

THE SIXTY-SEVENTH DAY

CARSON CITY (Thursday), April 14, 2005

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

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Christensen, who was excused.

Prayer by the Chaplain, Rabbi Jonathan Freirich.

Three times each day, Jews are directed to spend a few moments communing with our concept of the infinite, whatever that may be for each individual, to center ourselves, and remind us of the values that are at the core of our potential success as people and citizens. The vehicle for this process is in the form of 19 fixed meditations or groups of praise and supplication. This text is adapted from one of those meditations, the one focused on understanding.

“The infinite graced us, finite beings that we are, with the power to know; our lives teach us understanding. May creation continue to provide us now with knowledge, understanding, and intelligence. Praised is the miracle of the universe, that has graced us with knowledge.”

AMEN.

Pledge of Allegiance to the Flag.

Assemblywoman Buckley 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 were referred Assembly Bills Nos. 67 and 68, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Commerce and Labor, to which was referred Assembly Bill No. 503, 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. 422, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass, as amended, and rerefer to the Committee on Ways and Means.

BONNIE PARNELL, *Chairman*

Mr. Speaker:

Your Concurrent Committee on Education, to which was referred Assembly Concurrent Resolution No. 10, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

BONNIE PARNELL, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Assembly Bills Nos. 509 and 510, 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 Concurrent Committee on Government Affairs, to which was referred Assembly Bill No. 321, 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 Judiciary, to which was referred Assembly Bill No. 531, 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. 157, 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. 215, 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 were referred Assembly Bills Nos. 221 and 519, 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. 237, 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 were referred Assembly Bills Nos. 416, 420 and 547, 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. 435, has had the same under consideration, and begs leave to report the same back with the recommendation: Without recommendation and rerefer to the Committee on Ways and Means.

JOHN OCEGUERA, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was rereferred Assembly Bill No. 49, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Ways and Means, to which was rereferred Assembly Bill No. 28, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

MORSE ARBERRY, JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, April 12, 2005

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 16.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 75, 235, 303, 328, 496; Senate Joint Resolution No. 12.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 60, 90, 129, 175, 205, 261, 401.

MARY JO MONGELLI
Assistant Secretary of the Senate

SENATE CHAMBER, Carson City, April 13, 2005

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bills Nos. 302, 413.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bills Nos. 52, 137, 147, 251, 287, 354, 424.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 15.

MARY JO MONGELLI
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Anderson moved that Assembly Bill No. 383 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblyman Anderson.

Motion carried.

NOTICE OF EXEMPTION

April 14, 2005

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the eligibility for exemption of: Assembly Bills Nos. 385, 387, 449, 493, and 554.

MARK STEVENS
Fiscal Analysis Division

April 14, 2005

The Fiscal Analysis Division, pursuant to Joint Standing Rule 14.6, has determined the exemption of: Assembly Bills Nos. 110, 127, 209, 212, 222, 293, 307, and 338.

MARK STEVENS
Fiscal Analysis Division

By Assemblyman Parks:

Assembly Concurrent Resolution No. 17—Directing the Legislative Commission to conduct an interim study of pardons, parole and probation in this State.

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

Motion carried.

Senate Joint Resolution No. 12.

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

Motion carried.

Senate Concurrent Resolution No. 15.

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

Motion carried.

Assemblyman Ocegüera moved that the reading of Histories on Senate bills on Introduction be dispensed with for this legislative day.

Motion carried.

INTRODUCTION, FIRST READING, AND REFERENCE

Senate Bill No. 52.

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

Motion carried.

Senate Bill No. 60.

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

Motion carried.

Senate Bill No. 75.

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

Motion carried.

Senate Bill No. 90.

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

Motion carried.

Senate Bill No. 129.

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

Motion carried.

Senate Bill No. 137.

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

Motion carried.

Senate Bill No. 147.

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

Motion carried.

Senate Bill No. 175.

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

Motion carried.

Senate Bill No. 205.

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

Motion carried.

Senate Bill No. 235.

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

Motion carried.

Senate Bill No. 251.

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

Motion carried.

Senate Bill No. 261.

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

Motion carried.

Senate Bill No. 287.

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

Motion carried.

Senate Bill No. 302.

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

Motion carried.

Senate Bill No. 303.

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

Motion carried.

Senate Bill No. 328.

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

Motion carried.

Senate Bill No. 354.

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

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 11:42 a.m.

ASSEMBLY IN SESSION

At 11:48 a.m.

Mr. Speaker presiding.

Quorum present.

Senate Bill No. 401.

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

Motion carried.

Senate Bill No. 413.

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

Motion carried.

Senate Bill No. 424.

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

Motion carried.

Senate Bill No. 496.

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

Motion carried.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Anderson moved that Assembly Bill No. 9 be taken from the Chief Clerk's desk and rereferred to the Committee on Judiciary.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 52.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 74.

Amend sec. 2, page 3, by deleting lines 9 through 15 and inserting:

"2. If a course described in paragraph (a) of subsection 1 is not offered within a 30-mile radius of a person's residence, the person may, in lieu of completing such a course as required by that paragraph, complete an additional 50 hours of supervised experience in driving a motor vehicle in accordance with paragraph (b) of subsection 1."

Amend sec. 3, page 3, by deleting lines 18 through 32 and inserting: *"this act shall not operate a motor vehicle in which more than one person who is under 18 years of age is a passenger."*

2. A person to whom a driver's license is issued pursuant to section 2 of this act may operate a motor vehicle in which two or more persons who are under 18 years of age are passengers if:

(a) Each of those passengers are members of the immediate family of the person; or

(b) The parent or legal guardian of the person has provided to the person a written statement signed by the parent or legal guardian evidencing the approval of the parent or legal guardian for the person to operate a motor vehicle in which two or more persons who are under 18 years of age are passengers.”.

Amend sec. 4, page 3, line 35, by deleting “A” and inserting: “Except as otherwise provided in subsection 2, a”.

Amend sec. 4, page 3, line 39, after “2.” by inserting: “A peace officer shall not issue a citation to a person for operating a motor vehicle in violation of section 3 of this act if the person provides to the peace officer a written statement signed by the parent or legal guardian of the person evidencing the approval of the parent or legal guardian for the person to operate a motor vehicle in which two or more persons who are under 18 years of age are passengers.

3.”.

Amend sec. 10, pages 6 and 7, by deleting lines 41 through 45 on page 6 and lines 1 through 6 on page 7, and inserting:

“484.466 1. A person ~~{shall not operate a motor vehicle in a jurisdiction during any time when he is in violation of a curfew in the jurisdiction.}~~ to whom a driver's license has been issued pursuant to section 2 of this act shall not operate a motor vehicle between the hours of 10 p.m. and 5 a.m. unless he is operating the vehicle to drive to or from a scheduled event. A peace officer shall not issue a citation to a person for operating a vehicle in violation of this section if the person provides evidence satisfactory to the peace officer that the reason that the person is operating the vehicle between the hours of 10 p.m. and 5 a.m. is because he is driving to or from a scheduled event.

2. A peace officer shall not stop a motor vehicle for the sole purpose of determining whether the driver of the vehicle is violating subsection 1. A citation may be issued for a violation of subsection 1 only if the violation is discovered when the vehicle is halted or its driver is arrested for another violation or offense.”.

Amend the title of the bill by deleting the sixth through eleventh lines and inserting: “revising provisions governing automobile”.

Assemblyman Ocegueda moved the adoption of the amendment.

Remarks by Assemblyman Ocegueda.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 63.

Bill read second time.

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

Amendment No. 169.

Amend section 1, page 2, line 3, by deleting "An" and inserting:

"1. *Except as otherwise provided in subsection 2, an*".

Amend section 1, page 2, line 4, by deleting "1." and inserting "(a)".

Amend section 1, page 2, line 8, by deleting "2." and inserting "(b)".

Amend section 1, page 2, line 12, by deleting "3." and inserting "(c)".

Amend section 1, page 2, between lines 15 and 16, by inserting:

"2. *The provisions of this section do not prohibit an insurer from enforcing a provision included in a policy of health insurance pursuant to NRS 689A.270 to:*

(a) *Deny a claim which involves an injury to which a contributing cause was the insured's commission of or attempt to commit a felony;*

(b) *Cancel a policy of health insurance solely because of such a claim; or*

(c) *Refuse to issue a policy of health insurance to an eligible applicant solely because of such a claim.*".

Amend sec. 3, page 2, line 32, by deleting "An" and inserting:

"1. *Except as otherwise provided in subsection 2, an*".

Amend sec. 3, page 2, line 33, by deleting "1." and inserting "(a)".

Amend sec. 3, page 2, line 37, by deleting "2." and inserting "(b)".

Amend sec. 3, page 3, line 3, by deleting "3." and inserting "(c)".

Amend sec. 3, page 3, between lines 6 and 7, by inserting:

"2. *The provisions of this section do not prohibit an insurer from enforcing a provision included in a policy of group health insurance to:*

(a) *Deny a claim which involves an injury to which a contributing cause was the insured's commission of or attempt to commit a felony;*

(b) *Cancel a policy of group health insurance solely because of such a claim; or*

(c) *Refuse to issue a policy of group health insurance to an eligible applicant solely because of such a claim.*".

Amend sec. 4, page 3, line 9, by deleting "A" and inserting:

"1. *Except as otherwise provided in subsection 2, a*".

Amend sec. 4, page 3, line 10, by deleting "1." and inserting "(a)".

Amend sec. 4, page 3, line 14, by deleting "2." and inserting "(b)".

Amend sec. 4, page 3, line 18, by deleting "3." and inserting "(c)".

Amend sec. 4, page 3, between lines 21 and 22, by inserting:

"2. *The provisions of this section do not prohibit a carrier from enforcing a provision included in a health benefit plan to:*

(a) *Deny a claim which involves an injury to which a contributing cause was the insured's commission of or attempt to commit a felony;*

(b) *Cancel participation in a health benefit plan solely because of such a claim; or*

(c) Refuse participation in a health benefit plan to an eligible applicant solely because of such a claim.”.

Amend sec. 5, page 3, line 24, by deleting “A” and inserting:

“1. *Except as otherwise provided in subsection 2, a*”.

Amend sec. 5, page 3, line 25, by deleting “1.” and inserting “(a)”.

Amend sec. 5, page 3, line 29, by deleting “2.” and inserting “(b)”.

Amend sec. 5, page 3, line 33, by deleting “3.” and inserting “(c)”.

