 3, page 5, between lines 18 and 19, by inserting:

“6. If any words and terms used in this section are defined in NRS 616A.030 to 616A.360, inclusive, or 617.030 to 617.150, inclusive, the words and terms must be given the meanings ascribed to them in NRS 616A.030 to 616A.360, inclusive, or 617.030 to 617.150, inclusive, as applicable. The provisions of this section must be interpreted and enforced by the Administrator as if those provisions were part of chapters 616A to 617, inclusive, of NRS.”.

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

Amend the title of the bill to read as follows:

“AN ACT relating to industrial insurance; providing for a one-time payment of additional compensation to certain claimants and dependents of claimants who are entitled to receive compensation for a permanent total disability under industrial insurance; requiring the Administrator of the Division of Industrial Relations of the Department of Business and Industry to impose an assessment to be used to make such payments; and providing other matters property relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Authorizes one-time payment of additional compensation for a permanent total disability to certain injured employees and their dependents. (BDR S-251)”.

Assemblyman Conklin moved the adoption of the amendment.

Remarks by Assemblyman Conklin.

Amendment adopted.

Assemblyman Ocegueda moved that upon return from the printer Assembly Bill No. 186 be rereferred to the Committee on Commerce and Labor.

Motion carried.

Bill ordered reprinted, engrossed, and to the Committee on Commerce and Labor.

Assembly Bill No. 256.

Bill read second time and ordered to third reading.

Assembly Bill No. 276.

Bill read second time.

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

Amendment No. 176.

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

“Section 1. Chapter 639 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Upon the request of a patient, a registered pharmacist shall transfer a prescription for the patient to another registered pharmacist.*

2. *A registered pharmacist who transfers a prescription pursuant to subsection 1 shall comply with any applicable regulations adopted by the Board relating to the transfer.*

3. *The provisions of this section do not authorize or require a pharmacist to transfer a prescription in violation of:*

*(a) Any law or regulation of this State;*

*(b) Federal law or regulation; or*

*(c) A contract for payment by a third party if the patient is a party to that contract.”.*

Amend the title of the bill to read as follows:

“AN ACT relating to pharmacists; requiring a registered pharmacist, upon request by a patient, to transfer a prescription for the patient to another registered pharmacist; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Requires registered pharmacist, upon request by patient, to transfer prescription for patient to another registered pharmacist. (BDR 54-1266)”.

Assemblywoman Smith moved the adoption of the amendment.

Remarks by Assemblymen Smith and Hardy.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 295.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 110.

Amend sec. 2, page 3, by deleting lines 27 through 31 and inserting: “*subsection 3, the Department shall cause an entry of the conviction to be made upon the driving record of the person so convicted.*”.

Assemblyman Anderson moved the adoption of the amendment.

Remarks by Assemblyman Anderson.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 350.

Bill read second time and ordered to third reading.

Assembly Bill No. 372.

Bill read second time and ordered to third reading.

Assembly Bill No. 377.

Bill read second time and ordered to third reading.

Assembly Bill No. 402.

Bill read second time and ordered to third reading.

Assembly Bill No. 421.

Bill read second time and ordered to third reading.

Assembly Bill No. 445.

Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 4.

Bill read second time.

The following amendment was proposed by the Committee on Elections, Procedures, Ethics, and Constitutional Amendments:

Amendment No. 80.

Amend the preamble of the resolution, page 1, line 10, by deleting “nations” and inserting “nation’s only”.

Amend the preamble of the resolution, page 2, line 1, by deleting: “interim nuclear waste repository” and inserting: “repository for high-level radioactive waste and spent nuclear fuel”.

Amend the preamble of the resolution, page 3, line 25, by deleting “The Caliente” and inserting: “An area identified as the Caliente rail”.

Assemblyman Conklin moved the adoption of the amendment.

Remarks by Assemblyman Conklin.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Joint Resolution No. 6.

Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 12.

Bill read second time and ordered to third reading.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 26.

Bill read third time.

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 58.

Amend sec. 2, pages 3 and 4, by deleting lines 38 through 45 on page 3 and lines 1 through 9 on page 4, and inserting:

“2. With the advice of the Nevada Veterans’ Services Commission, the Executive Director shall, on or before April 1 of each calendar year, recommend to the State Board of Examiners a schedule of rates to be charged for occupancy of rooms at each veterans’ home in this State during the following fiscal year. The State Board of Examiners shall establish the schedule of rates. In setting the rates, the State Board of Examiners shall consider the recommendations of the Executive Director, but is not bound to follow the recommendations of the Executive Director.”.

Amend the title of the bill to read as follows:

“AN ACT relating to veterans; requiring the Executive Director for Veterans’ Services to establish and implement rules, policies and procedures for the management, maintenance and operation of veterans’ homes; requiring the State Board of Examiners to establish a schedule of rates to be charged for occupancy of rooms at veterans’ homes; and providing other matters properly relating thereto.”.

Assemblywoman Giunchigliani moved the adoption of the amendment.

Remarks by Assemblywoman Giunchigliani.

Amendment adopted.

Bill ordered reprinted, re-engrossed, and to third reading.

#### MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Arberry moved that upon return from the printer, Assembly Bill No. 35 be taken from the General File and rereferred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Buckley moved that Assembly Bills Nos. 106, 112, 179, 187, 235, 346, 470, 507; Senate Bills Nos. 73, 132, be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

#### UNFINISHED BUSINESS

##### SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Senate Bill No. 85 and Senate Concurrent Resolution No. 16.

##### GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Angle, the privilege of the floor of the Assembly Chamber for this day was extended to Dorothea Jones, Maggie Benz, Kathy Kubly, Nancy Dallas, and Lona White.

On request of Assemblywoman Gansert, the privilege of the floor of the Assembly Chamber for this day was extended to Dolores Fairbairn and Marian Bond.

On request of Assemblyman Goicoechea, the privilege of the floor of the Assembly Chamber for this day was extended to Ken Benson and Sally C. Miller.

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to June Rigsby and Bill Wagner.

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

On request of Assemblyman Holcomb, the privilege of the floor of the Assembly Chamber for this day was extended to Elena Brady.

On request of Assemblyman Mabey, the privilege of the floor of the Assembly Chamber for this day was extended to Ishbel Butler.

On request of Assemblyman Manendo, the privilege of the floor of the Assembly Chamber for this day was extended to Kris Munn.

On request of Assemblywoman Parnell, the privilege of the floor of the Assembly Chamber for this day was extended to Jan Neubert.

On request of Assemblyman Sibley, the privilege of the floor of the Assembly Chamber for this day was extended to Mary Ann Olson and Amelia Tomaschek.

Assemblywoman Buckley moved that the Assembly adjourn until Tuesday, April 12, 2005, at 11:00 a.m.

Motion carried.

Assembly adjourned at 12:55 p.m.

Approved:

RICHARD D. PERKINS  
*Speaker of the Assembly*

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