Amend sec. 5, page 3, between lines 36 and 37, by inserting:

“2. *The provisions of this section do not prohibit a society from enforcing a provision included in a benefit contract to:*

(a) Deny a claim which involves an injury to which a contributing cause was the insured’s commission of or attempt to commit a felony;

(b) Cancel a benefit contract solely because of such a claim; or

(c) Refuse to issue a benefit contract to an eligible applicant solely because of such a claim.”.

Amend sec. 6, page 3, line 39, by deleting “A” and inserting:

“1. *Except as otherwise provided in subsection 2, a*”.

Amend sec. 6, page 3, line 41, by deleting “1.” and inserting “(a)”.

Amend sec. 6, page 4, line 1, by deleting “2.” and inserting “(b)”.

Amend sec. 6, page 4, line 5, by deleting “3.” and inserting “(c)”.

Amend sec. 6, page 4, between lines 8 and 9, by inserting:

“2. *The provisions of this section do not prohibit a medical services corporation from enforcing a provision included in a contract for hospital, medical or dental services to:*

(a) Deny a claim which involves an injury to which a contributing cause was the insured’s commission of or attempt to commit a felony;

(b) Cancel such a contract solely because of such a claim; or

(c) Refuse to issue such a contract to an eligible applicant solely because of such a claim.”.

Amend sec. 7, page 4, line 11, by deleting “A” and inserting:

“1. *Except as otherwise provided in subsection 2, a*”.

Amend sec. 7, page 4, line 12, by deleting “1.” and inserting “(a)”.

Amend sec. 7, page 4, line 16, by deleting “2.” and inserting “(b)”.

Amend sec. 7, page 4, line 20, by deleting “3.” and inserting “(c)”.

Amend sec. 7, page 4, between lines 23 and 24, by inserting:

“2. *The provisions of this section do not prohibit a health maintenance organization from enforcing a provision included in a health care plan to:*

(a) Deny a claim which involves an injury to which a contributing cause was the insured’s commission of or attempt to commit a felony;

(b) Cancel participation under a health care plan solely because of such a claim; or

(c) Refuse participation under a health care plan to an eligible applicant solely because of such a claim.”.

Amend sec. 8, page 4, line 26, by deleting “An” and inserting:

“1. *Except as otherwise provided in subsection 2, an*”.

Amend sec. 8, page 4, line 27, by deleting "1." and inserting "(a)".

Amend sec. 8, page 4, line 31, by deleting "2." and inserting "(b)".

Amend sec. 8, page 4, line 35, by deleting "3." and inserting "(c)".

Amend sec. 8, page 4, between lines 38 and 39, by inserting:

"2. The provisions of this section do not prohibit an organization for dental care from enforcing a provision included in a plan for dental care to:

(a) Deny a claim which involves an injury to which a contributing cause was the insured's commission of or attempt to commit a felony;

(b) Cancel participation under a plan for dental care solely because of such a claim; or

(c) Refuse participation under a plan for dental care to an eligible applicant solely because of such a claim."

Amend sec. 10, page 5, line 24, by deleting "A" and inserting:

"1. Except as otherwise provided in subsection 2, a".

Amend sec. 10, page 5, line 25, by deleting "1." and inserting "(a)".

Amend sec. 10, page 5, line 29, by deleting "2." and inserting "(b)".

Amend sec. 10, page 5, line 33, by deleting "3." and inserting "(c)".

Amend sec. 10, page 5, between lines 36 and 37, by inserting:

"2. The provisions of this section do not prohibit a managed care organization from enforcing a provision included in a health care plan to:

(a) Deny a claim which involves an injury to which a contributing cause was the insured's commission of or attempt to commit a felony;

(b) Cancel participation under a health care plan solely because of such a claim; or

(c) Refuse participation under a health care plan to an eligible applicant solely because of such a claim."

Amend sec. 13, page 7, line 19, by deleting: "October 1, 2005" and inserting: "July 1, 2006".

Amend the bill as a whole by renumbering sec. 14 as sec. 15 and adding a new section designated sec. 14, following sec. 13, to read as follows:

"Sec. 14. This act becomes effective on July 1, 2006."

Amend the title of the bill to read as follows:

"AN ACT relating to insurance; prohibiting certain health insurers from denying certain claims solely because the claims involve an insured who was injured while intoxicated or under the influence of a controlled substance; prohibiting certain health insurers from cancelling or refusing to issue a policy or contract of health insurance solely because an insured or applicant has made such a claim in certain circumstances; repealing a section in the Uniform Health Policy Provision Law which allows certain health insurers to deny claims involving losses sustained by an insured while intoxicated or under the influence of a narcotic; providing penalties; and providing other matters properly relating thereto."

Assemblywoman Buckley moved the adoption of the amendment.

Remarks by Assemblywoman Buckley.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 77.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 75.

Amend the bill as a whole by deleting sections 1 through 8 and adding new sections designated sections 1 through 6, following the enacting clause, to read as follows:

“Section 1. NRS 389.090 is hereby amended to read as follows:

389.090 1. The State Board shall adopt regulations governing the establishment, conduct and scope of automobile drivers’ education in the public schools of this State. The regulations must set forth, without limitation:

(a) The number of hours of training that must be completed by a pupil who enrolls in a course in automobile drivers’ education;

(b) That a course in automobile drivers’ education ~~{may be}~~ *must include a component of training conducted in a classroom ~~{or}~~ and a component of training conducted in a motor vehicle ; ~~{, or both; and}~~*

(c) That ~~{if}~~ , *with respect to* a course in automobile drivers’ education , ~~{is conducted both in a classroom and in a motor vehicle,}~~ 1 hour of training in a motor vehicle is equivalent to 3 hours of training in a classroom ~~{,;}~~ *and*

(d) *Reasonable accommodations for a school district or charter school in a county whose population is less than 50,000, including, without limitation, waiving the requirement for the board of trustees of the school district or the governing body of the charter school to establish and maintain courses in automobile drivers’ education if the board of trustees or governing body provides for the pupils of such a school district or charter school, as applicable, to take a course in automobile drivers’ education at a college, community college or other institution of higher education.*

2. The aims and purposes of automobile drivers’ education are to develop the knowledge, attitudes, habits and skills necessary for the safe operation of motor vehicles.

3. ~~{The}~~ *Except as otherwise provided in this section, the board of trustees of ~~{a}~~ each school district ~~{may}~~ and the governing body of each charter school providing instruction to pupils enrolled in grades 9 to 12, inclusive, shall establish and maintain elective courses in automobile drivers’ education during the regular school day during regular semesters ~~{and}~~ for pupils enrolled full time in high schools in the school district or the charter school, as applicable. In addition, the board of trustees of each school district and the governing body of each charter school providing instruction to pupils enrolled in grades 9 to 12, inclusive, may establish and maintain*

elective courses in automobile drivers' education during summer sessions and ~~[during the regular school day and]~~ at times other than during the regular school day, including, without limitation, on Saturdays, for ~~[-~~

(a) ~~Pupils enrolled in the regular full-time day high schools in the school district.~~

~~(b) Pupils~~ pupils enrolled in summer classes conducted in high schools in the school district ~~[-~~

~~A]~~ or the charter school, as applicable, and for pupils who are otherwise unable to attend a course in automobile drivers' education during the regular school day during regular semesters.

4. A pupil who completes an elective course in automobile drivers' education must be allowed to apply the credit toward the credits required for graduation from high school.

5. Except as otherwise provided in this section, the board of trustees ~~[maintaining courses in automobile drivers' education]~~ of each school district and the governing body of each charter school providing instruction to pupils enrolled in grades 9 to 12, inclusive, shall insure against any liability arising out of the use of motor vehicles in connection with ~~[those courses.]~~ courses in automobile drivers' education that the board of trustees or governing body maintains pursuant to this section. The cost of the insurance must be paid from available money of the school district ~~[-~~

~~4. A governing body of a charter school may establish and maintain courses in automobile drivers' education if the governing body insures against any liability arising out of the use of motor vehicles in connection with those courses.~~

~~5.] or charter school, as applicable.~~

6. Automobile drivers' education must be provided by boards of trustees of school districts and governing bodies of charter schools in accordance with the regulations of the State Board and may not be duplicated by any other agency, department, commission or officer of the State of Nevada.

~~{6.}~~7. Each course in automobile drivers' education provided by a board of trustees of a school district or a governing body of a charter school must include, without limitation, instruction in:

(a) Motor vehicle insurance.

(b) The effect of drugs and alcohol on an operator of a motor vehicle.

~~{7.}~~8. Each course in automobile drivers' education provided by ~~{a}]~~ the board of trustees of a school district or ~~{a}]~~ the governing body of a charter school must be restricted to pupils who are at least ~~{15}~~ :

(a) Fifteen years of age ~~{-}~~, for the component of training conducted in a classroom; and

(b) Fifteen and one-half years of age, for the component of training conducted in a motor vehicle.

9. Except as otherwise provided in this subsection, the board of trustees of a school district or the governing body of a charter school may establish and maintain a contract with a school for training drivers pursuant to which

the school for training drivers provides a course in automobile drivers' education to the pupils of the school district or charter school, as applicable. A board of trustees or governing body shall not establish or maintain such a contract unless the school for training drivers:

(a) Is licensed pursuant to the provisions of NRS 483.700 to 483.780, inclusive; and

(b) Complies with the applicable regulations governing the establishment, conduct and scope of automobile drivers' education adopted by the State Board pursuant to subsection 1.

If a board of trustees or governing body enters into a contract with a school for training drivers that satisfies the requirements of paragraphs (a) and (b), the duty of the board of trustees or governing body to establish and maintain courses in automobile drivers' education is satisfied and it is the responsibility of the school for training drivers to insure against liability.

Sec. 2. NRS 483.785 is hereby amended to read as follows:

483.785 ~~{1.—The Department may accept gifts and grants of money to provide grants of money to pupils who are less than 18 years of age and who need financial assistance to pay:~~

~~(a) If a pupil is enrolled in a public school that provides instruction in automobile education.} If the board of trustees of a school district or the governing body of a charter school establishes a laboratory fee {required} pursuant to NRS 389.100 {.~~

~~(b) If a pupil is enrolled in a public school that does not provide instruction in automobile education, the costs and fees of a course provided by a school for training drivers that is licensed pursuant to NRS 483.700 to 483.780, inclusive, and that complies with the applicable regulations governing the establishment, conduct and scope of automobile drivers' education adopted by the State Board of Education pursuant to NRS 389.090.~~

~~2.—The Department may, in consultation with the State Board of Education, adopt regulations to carry out the provisions of this section, including, without limitation, the:~~

~~(a) Procedure by which a person may apply for a grant of money from the Department;~~

~~(b) Criteria that the Department will consider in determining whether to award a grant of money; and~~

~~(c) Procedure by which the Department will distribute the money it receives pursuant to subsection 1.} to be charged each pupil enrolling in an automobile driver education course, the school district or charter school, as applicable, shall pay the cost of the laboratory fee for any such pupil who needs financial assistance to pay the fee.~~

Sec. 3. Chapter 690B of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Except as otherwise provided in this section, a policy of insurance against liability arising out of the ownership, maintenance or use of a motor vehicle delivered or issued for delivery in this State to a person who has*

completed a course in drivers' education pursuant to NRS 389.090 or a course provided by a school for training drivers licensed pursuant to NRS 483.700 to 483.780, inclusive, must contain a provision for a reduction in the premium if:

- (a) The course was taken by the principal operator of the motor vehicle;*
- (b) The course was taken within the immediately preceding 3 years;*
- (c) A grade of B or higher was achieved or, if no grade is given for the course, a certificate of completion was issued by the instructor of the course; and*
- (d) The motor vehicle to which the policy pertains is not classified for underwriting purposes as used for business.*

2. The reduction in premium otherwise required pursuant to subsection 1 must be:

- (a) Approved by the Commissioner; and*
- (b) Based on the actuarial and loss experience data available to each insurer.*

3. The reduction in premium otherwise required pursuant to subsection 1:

- (a) Does not apply if the principal operator of the motor vehicle to which the policy pertains has been convicted of or entered a plea of guilty or nolo contendere to a moving traffic violation or has been involved in a motor vehicle accident for which he was primarily at fault.*

- (b) Applies only to one motor vehicle of which a person is the principal operator, regardless of whether the person is the principal operator of multiple motor vehicles.*

Sec. 4. The provisions of section 3 of this act apply to any policy of insurance for liability of a motor vehicle which is issued or renewed on or after July 1, 2005.

Sec. 5. The provisions of subsection 1 of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.

Sec. 6. This act becomes effective on July 1, 2005.”.

Amend the title of the bill to read as follows:

“AN ACT relating to motor vehicles; requiring the boards of trustees of certain school districts and the governing bodies of certain charter schools to establish and maintain courses in automobile drivers' education; authorizing pupils of certain rural school districts and charter schools to take such a course at an institution of higher education; authorizing a school district or charter school to contract with a school for training drivers to provide a course in automobile drivers' education to the pupils of the school district or charter school; requiring certain policies of liability insurance covering a motor vehicle to provide for reduced premiums for certain persons who have completed a course in automobile drivers' education; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Revises provisions regarding courses in automobile drivers’ education and requires reduction in insurance premiums for certain insureds. (BDR 34-474)”.

Assemblywoman Giunchigliani moved the adoption of the amendment.

Remarks by Assemblywoman Giunchigliani.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 78.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 185.

Amend section 1, page 2, by deleting lines 17 through 20 and inserting:

“3. ~~{The}~~ *Except as otherwise provided in subsection 4, the commission must not exceed ~~{40}~~ 25 percent of the proceeds from the sale of any personal property pursuant to this section ~~{-}~~ unless, before the sale of the personal property, the court approves a commission that exceeds 25 percent of the proceeds from the sale.*

4. *If a manufactured home or motor vehicle is sold pursuant to the provisions of this section, the commission for the sale of the manufactured home or motor vehicle must not exceed 10 percent of the proceeds from the sale.”.*

Amend section 1, page 2, line 21, by deleting “4.” and inserting “5.”.

Amend sec. 2, page 2, line 26, by deleting:

“, without charge,”.

Amend sec. 2, page 2, line 29, after “appears.” by inserting: “*A financial institution may charge a reasonable fee, not to exceed \$2, to provide a public administrator with a statement pursuant to the provisions of this section.*”.

Amend the bill as a whole by renumbering sec. 5 as sec. 6 and adding a new section designated sec. 5, following sec. 4, to read as follows:

“Sec. 5. NRS 629.061 is hereby amended to read as follows:

629.061 1. Each provider of health care shall make the health care records of a patient available for physical inspection by:

(a) The patient or a representative with written authorization from the patient;

(b) The personal representative of the estate of a deceased patient;

(c) *Any trustee of a living trust created by a deceased patient;*

(d) The parent or guardian of a deceased patient who died before reaching the age of majority;

~~{(d)}~~ (e) An investigator for the Attorney General or a grand jury investigating an alleged violation of NRS 200.495, 200.5091 to 200.50995, inclusive, or 422.540 to 422.570, inclusive;

~~{(e)}~~ (f) An investigator for the Attorney General investigating an alleged violation of NRS 616D.200, 616D.220, 616D.240 or 616D.300 to 616D.440, inclusive, or any fraud in the administration of chapter 616A, 616B, 616C,

616D or 617 of NRS or in the provision of benefits for industrial insurance; or

~~{{f}}~~ (g) Any authorized representative or investigator of a state licensing board during the course of any investigation authorized by law.

The records must be made available at a place within the depository convenient for physical inspection, and inspection must be permitted at all reasonable office hours and for a reasonable length of time. If the records are located outside this State, the provider shall make any records requested pursuant to this section available in this State for inspection within 10 working days after the request.

2. Except as otherwise provided in subsection 3, the provider of health care shall also furnish a copy of the records to each person described in subsection 1 who requests it and pays the actual cost of postage, if any, the costs of making the copy, not to exceed 60 cents per page for photocopies and a reasonable cost for copies of X-ray photographs and other health care records produced by similar processes. No administrative fee or additional service fee of any kind may be charged for furnishing such a copy.

3. The provider of health care shall also furnish a copy of any records that are necessary to support a claim or appeal under any provision of the Social Security Act, 42 U.S.C. §§ 301 et seq., or under any federal or state financial needs-based benefit program, without charge, to a patient, or a representative with written authorization from the patient, who requests it, if the request is accompanied by documentation of the claim or appeal. A copying fee, not to exceed 60 cents per page for photocopies and a reasonable cost for copies of X-ray photographs and other health care records produced by similar processes, may be charged by the provider of health care for furnishing a second copy of the records to support the same claim or appeal. No administrative fee or additional service fee of any kind may be charged for furnishing such a copy. The provider of health care shall furnish the copy of the records requested pursuant to this subsection within 30 days after the date of receipt of the request, and the provider of health care shall not deny the furnishing of a copy of the records pursuant to this subsection solely because the patient is unable to pay the fees established in this subsection.

4. Each person who owns or operates an ambulance in this State shall make his records regarding a sick or injured patient available for physical inspection by:

(a) The patient or a representative with written authorization from the patient;

(b) The personal representative of the estate of a deceased patient;

(c) *Any trustee of a living trust created by a deceased patient;*

(d) The parent or guardian of a deceased patient who died before reaching the age of majority; or

~~{{d}}~~ (e) Any authorized representative or investigator of a state licensing board during the course of any investigation authorized by law.

The records must be made available at a place within the depository convenient for physical inspection, and inspection must be permitted at all reasonable office hours and for a reasonable length of time. The person who owns or operates an ambulance shall also furnish a copy of the records to each person described in this subsection who requests it and pays the actual cost of postage, if any, and the costs of making the copy, not to exceed 60 cents per page for photocopies. No administrative fee or additional service fee of any kind may be charged for furnishing a copy of the records.

5. Records made available to a representative or investigator must not be used at any public hearing unless:

(a) The patient named in the records has consented in writing to their use; or

(b) Appropriate procedures are utilized to protect the identity of the patient from public disclosure.

6. Subsection 5 does not prohibit:

(a) A state licensing board from providing to a provider of health care or owner or operator of an ambulance against whom a complaint or written allegation has been filed, or to his attorney, information on the identity of a patient whose records may be used in a public hearing relating to the complaint or allegation, but the provider of health care or owner or operator of an ambulance and his attorney shall keep the information confidential.

(b) The Attorney General from using health care records in the course of a civil or criminal action against the patient or provider of health care.

7. A provider of health care or owner or operator of an ambulance, his agents and employees are immune from any civil action for any disclosures made in accordance with the provisions of this section or any consequential damages.

8. For the purposes of this section:

(a) “Guardian” means a person who has qualified as the guardian of a minor pursuant to testamentary or judicial appointment, but does not include a guardian ad litem.

(b) *“Living trust” means an inter vivos trust created by a natural person:*

(1) Which was revocable by the person during the lifetime of the person; and

(2) Who was one of the beneficiaries of the trust during the lifetime of the person.

(c) “Parent” means a natural or adoptive parent whose parental rights have not been terminated.

~~{(e)}~~ (d) “Personal representative” has the meaning ascribed to it in NRS 132.265.”

Amend the title of the bill, fourth line, after “estate;” by inserting: “providing that the trustee of a living trust established by a deceased person may obtain the health care records of that person;”.

Assemblyman Anderson moved the adoption of the amendment.

Remarks by Assemblymen Anderson and Giunchigliani.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 84.

Bill read second time.

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

Amendment No. 137.

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 440.175 is hereby amended to read as follows:

440.175 1. Upon request, the State Registrar may furnish statistical data to any federal, state, local or other public or private agency, upon such terms or conditions as may be prescribed by the Board.

2. No person may prepare or issue any document which purports to be an original, certified copy, certified abstract or official copy of:

(a) A certificate of birth, death or fetal death, except as authorized in this chapter or by the Board.

(b) A certificate of marriage, except a county recorder or a person so required pursuant to NRS 122.120.

(c) A decree of divorce or annulment of marriage, except a county clerk or the judge of a court of record.

3. A person or governmental organization which issues certified or official copies pursuant to paragraph (a) of subsection 2 shall ~~remit~~ :

(a) *Not charge a fee for issuing a certified or official copy of a certificate of birth to a homeless person who submits a signed affidavit on a form prescribed by the State Registrar stating that the person is homeless.*

(b) *Remit to the State Registrar:*

~~((a))~~ (1) For each registration of a birth or death in its district, \$2.

~~((b))~~ (2) For each copy issued of a certificate of birth in its district, *other than a copy issued pursuant to paragraph (a) of this subsection*, \$7.

~~((c))~~ (3) For each copy issued of a certificate of death in its district, \$1.”.

Amend the bill as a whole by deleting sec. 4.

Amend the bill as a whole by deleting the preamble.

Amend the title of the bill to read as follows:

“AN ACT relating to public welfare; exempting homeless persons from paying certain fees to obtain replacements of certain forms of identifying information; creating an exception to the duty to remit certain fees to the State Registrar of Vital Statistics for a person or governmental organization that issues a certified or official copy of a certificate of birth to a homeless person under certain circumstances; and providing other matters properly relating thereto.”.

Assemblywoman Leslie moved the adoption of the amendment.

Remarks by Assemblywoman Leslie.

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

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 91.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 153.

Amend section 1, page 2, by deleting line 14 and inserting:

“(c) For transcription:”.

Amend section 1, page 2, line 17, by deleting “\$8.20” and inserting “\$7.50”.

Amend section 1, page 2, line 20, by deleting “\$6.15” and inserting “\$5.62”.

Amend section 1, page 2, line 23, by deleting “\$5.13” and inserting “\$4.68”.

Amend section 1, page 2, line 26, by deleting “\$4.10” and inserting “\$3.75”.

Amend section 1, page 3, by deleting lines 7 through 21 and inserting:

“(d) For reporting all civil matters, in addition to the fees”.

Amend section 1, page 3, line 25, by deleting “~~{(e)}~~ (f)” and inserting “(e)”.

Amend section 1, page 3, line 40, by deleting “~~{(d)}~~ (e),” and inserting “(d),”.

Amend section 1, page 3, line 42, by deleting “~~{(f)}~~ (g)” and inserting “(f)”.

Amend section 1, page 3, line 43, by deleting “~~{(e)}~~ (f):” and inserting “(e):”.

Amend section 1, page 4, line 2, by deleting “~~{(e)}~~ (f),” and inserting “(e),”.

Amend section 1, page 4, line 10, by deleting: “~~{(d) and (e)}~~ (e) and (f),” and inserting: “(d) and (e),”.

Amend section 1, page 4, line 28, by deleting “*civil or*”.

Amend section 1, page 4, line 31, by deleting “~~{(e)}~~ (f)” and inserting “(e)”.

Amend section 1, page 4, by deleting line 45 and inserting: “paragraph (e) and subparagraph (1) of paragraph (f) of”.

Amend section 1, page 5, line 15, by deleting “~~{(d)}~~ (e)” and inserting “(d)”.

Amend the bill as a whole by renumbering sec. 2 as sec. 16 and adding new sections designated sections 2 through 15, following section 1, to read as follows:

“Sec. 2. Chapter 656 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Each court reporting firm shall appoint one person affiliated with the court reporting firm to act as the designated representative for the firm. The person so appointed must:*

(a) *Hold a certificate; or*

(b) *Pass an examination administered by the Board pursuant to subsection 2.*

2. *The Board shall administer an examination to determine whether a designated representative of a court reporting firm understands:*

(a) *The ethics and professionalism required for the practice of court reporting; and*

(b) *The obligations owed by a court reporter to the parties in any reported proceedings and the obligations created by the provisions of this chapter and any regulation adopted thereto.*

3. *The Board may adopt regulations to carry out the provisions of this section and to establish additional subject areas to be included in the examination administered by the Board pursuant to this section.*

Sec. 3. NRS 656.030 is hereby amended to read as follows:

656.030 As used in this chapter, unless the context otherwise requires:

1. “Board” means the Certified Court Reporters’ Board of Nevada.

2. “Certificate” means a certified court reporter’s certificate issued under the provisions of this chapter.

3. “Court reporter” means a person who is technically qualified and registered under this chapter to practice court reporting.

4. “Court reporting firm” means a person who, for compensation, provides or arranges for the services of a court reporter or provides referral services for court reporters.

5. “Designated representative of a court reporting firm” means the person designated to act as the representative of a court reporting firm pursuant to section 2 of this act.

6. “License” means a license issued under the provisions of this chapter to conduct business as a court reporting firm.

~~{6-}~~ 7. “Licensee” means a person to whom a license has been issued.

8. “Practice of court reporting” means reporting by the use of any system of manual or mechanical shorthand writing:

(a) Grand jury proceedings;

(b) Court proceedings;

(c) Pretrial examinations, depositions, motions and related proceedings of like character; or

(d) Proceedings of an administrative agency if the final decision of the agency with reference thereto is subject to judicial review.

~~{7-}~~ 9. “Stenographic notes” means the original manually or mechanically produced notes in shorthand or shorthand writing taken by a court reporter while in attendance at a proceeding to report the proceeding.

Sec. 4. NRS 656.160 is hereby amended to read as follows:

656.160 1. Every person who files an application for an original certificate must personally appear before the Board for ~~the~~ *an* examination and the answering of such questions as may be prepared by the Board to enable it to determine the trustworthiness of the applicant and his competency to engage in the practice of court reporting in such a manner as to safeguard the interests of the public.

2. In determining competency, the Board shall administer ~~a written~~ *an* examination to determine whether the applicant has:

(a) A good understanding of the English language, including reading, spelling, vocabulary, and medical and legal terminology;

(b) Sufficient ability to report accurately any of the matters comprising the practice of court reporting consisting of material read at not less than 180 words per minute or more than 225 words per minute; and

(c) A clear understanding of the obligations owed by a court reporter to the parties in any reported proceedings and the obligations created by the provisions of this chapter and any regulation adopted pursuant to this chapter.

Sec. 5. NRS 656.180 is hereby amended to read as follows:

656.180 An applicant for a certificate of registration as a certified court reporter is entitled to a certificate if he:

1. Is a citizen of the United States or lawfully entitled to remain and work in the United States;

2. Is at least 18 years of age;

3. Is of good moral character;

4. Has a high school education or its equivalent;

5. Submits the statement required pursuant to NRS 656.155;

6. Satisfactorily passes an examination administered by the Board ~~and~~ *pursuant to NRS 656.160*; and

7. Pays the requisite fees.

Sec. 6. NRS 656.180 is hereby amended to read as follows:

656.180 An applicant for a certificate of registration as a certified court reporter is entitled to a certificate if he:

1. Is a citizen of the United States or lawfully entitled to remain and work in the United States;

2. Is at least 18 years of age;

3. Is of good moral character;

4. Has a high school education or its equivalent;

5. Satisfactorily passes an examination administered by the Board ~~and~~ *pursuant to NRS 656.160*; and

6. Pays the requisite fees.

Sec. 7. NRS 656.185 is hereby amended to read as follows:

656.185 1. It is unlawful for any person to conduct business as a court reporting firm or to advertise or put out any sign or card or other device which may indicate to members of the public that he is entitled to conduct such a business without first obtaining a license from the Board.

2. Each applicant for a license as a court reporting firm must file an application with the Executive Secretary of the Board on a form prescribed by the Board.

3. The application must:

(a) Include the social security number and federal identification number of the applicant;

(b) *Include the name of the person who will act as the designated representative of the court reporting firm and such other identifying information about that person as required by the Board;*

(c) Be accompanied by the statement required pursuant to NRS 656.155; and

~~{{e}}~~ (d) Be accompanied by the required fee.

4. To obtain a license pursuant to this section, an applicant need not hold a certificate of registration as a certified court reporter.

Sec. 8. NRS 656.185 is hereby amended to read as follows:

656.185 1. It is unlawful for any person to conduct business as a court reporting firm or to advertise or put out any sign or card or other device which may indicate to members of the public that he is entitled to conduct such a business without first obtaining a license from the Board.

2. Each applicant for a license as a court reporting firm must file an application with the Executive Secretary of the Board on a form prescribed by the Board.

3. The application must:

(a) Include the federal identification number of the applicant; ~~and~~

(b) *Include the name of the person who will be appointed as the designated representative of the court reporting firm and such other identifying information about that person as required by the Board; and*

(c) Be accompanied by the required fee.

4. To obtain a license pursuant to this section, an applicant need not hold a certificate of registration as a certified court reporter.

Sec. 9. NRS 656.187 is hereby amended to read as follows:

656.187 1. A license as a court reporting firm expires on June 30 of each year and may be renewed if, before that date, the licensee submits to the Board:

(a) An application for renewal on a form prescribed by the Board;

(b) The statement required pursuant to NRS 656.155; ~~and~~

(c) *If the designated representative of a court reporting firm does not hold a certificate, evidence that the designated representative of the court reporting firm has completed the requirements for continuing education established by the Board; and*

(d) The required fee for renewal.

2. *The Board shall adopt regulations requiring a designated representative of a court reporting firm who does not hold a certificate to participate in continuing education or training as a condition to the renewal or restoration of a license of a licensee. If a designated representative of a*

court reporting firm fails to comply with such requirements, the Board may suspend or revoke the license of the licensee.

3. A license that expires pursuant to the provisions of this section may be reinstated if the applicant:

- (a) Complies with the provisions of subsection 1; and
- (b) Submits to the Board the required fee for reinstatement.

Sec. 10. NRS 656.187 is hereby amended to read as follows:

656.187 1. A license as a court reporting firm expires on June 30 of each year and may be renewed if, before that date, the licensee submits to the Board:

- (a) An application for renewal on a form prescribed by the Board; ~~and~~
- (b) *If the designated representative of a court reporting firm does not hold a certificate, evidence that the designated representative of the court reporting firm has completed the requirements for continuing education established by the Board; and*
- (c) The required fee for renewal.

2. *The Board shall adopt regulations requiring a designated representative of a court reporting firm who does not hold a certificate to participate in continuing education or training as a condition to the renewal or restoration of a license of a licensee. If a designated representative of a court reporting firm fails to comply with such requirements, the Board may suspend or revoke the license of the licensee.*

3. A license that expires pursuant to the provisions of this section may be reinstated if the applicant:

- (a) Complies with the provisions of subsection 1; and
- (b) Submits to the Board the required fee for reinstatement.

Sec. 11. NRS 656.220 is hereby amended to read as follows:

656.220 1. The fees required by this chapter are fixed by the following schedule:

(a) The fee for filing an application for an examination must be fixed by the Board annually at not more than \$250 and not less than \$90.

(b) The fee for the original issuance of a certificate must be fixed by the Board annually at not more than ~~[\$150]~~ \$250 and not less than ~~[\$100.]~~ \$150.

(c) For a certificate issued after July 1, 1973, the fee is an amount equal to the renewal fee in effect on the last regular renewal date before the date on which the certificate is issued, except that if the certificate will expire less than 1 year after its issuance, then the fee is 50 percent of the renewal fee in effect on the last regular renewal date before the date on which the certificate is issued. The Board may by regulation provide for the waiver or refund of the initial certificate fee if the certificate is issued less than 45 days before the date on which it will expire.

(d) The annual renewal fee for a certificate must be fixed by the Board annually at not more than ~~[\$150]~~ \$250 and not less than ~~[\$100.]~~ \$150. Every holder of a certificate desiring renewal must pay the annual renewal fee to the board on or before May 15 of each year.

(e) For the renewal of a certificate which was suspended for failure to renew, the fee is an amount equal to all unpaid renewal fees accrued plus a reinstatement fee that must be fixed by the Board annually at not more than ~~[\$75.]~~ \$125 and not less than ~~[\$50.]~~ \$75.

(f) The fee for the original issuance of a license as a court reporting firm is ~~[\$150.]~~ \$250.

(g) The fee for the annual renewal of a license as a court reporting firm is ~~[\$150.]~~ \$175.

(h) The fee for the reinstatement of a license as a court reporting firm is ~~[\$150.]~~ \$175.

2. In addition to the fees set forth in subsection 1, the Board may charge and collect a fee for any other service it provides. The fee must not exceed the cost incurred by the Board to provide the service.

Sec. 12. NRS 656.250 is hereby amended to read as follows:

656.250 The Board may refuse to issue or renew or may suspend or revoke any certificate if the court reporter in performing or attempting to perform or pretending to perform any act as a court reporter has:

1. Willfully failed to take full and accurate stenographic notes of any proceedings;

2. Willfully altered any stenographic notes taken at any proceedings;

3. Willfully failed accurately to transcribe verbatim any stenographic notes taken at any proceedings;

4. Willfully altered a transcript of stenographic notes taken at any proceedings;

5. Affixed his signature to any transcript of his stenographic notes or certified to the correctness of such a transcript unless the transcript was prepared by him or was prepared under his immediate supervision;

6. Demonstrated unworthiness or incompetency to act as a court reporter in such a manner as to safeguard the interests of the public;

7. Professionally associated with or loaned his name to another for the illegal practice by another of court reporting, or professionally associated with any natural person, firm, copartnership or corporation holding itself out in any manner contrary to the provisions of this chapter;

8. Habitually been intemperate in the use of intoxicating liquor or controlled substances;

9. Except as otherwise provided in subsection 10, willfully violated any of the provisions of this chapter or the regulations adopted by the Board to enforce this chapter;

10. Violated any regulation adopted by the Board relating to ~~unprofessional~~ :

(a) *Unprofessional* conduct;

(b) *Agreements for the provision of ongoing services as a court reporter or ongoing services which relate to the practice of court reporting;*

(c) *The avoidance of a conflict of interest; or*

(d) *The performance of the practice of court reporting in a uniform, fair and impartial manner and avoiding the appearance of impropriety.*

11. Failed within a reasonable time to provide information requested by the Board as the result of a formal or informal complaint to the Board, which would indicate a violation of this chapter; or

12. Failed without excuse to transcribe stenographic notes of a proceeding and file a transcript of the stenographic notes:

(a) Within the time required by law or agreed to by contract; or

(b) Within any other reasonable time required for filing the transcript.

Sec. 13. NRS 656.260 is hereby amended to read as follows:

656.260 1. A holder of a license or certificate shall notify the Chairman or Executive Secretary of the Board in writing within 30 days after changing his name or address.

2. ~~[[If a court reporting firm is a partnership or corporation, any change of partners]]~~ *Any change of ownership or corporate officers of a court reporting firm or of the designated representative of the court reporting firm must be reported to the Chairman or Executive Secretary within 30 days after the change.*

3. The Board may suspend or revoke a license or certificate if the holder thereof fails so to notify the Board.

Sec. 14. NRS 656.340 is hereby amended to read as follows:

656.340 1. ~~[[H]]~~ *Except as otherwise provided in subsection 2, it is unlawful for any person to practice court reporting or advertise or put out any sign or card or other device which might indicate to the public that he is entitled to practice as a court reporter without a certificate of registration as a certified court reporter issued by the Board.*

2. Any person may, with the approval of the Board, practice court reporting on a temporary basis ~~[with reference to any single proceeding]~~ when there is an acknowledged unavailability of a certified court reporter. *A person requesting the approval of the Board to practice court reporting on a temporary basis shall submit to the Board:*

(a) *Documentation or other proof that the person has at least one continuous year of experience working full-time in the practice of court reporting; and*

(b) *A copy of:*

(1) *The certification as a registered professional reporter issued to the person by the National Court Reporters Association;*

(2) *The certification as a registered merit reporter issued to the person by the National Court Reporters Association; or*

(3) *A valid certificate or license to practice court reporting issued to the person by another state.*

Sec. 15. Any person to whom a license to conduct business as a court reporting firm has been issued before January 1, 2006, shall appoint a designated representative of the court reporting firm as required pursuant to

section 2 of this act and inform the Board of the person so designated by not later than January 1, 2006.”.

Amend the bill as a whole by adding a new section designated sec. 17, following sec. 2, to read as follows:

“Sec. 17. 1. This section and section 15 of this act become effective upon passage and approval.

2. Sections 2, 3, 7, 9 and 13 of this act become effective:

(a) Upon passage and approval for purpose of adopting regulations and administering examinations; and

(b) On January 1, 2006, for all other purposes.

3. Sections 1, 4, 5, 11, 12, 14 and 16 of this act become effective on October 1, 2005.

4. Sections 5, 7 and 9 of this act expire by limitation on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

(a) Have failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

(b) Are in arrears in the payment for the support of one or more children, are repealed by the Congress of the United States.

5. Sections 6, 8 and 10 of this act become effective on the date on which the provisions of 42 U.S.C. § 666 requiring each state to establish procedures under which the state has authority to withhold or suspend, or to restrict the use of professional, occupational and recreational licenses of persons who:

(a) Have failed to comply with a subpoena or warrant relating to a proceeding to determine the paternity of a child or to establish or enforce an obligation for the support of a child; or

(b) Are in arrears in the payment for the support of one or more children, are repealed by the Congress of the United States.”.

Amend the title of the bill to read as follows:

“AN ACT relating to court reporters; increasing the fees for a court reporter in district court; requiring each court reporting firm to appoint a person who meets certain qualifications as the designated representative of the court reporting firm; revising the fees relating to the issuance or renewal of a certificate of registration as court reporter; revising the fees relating to the issuance or renewal of a license to own a court reporting firm; revising the provisions relating to the discipline of a certified court reporter; revising the provisions relating to the temporary practice of court reporting; providing a penalty; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Makes various changes relating to court reporters and court reporting firms. (BDR 1-472)”.

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. 110.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 174.

Amend section 1, pages 2 through 4, by deleting lines 1 through 39 on page 2, lines 1 through 45 on page 3 and lines 1 through 17 on page 4, and inserting:

“Section 1. NRS 391.165 is hereby amended to read as follows:

391.165 1. Except as otherwise provided in subsection 3 and except as otherwise required as a result of NRS 286.537, the board of trustees of a school district shall pay the cost for a licensed ~~teacher or licensed school psychologist~~ employee to purchase one-fifth of a year of service pursuant to subsection 2 of NRS 286.300 if:

(a) The ~~teacher or school psychologist~~ employee is a member of the Public Employees’ Retirement System and has at least 5 years of service;

(b) The ~~teacher or school psychologist~~ employee has been employed as a licensed ~~teacher or~~ employee, including, without limitation, a licensed school psychologist in this State for at least 5 consecutive school years, regardless of whether the employment was with one or more school districts in this State;

(c) Each evaluation of the ~~teacher or school psychologist~~ employee conducted pursuant to NRS 391.3125, if applicable, or other formal evaluation of the employee if NRS 391.3125 does not apply, is at least satisfactory for the years of employment required by paragraph (b); and

(d) In addition to the years of employment required by paragraph (b):

(1) The ~~teacher~~ employee has been employed as a licensed ~~teacher for 2 school years~~ employee at a school within the school district and during his employment at the school, ~~+~~

~~(I) Which carried the designation of demonstrating need for improvement; or~~

~~(II) At which at least 65 percent of the pupils who are enrolled in the school ~~are children who are~~ is designated as at risk ~~+~~ in accordance with the formula prescribed by the Department pursuant to subsection 5;~~

(2) The employee is a teacher who holds an endorsement in the field of mathematics, science, special education or English as a second language and has been employed for at least 1 school year to teach in the subject area for which he holds an endorsement; or

(3) The employee is a school psychologist who has been employed as a licensed school psychologist for at least 1 school year.

The provisions of this paragraph do not require consecutive years of employment or employment at the same school within the school district.

2. Except as otherwise provided in subsection 3, the board of trustees of a school district shall pay the cost for a licensed ~~{teacher or school psychologist}~~ employee to purchase one-fifth of a year of service for each year that ~~{a teacher or school psychologist}~~ the employee satisfies the requirements of subsection 1. A licensed employee who is eligible for the purchase of service may elect to receive, in lieu of the purchase of service, a stipend in the amount of \$2,500. If, in 1 school year, ~~{a teacher}~~ an employee satisfies the criteria set forth in both subparagraphs (1) and (2) of paragraph (d) of subsection 1, the school district in which the ~~{teacher}~~ employee is employed is not required to pay for more than one-fifth of a year of service pursuant to subsection 2 of NRS 286.300 or to pay for more than one stipend, as applicable, for that school year.

3. In no event may ~~{the}~~ :

(a) The years of service purchased by a licensed ~~{teacher or school psychologist}~~ employee as a result of subsection 2 of NRS 286.300 exceed 5 years.

(b) A licensed employee receive a stipend in lieu of the purchase of service for more than the number of years that he is eligible for the purchase of service.

4. The board of trustees of a school district shall not:

(a) Assign or reassign a licensed ~~{teacher or school psychologist}~~ employee to circumvent the requirements of this section.

(b) Include as part of ~~{a teacher's or school psychologist's}~~ the employee's salary the costs of paying the ~~{teacher or school psychologist}~~ employee to purchase service or pay a stipend, as applicable, pursuant to this section.

5. The Department shall, in consultation with representatives designated by the Nevada Association of School Superintendents and the Nevada Association of School Boards, or their successor organizations, as applicable, on or before June 30 of each year, develop a formula for identifying "at risk" schools for purposes of subsection 1. The formula must include, without limitation, the following factors:

(a) The percentage of pupils who are eligible for free or reduced price lunches pursuant to 42 U.S.C. §§ 1751 et seq.;

(b) The transiency rate of pupils;

(c) The percentage of pupils who are limited English proficient;

(d) The percentage of pupils who have individualized education programs;

(e) The percentage of pupils who score in the bottom two quarters on the mathematics portion or reading portion, or both, of the high school proficiency examination; and

(f) The percentage of pupils who drop out of school before graduation.

6. The board of trustees of each school district shall evaluate the effectiveness of the purchase of service and the payment of stipends pursuant

to this section, including, without limitation, an evaluation of whether the purchase of service and payment of stipends serve as effective tools in recruiting and retaining qualified licensed personnel. On or before July 1 of each year, the board of trustees of each school district shall submit a report of its evaluation and any recommendations to the State Board, the Department, the Legislative Committee on Education and the Director of the Legislative Counsel Bureau for transmission to the next regular session of the Nevada Legislature.

7. As used in this section:

(a) ~~[A child is “at risk” if he is eligible for free or reduced price lunches pursuant to 42 U.S.C. §§ 1751 et seq.]~~ “Individualized education program” has the meaning ascribed to it in 20 U.S.C. § 1414(d)(1)(A).

(b) “Service” has the meaning ascribed to it in NRS 286.078.”.

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

“Sec. 2. 1. The Department of Education shall transfer from the State Distributive School Account the sum of \$500,000 to provide stipends to postprobationary teachers and principals employed in certain schools during the 2005-2007 biennium. The money allocated must be used to provide stipends to postprobationary teachers and principals employed in isolated schools in remote or rural areas of the State that the Department of Education has determined are schools for which the school district in which the school is located has difficulty recruiting and retaining qualified teachers and principals.

2. A school district may submit an application to the Department of Education on or before November 1 of each fiscal year for an allocation from the amount transferred pursuant to subsection 1.

3. The Department of Education shall, in consultation with the Budget Division of the Department of Administration and the Fiscal Analysis Division of the Legislative Counsel Bureau:

(a) Develop a form for applications for an allocation pursuant to subsection 1.

(b) Establish criteria for a determination that a school district has difficulty recruiting and retaining qualified teachers and principals for a school.

4. Upon receipt of an application submitted pursuant to subsection 2, the Department of Education shall review the application jointly with the Budget Division of the Department of Administration and the Fiscal Analysis Division of the Legislative Counsel Bureau.

5. A school district that receives an allocation of money pursuant to this section shall use the money to provide stipends of not more than \$2,000 to postprobationary teachers and principals at schools in the district for which the Department of Education has determined the district has difficulty recruiting and retaining qualified teachers and principals.

6. The sum transferred pursuant to subsection 1 is available for either fiscal year of the 2005-2007 biennium. Any remaining balance of that sum must not be committed for expenditure after June 30, 2007, and must be reverted to the State Distributive School Account on or before September 21, 2007.

Sec. 3. The provisions of NRS 354.599 do not apply to any additional expenses of a local government that are related to the provisions of this act.”.

Amend sec. 2, page 4, by deleting line 18 and inserting:

“Sec. 4. 1. This section becomes effective upon passage and approval.

2. Section 1 of this act becomes effective upon passage and approval for the purpose of developing a formula to designate “at risk” schools and on July 1, 2005, for all other purposes.

3. Sections 2 and 3 of this act become effective on July 1, 2005.”.

Amend the title of the bill to read as follows:

“AN ACT relating to school personnel; revising the provisions governing the purchase of retirement credit for teaching in certain subject areas and schools; providing for the purchase of retirement credit for certain other licensed employees of school districts; allowing a licensed employee who is eligible for the purchase of retirement credit to receive a stipend in lieu of the retirement credit; requiring the Department of Education to make an allocation from the State Distributive School Account to provide stipends to certain educational personnel; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Revises provisions governing incentives for teachers teaching in certain subject areas and schools. (BDR 34-376)”.

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. 126.

Bill read second time.

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

Amendment No. 173.

Amend sec. 2, page 3, line 17, by deleting “*Perform*” and inserting:

“*Except if the services are provided in an educational setting, perform*”.

Amend sec. 2, page 3, line 40, by deleting “*spouse*” and inserting “*spouse, guardian*”.

Assemblywoman Buckley moved the adoption of the amendment.

Remarks by Assemblywoman Buckley.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 163.

Bill read second time and ordered to third reading.

Assembly Bill No. 197.

Bill read second time.

The following amendment was proposed by the Committee on Government Affairs:

Amendment No. 240.

Amend the bill as a whole by deleting sec. 5 and adding new sections designated sections 5 and 6, following sec. 4, to read as follows:

“Sec. 5. The two City Councilmen elected from Wards 1 and 3 whose terms of office commenced on July 1, 2005, shall be deemed to represent only Wards 1 and 3, respectively, commencing on July 1, 2007.

Sec. 6. This act becomes effective on January 23, 2007, for purposes related to the filing of a declaration of candidacy for the Office of City Councilman and on July 1, 2007, for all other purposes.”.

Assemblyman Atkinson moved the adoption of the amendment.

Remarks by Assemblyman Atkinson.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 203.

Bill read second time.

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

Amendment No. 187.

Amend the bill as a whole by deleting sections 1 through 3 and adding new sections designated sections 1 through 3.5, following the enacting clause, to read as follows:

“Section 1. Chapter 633 of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 3.5, inclusive, of this act.

Sec. 2. *“Hearing officer” means a person to whom the Board has delegated its authority pursuant to subsection 1 of section 3 of this act.*

Sec. 2.5. *“Panel” means a group of persons to whom the Board has delegated its authority pursuant to subsection 2 of section 3 of this act.*

Sec. 3. *The Board may delegate its authority to conduct a hearing concerning the discipline of a licensee pursuant to NRS 633.621 to:*

1. *A person; or*

2. *A group of such members of the Board as the President of the Board may designate from time to time, which group must consist of not less than three members of the Board, at least one of whom was appointed to the Board pursuant to subsection 2 or 3 of NRS 633.191.*

Sec. 3.5. *A hearing officer or panel has the powers of the Board in connection with a hearing conducted pursuant to NRS 633.621, and shall report to the Board with findings of fact and conclusions of law within 30 days after the final hearing on the matter. The Board may take action*

based upon the report of the hearing officer or panel, refer the matter to the hearing officer or panel for further hearings or conduct its own hearings on the matter.”.

Amend sec. 4, page 3, line 1, by deleting “section 2” and inserting: “sections 2 and 2.5”.

Amend sec. 7, page 5, line 5, by deleting: “or a hearing officer” and inserting: “, a hearing officer or panel”.

Amend sec. 7, page 5, by deleting lines 31 and 32, and inserting: “issued by the Board, *hearing officer or panel*, the court shall enter an order that the witness appear before the Board , *hearing officer or panel* at”.

Amend sec. 7, page 5, by deleting lines 36 through 39.

Amend sec. 12, page 9, by deleting lines 27 and 28, and inserting:

“1. Application and initial license fee ~~[\$500]~~ \$800

2. Annual license renewal fee ~~[300]~~ 500”.

Amend sec. 14, page 10, by deleting lines 25 through 30 and inserting:

“2. *The Board, a hearing officer or panel shall hold the formal hearing on the charges at the time and place designated in the notice of hearing. The President of the Board shall determine whether the hearing will be held before the Board, a hearing officer or panel.*”.

Amend sec. 15, page 10, by deleting lines 32 and 33, and inserting:

“633.641 In any disciplinary proceeding before the Board ~~[-]~~ , *a hearing officer or panel:*”.

Amend sec. 16, page 10, line 43, after “*officer,*” by inserting: “*a panel of the Board,*”.

Amend the title of the bill by deleting the third through the fifth lines and inserting: “officers or designate a panel to conduct disciplinary hearings; revising the provisions governing”.

Assemblyman Seale moved the adoption of the amendment.

Remarks by Assemblyman Seale.

Amendment adopted.

Bill ordered reprinted, engrossed and to third reading.

Assembly Bill No. 206.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 198.

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

Amend sec. 2, page 3, by deleting lines 10 and 11.

Amend. sec. 2, page 3, line 12, after “(8)” by inserting: “*Requiring an applicant for a special qualifications license to:*

(I) Pass each examination required by NRS 391.021 for the specific subject or subjects in which the applicant will provide instruction; or

(II) Hold a valid license issued by a professional licensing board of any state that is directly related to the subject area of the master's degree or doctoral degree held by the applicant.

(9)".

Amend the bill as a whole by deleting sec. 3 and renumbering sections 4 through 6 as sections 2 through 4.

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. 208.

Bill read second time.

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

Amendment No. 175.

Amend section 1, page 2, line 3, by deleting "1."

Amend section 1, page 2, by deleting lines 10 through 20.

Amend sec. 2, page 4, line 7, after "*delinquency*;" by deleting "*or*".

Amend sec. 2, page 4, line 10, by deleting "*NRS.*" and inserting: "*NRS; or (g) Any offense involving moral turpitude.*".

Amend sec. 3, page 4, line 12, by deleting "1." and inserting: "1-1".

Amend sec. 3, page 4, by deleting lines 21 through 31 and inserting:

~~"2.—The Board may issue a provisional license pending receipt of the report of the Federal Bureau of Investigation if the Board determines that the applicant is otherwise qualified.~~

~~3.—The Board shall revoke a provisional license upon receipt of the report from the Federal Bureau of Investigation if the report indicates that:~~

~~(a) The applicant or the osteopathic physician's assistant has been convicted of an act that is a ground for disciplinary action pursuant to NRS 633.511;~~

~~(b) The applicant or the osteopathic physician's assistant has been convicted of a felony set forth in NRS 633.741; or~~

Amend sec. 5, page 5, by deleting line 19 and inserting: "physician shall, on or before the date on which the physician must next submit the biennial registration required pursuant to NRS 630.267, submit to".

Amend sec. 6, page 5, by deleting line 43 and inserting: "before the date on which the osteopathic physician must next submit an application for renewal of the license pursuant to NRS 633.471, submit to the Board a complete".

Assemblyman Horne moved the adoption of the amendment.

Remarks by Assemblyman Horne.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 222.

Bill read second time.

The following amendment was proposed by the Committee on Education:

Amendment No. 199.

Amend sec. 4, page 4, line 1, after "*proposals*" by inserting: "*in accordance with any applicable procedures of the Legislative Counsel Bureau,*".

Amend sec. 4, page 4, line 3, by deleting "*State;*" and inserting: "*State and have previous experience with auditing school districts or otherwise reviewing school districts based upon the management principles;*".

Amend sec. 4, page 4, line 15, by deleting "*and*".

Amend sec. 4, page 4, line 19, by deleting "*review.*" and inserting: "*review; and*

(c) *A requirement that the consultant include on the team that will conduct the review at least one person who has experience with auditing school districts or otherwise reviewing school districts in accordance with the management principles.*".

Amend sec. 4, page 4, line 29, after "*Auditor.*" by inserting: "*Upon selection by the State Board, the Legislative Counsel Bureau shall prepare a written agreement between the Bureau and the consultant in accordance with any applicable procedures of the Bureau.*".

Amend sec. 4, page 4, line 34, after "*consultant.*" by inserting: "*Upon authorization of the State Board, the Legislative Counsel Bureau shall make the payments to the consultant.*".

Amend sec. 4, page 4, line 40, after "*consultant.*" by inserting: "*The self-assessment must include a review of the areas prescribed in subsection 2 of section 6 of this act based upon the management principles.*".

Amend sec. 5, page 5, by deleting line 12 and inserting: "*the school district who has at least one child enrolled in a public school within the district, appointed by the Governor;*".

Amend sec. 5, page 5, line 20, by deleting "*organization.*" and inserting: "*organization; and*

(g) *One school administrator who is employed by the school district to provide administrative service at an individual school and not to provide service at the district level, appointed by the President of the Nevada Association of School Administrators.*".

Assemblyman Conklin moved the adoption of the amendment.

Remarks by Assemblyman Conklin.

Amendment adopted.

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

Assembly Bill No. 292.

Bill read second time and ordered to third reading.

Assembly Bill No. 293.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 183.

Amend section 1, page 2, line 6, after “3.” by inserting: “*If any vehicle ceases to be exempt from taxation pursuant to this section because the owner is no longer on active duty in the Armed Forces of the United States, the owner shall notify the Department of that fact as soon as practicable after he becomes ineligible for the exemption. Upon receipt of the notice, the Department shall charge the governmental services tax to the owner in an amount that is prorated pursuant to subsection 6.*”

4. *If the owner of a vehicle specified in subsection 3 fails to notify the Department pursuant to that subsection that he is no longer on active duty in the Armed Forces of the United States, the owner shall pay to the Department the governmental services tax for each year the owner fails to provide that notice, prorated pursuant to subsection 6 for the portion of the year in which the vehicle was exempt from the tax, together with the governmental services tax for the next registration year and any fees for the renewal of the registration of the vehicle for that registration year.*

5.”.

Amend section 1, page 2, line 9, by deleting “4.” and inserting “6.”.

Amend section 1, page 2, between lines 12 and 13 by inserting:

“7. As used in this section, “active duty” means any period during which a person:

(a) *Serves as a member of the Armed Forces of the United States or the National Guard or any reserve component thereof; and*

(b) *While serving in that capacity, is required to serve outside the State of Nevada in support of a worldwide contingency operation of the Armed Forces of the United States.”.*

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

Assemblyman Parks moved the adoption of the amendment.

Remarks by Assemblyman Parks.

Amendment adopted.

Assemblywoman Giunchigliani moved that upon return from the printer Assembly Bill No. 293 be rereferred to the Committee on Ways and Means.

Motion carried.

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

Assembly Bill No. 307.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 214.

Amend the bill as a whole by deleting section 1 and renumbering sections 2 through 4 as sections 1 through 3.

Amend sec. 2, page 5, by deleting lines 6 through 38 and inserting:
 “refund of the portion of the registration fee and governmental services tax paid on the vehicle attributable *on a pro rata basis* to the remainder of the current calendar year or registration period . ~~{on a pro rata basis.}~~”

9. The Department shall issue a refund pursuant to subsection 8 only if ~~{the}~~ :

(a) *The request for a refund is made at the time the registration is cancelled* ~~{and the}~~ ;

(b) *The license plates are surrendered* ~~{, the}~~ ;

(c) *The person requesting the refund is a resident of Nevada* ~~{, the}~~ ;

(d) *The amount eligible for refund exceeds \$100, and evidence satisfactory to the Department is submitted that reasonably proves the existence of extenuating circumstances. For purposes of this subsection, the term “extenuating circumstances” means circumstances wherein:*

~~(a) The person has recently relinquished his driver’s license and has sold or otherwise disposed of his vehicle.~~

~~(b) \$50; and~~

(e) *The vehicle has been* ~~{determined}~~ :

(1) *Determined by the Department to be inoperable and the person does not transfer the registration to a different vehicle* ~~{,~~

~~(e) The owner of the vehicle is seriously ill or has died and the guardians or survivors have sold or otherwise disposed of the vehicle.~~

~~(d) Any other event occurs which the Department, by regulation, has defined to constitute an “extenuating circumstance” for the purposes of this subsection.}~~ ; or

(2) *Recently sold or otherwise disposed of.*

The Department shall not issue a refund pursuant to subsection 8 for vehicles considered to be dormant or used only on a seasonal basis.”.

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

“2. *If the person desires to declare pursuant to subsection 1 that he is a veteran of the Armed Forces of the United States, he shall provide evidence satisfactory to the Department that he has been honorably discharged from the Armed Forces of the United States.*

3. *If the person declares pursuant to subsection 1 that he is a”.*

Amend sec. 3, page 6, line 8, by deleting “3.” and inserting “4.”.

Assemblywoman McClain moved the adoption of the amendment.

Remarks by Assemblywoman McClain.

Amendment adopted.

Assemblywoman McClain moved that upon return from the printer Assembly Bill No. 307 be re-referred to the Committee on Ways and Means.

Motion carried.

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

Assembly Bill No. 341.

Bill read second time and ordered to third reading.

Assembly Bill No. 347.

Bill read second time and ordered to third reading.

Assembly Bill No. 348.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 184.

Amend section 1, page 2, by deleting line 7 and inserting:

“2. A police officer.”.

Amend section 1, page 2, line 8, by deleting “Seize” and inserting: “*Shall, without a warrant, seize*”.

Amend section 1, page 2, line 11, by deleting “Seize” and inserting: “*May, without a warrant, seize*”.

Amend section 1, page 2, line 14, by deleting “and” and inserting: “*if the device or mechanism cannot be removed from the motor vehicle by the police officer, and may*”.

Amend section 1, page 2, line 34, by deleting “gross”.

Amend section 1, page 2, line 37, after “*person*” by inserting: “*who is an employee of a government, governmental agency or political subdivision of this State and who is acting within the course and scope of his employment, or who is otherwise*”.

Amend the title of the bill, second line, by deleting “emergency”.

Assemblyman Horne moved the adoption of the amendment.

Remarks by Assemblyman Horne.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Assembly Bill No. 474.

Bill read second time.

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 242.

Amend section 1, pages 1 and 2, by deleting lines 8 through 13 on page 1 and lines 1 through 7 on page 2, and inserting:

“2. As used in this section:”.

Amend section 1, page 2, line 8, after “(a)” by inserting: ““*Inspector*” means an inspector of the Nevada Athletic Commission.

(b)".

Amend section 1, page 2, line 11, by deleting "(b)" and inserting "~~{(b)}~~ (c)".

Amend section 1, page 2, line 12, before "judge" by inserting "timekeeper, inspector,".

Amend the bill as a whole by adding new sections designated sections 4 and 5, following sec. 3, to read as follows:

"Sec. 4. NRS 467.104 is hereby amended to read as follows:

467.104 1. Any person who charges and receives an admission fee for exhibiting any live contest or exhibition of unarmed combat on a closed-circuit telecast, or motion picture, shall, within 10 days after the event, furnish to the Commission a verified written report on a form which is supplied by the Commission, showing the number of tickets sold and issued or sold or issued, and the gross receipts therefor without any deductions.

2. That person shall also, ~~[at the same time,]~~ *not later than 20 days after the exhibition*, pay to the Commission a license fee, exclusive of federal taxes thereon, of 4 cents for each \$1 or fraction thereof received for admission at the exhibition. The license fee applies uniformly at the same rate to all persons subject to it. The license fee must be based on the face value of all tickets sold and complimentary tickets issued.

Sec. 5. NRS 467.109 is hereby amended to read as follows:

467.109 1. Every promoter shall, within 10 days after the completion of any contest, match or exhibition for which an admission fee is charged and received, furnish to the Commission a verified written report showing:

(a) The number of tickets sold and issued or sold or issued for the contest, match or exhibition;

(b) The amount of the:

(1) Gross receipts from admission fees; and

(2) Gross receipts derived from the sale, lease or other exploitation of broadcasting, motion picture and television rights of such contest, match or exhibition,

without any deductions for commissions, brokerage fees, distribution fees, advertising, contestants' purses or any other expenses or charges; and

(c) Such other matters as the Commission may prescribe.

2. The promoter shall ~~[at the same time]~~, *not later than 20 days after the contest, match or exhibition*, pay to the Commission the license fee described in NRS 467.107."

Amend the title of the bill to read as follows:

"AN ACT relating to sporting events; expanding the sports officials to whom immunity from civil liability is provided for certain acts or omissions while officiating a sporting event; providing enhanced penalties in certain circumstances for committing assault or battery against certain sports officials at sporting events; extending the time for payment of certain license fees to the Nevada Athletic Commission; providing penalties; and providing other matters properly relating thereto."

Amend the summary of the bill to read as follows:

“SUMMARY—Makes various changes concerning certain sporting events. (BDR 3-1374)”.

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. 493.

Bill read second time.

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

Amendment No. 159.

Amend sec. 3, page 2, by deleting line 22 and inserting:

“2. *Provide a monthly subsidy of up to \$100 toward a policy of*”.

Amend sec. 4, page 3, line 6, after “*section.*” by inserting:

“*Such regulations must include, without limitation, a requirement that a person is not eligible for a subsidy unless his employer contributes at least 50 percent toward the premium for insurance provided by the employer.*”.

Amend sec. 4, page 3, by deleting lines 11 through 13.

Amend sec. 5, page 3, line 16, after “1.” by inserting:

“*The money transferred pursuant to subsection 2 of NRS 428.305; 2.*”.

Amend sec. 5, page 3, line 18, by deleting “2.” and inserting “3.”.

Amend sec. 9, page 4, line 32, by deleting “2” and inserting “3”.

Amend sec. 9, page 4, by deleting lines 36 through 41.

Amend sec. 13, page 6, by deleting lines 14 through 16 and inserting:

“~~respective counties.~~ *must be transferred to the Health Insurance Flexibility and Accountability Holding Account in the State General Fund in an amount not to exceed the amount of any appropriation provided by the Legislature to fund a program established pursuant to section 4 of this act.*”

3. *Any money remaining in the Health Insurance Flexibility and Accountability Holding Account at the end of each fiscal year reverts to the Fund for Hospital Care to Indigent Persons and to the State General Fund in equal amounts.*”.

Amend the bill as a whole by deleting sec. 15 and renumbering sections 16 through 18 as sections 15 through 17.

Amend sec. 17, page 7, by deleting line 39 and inserting:

“June 30, 2005, must be transferred to the Fund for Hospital Care to Indigent Persons.”.

Amend sec. 18, page 7, by deleting lines 40 through 45 and inserting:

“Sec. 17. 1. This section and sections 1 to 6, inclusive, and 16 of this act become effective on July 1, 2005.

2. Sections 7 to 15, inclusive, of this act become effective on July 1, 2005, and expire by limitation on July 1, 2007, if the waiver applied for by

the Director of the Department of Human Resources pursuant to section 2 of this act is not approved by the Federal Government.”.

Assemblywoman Buckley moved the adoption of the amendment.

Remarks by Assemblywoman Buckley.

Amendment adopted.

Assemblywoman Buckley moved that upon return from the printer Assembly Bill No. 493 be rereferred to the Committee on Ways and Means.

Motion carried.

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

Assembly Bill No. 527.

Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 8.

Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 10.

Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 14.

Bill read second time and ordered to third reading.

Assembly Joint Resolution No. 16.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Denis moved that Assembly Bill No. 169 be taken from the Chief Clerk's desk and placed at the top of the top of the General File.

Remarks by Assemblyman Denis.

Motion carried.

Assemblywoman Pierce moved that Assembly Bill No. 139 be taken from the Chief Clerk's desk and placed at the top of the General File.

Remarks by Assemblywoman Pierce.

Motion carried.

Assemblywoman Parnell moved that Assembly Bill No. 388 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblywoman Parnell.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 139.

Bill read third time.

The following amendment was proposed by Assemblywoman Pierce:

Amendment No. 294.

Amend section 1, page 2, line 6, by deleting “*employers; or*” and inserting *employers.*”.

Amend section 1, page 2, line 7, by deleting “*not employed*” and inserting: “*the dependent of another person*”.

Assemblywoman Pierce moved the adoption of the amendment.

Remarks by Assemblywoman Pierce.

Amendment adopted.

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

Assembly Bill No. 169.

Bill read third time.

The following amendment was proposed by the Assemblyman Denis:

Amendment No. 268.

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

“Section 1. Chapter 487 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *If a sheriff's office or other law enforcement agency discovers that, or receives notification that, a vehicle has been abandoned on public lands, the sheriff's office or other law enforcement agency shall:*

(a) Make all practical inquiries to ascertain if the vehicle is stolen by checking the license plate number, vehicle identification number and other available information which will aid in identifying the registered owner of the vehicle; and

(b) If the vehicle has not been reported as stolen and the sheriff's office or other law enforcement agency is able to determine the identity of the most recent registered owner of the vehicle, notify the Department of those facts.

2. *Upon the receipt of a notice from a sheriff's office or other law enforcement agency pursuant to paragraph (b) of subsection 1, the Department shall send by registered or certified mail, return receipt requested, a written notice to the most recent registered owner of the vehicle stating that the owner must remove or cause the vehicle to be removed from the public lands within 30 days after the date on which the notice was sent.*

3. *If the most recent registered owner of a vehicle abandoned on public lands fails to remove or cause the vehicle to be removed within the 30-day period set forth in the notice sent pursuant to subsection 2, the Department shall suspend the registration of each vehicle currently registered to the person pursuant to chapter 482 of NRS. For the purposes of this subsection, the determination of the sheriff's office or other law enforcement agency that notified the Department pursuant to paragraph (b) of subsection 1 is conclusive as to whether the abandoned vehicle was removed within the 30-day period.*

4. *If the registration of a vehicle is suspended pursuant to subsection 3, the Department shall reinstate the registration upon receipt from the registered owner of the vehicle of:*

(a) An affidavit setting forth that he caused the removal and disposition of, or proof that he paid the cost of removal and disposition of, the vehicle discovered abandoned upon public lands; and

(b) If applicable, proof that he redeemed any lien placed pursuant to NRS 487.270 on the vehicle discovered abandoned on public lands.

5. *If a sheriff's office or other law enforcement agency is notified by a person or another governmental entity that a vehicle has been abandoned on public lands, the sheriff's office or other law enforcement agency shall, insofar as practicable and authorized by law, inform the person or entity making such notification of the actions taken by the sheriff's office or other law enforcement agency pursuant to this section.*

Sec. 2. NRS 487.210 is hereby amended to read as follows:

487.210 As used in NRS 487.220 to 487.300, inclusive, *and section 1 of this act*, unless the context otherwise requires ~~[-"abandoned"]~~ :

1. "Abandoned vehicle" means a vehicle:

~~{1-}~~ (a) *If the vehicle is discovered upon public lands, that the owner has discarded.*

(b) If the vehicle is discovered upon public or private property other than public lands:

(1) That the owner has discarded; or

~~{2-}~~ (2) *Which has not been reclaimed by the registered owner or a person having a security interest in the vehicle within 15 days after notification pursuant to NRS 487.250.*

2. "Public lands" *has the meaning ascribed to it in NRS 321.5963.*

Sec. 3. NRS 487.220 is hereby amended to read as follows:

487.220 1. Every person who abandons a vehicle is responsible for the cost of removal and disposition of ~~[-such]~~ the vehicle.

2. An abandoned vehicle is presumed to have been abandoned by the registered owner thereof. The registered owner may ~~[-not]~~ rebut this presumption by showing that ~~[-he]~~ :

(a) He transferred his interest in the abandoned vehicle ~~[-unless he complied with the provisions set forth in NRS 482.399 to 482.420, inclusive.]~~ as indicated by a bill of sale for the vehicle that is signed by the registered owner; or

(b) The vehicle was stolen, if he submits evidence that, before the discovery of the vehicle, he filed an affidavit with the Department or a written report with an appropriate law enforcement agency alleging the theft of the vehicle."

Amend the title of the bill to read as follows:

"AN ACT relating to motor vehicles; requiring the owner of a vehicle abandoned on public lands to remove or cause the removal of that vehicle; setting forth the circumstances under which the registered owner of a vehicle

abandoned in any location may rebut the presumption that he abandoned the vehicle; and providing other matters properly relating thereto.”.

Amend the summary of the bill to read as follows:

“SUMMARY—Makes various changes relating to abandoned motor vehicles. (BDR 43-967)”.

Assemblyman Denis moved the adoption of the amendment.

Remarks by Assemblyman Denis.

Amendment adopted.

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

Assembly Bill No. 39.

Bill read third time.

Remarks by Assemblyman Parks.

Roll call on Assembly Bill No. 39:

YEAS—41.

NAYS—None.

EXCUSED—Christensen.

Assembly Bill No. 39 having received a constitutional majority,
Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 46.

Bill read third time.

Remarks by Assemblymen Buckley and Anderson.

Roll call on Assembly Bill No. 46:

YEAS—41.

NAYS—None.

EXCUSED—Christensen.

Assembly Bill No. 46 having received a constitutional majority,
Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 76.

Bill read third time.

Remarks by Assemblywoman Smith.

Roll call on Assembly Bill No. 76:

YEAS—41.

NAYS—None.

EXCUSED—Christensen.

Assembly Bill No. 76 having received a constitutional majority,
Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 118.

Bill read third time.

Remarks by Assemblymen McClain, Ohrenschall, and Angle.

Conflict of interest declared by Assemblywoman Ohrenschall.

Roll call on Assembly Bill No. 118:

YEAS—40.

NAYS—None.

NOT VOTING—Ohrenschall.

EXCUSED—Christensen.

Assembly Bill No. 118 having received a constitutional majority,
Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 123.

Bill read third time.

Remarks by Assemblyman Anderson.

Roll call on Assembly Bill No. 123:

YEAS—41.

NAYS—None.

EXCUSED—Christensen.

Assembly Bill No. 123 having received a constitutional majority,
Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 136.

Bill read third time.

Remarks by Assemblyman Conklin.

Roll call on Assembly Bill No. 136:

YEAS—39.

NAYS—Carpenter, Sibley—2.

EXCUSED—Christensen.

Assembly Bill No. 136 having received a constitutional majority,
Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

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

Assembly in recess at 12:56 p.m.

ASSEMBLY IN SESSION

At 12:57 p.m.

Mr. Speaker presiding.

Quorum present.

Assemblyman Ocegüera moved that Assembly Bill No. 435 just reported
out of committee, be rereferred to the Committee on Ways and Means.

Motion carried.

Assemblyman Ocegüera moved that Assembly Bill No. 350 be taken from
the General File and rereferred to the Committee on Ways and Means.

Motion carried.

Assemblyman Ocegüera moved that Assembly Bills Nos. 166, 179, 181, 182, 187, 190, 216, 235, 256, 276, 345, 346, 368, 377, 402, 421, 445, 470, 486, 505, 507; Assembly Joint Resolutions Nos. 4, 6, 12; Senate Bills Nos. 73, 132 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce and Labor, to which was referred Assembly Bill No. 58, 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 Commerce and Labor, to which was referred Assembly Bill No. 436, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

BARBARA BUCKLEY, *Chairman*

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Allen, the privilege of the floor of the Assembly Chamber for this day was extended to Kevin Janison, Terri Janison, Jo Boyd, Norma Lozada, and Niki Wolin.

On request of Assemblywoman Angle, the privilege of the floor of the Assembly Chamber for this day was extended to Kim Pinson.

On request of Assemblyman Atkinson, the privilege of the floor of the Assembly Chamber for this day was extended to Antoinette Crockett and Greta Buckley.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Lora Minter and Barb Sealy.

On request of Assemblyman Conklin, the privilege of the floor of the Assembly Chamber for this day was extended to Bridgett Lopez, Elizabeth Woodland, Dawn Recheleau, Loren Romero, and Becky Romero.

On request of Assemblyman Denis, the privilege of the floor of the Assembly Chamber for this day was extended to Victor McGuire, Judy Lee, and Diane Leavitt.

On request of Assemblywoman Gansert, the privilege of the floor of the Assembly Chamber for this day was extended to Daniel Hickock-Young and Tim Young.

On request of Assemblywoman Giunchigliani, the privilege of the floor of the Assembly Chamber for this day was extended to Shirley Emrogno and Vicky Gallegos.

On request of Assemblyman Goicoechea, the privilege of the floor of the Assembly Chamber for this day was extended to Shannon Ramirez and Sheila Campbell.

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to Yvette Williams, Noreen Albers, and Joy Hansson.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to William John Wynn, Antoinette Mims, Edith Wynn, Mike Davis, Joseph Lancto, Jackie Murphy, Denishia Jordan, Danielle Jordan, Tamika Harris, Mario Washington, Robert Caesar, Tenessa Armstrong, Votac Bullock, Brandon Bullock, Louis Thomas, Nicolette Thomas, Elizabeth Alicia Larraz, Darrell Thomas Jr., Brittnay Outley, Vincent Bullock Jr., Vanessa Magana, Pedro Santivanez, Tracy Grillo, Lisette Garcia Kohler, Tim Grillo, and Jim Kohler.

On request of Assemblyman Hettrick, the privilege of the floor of the Assembly Chamber for this day was extended to Charity Dahlke and Rachel Brandes.

On request of Assemblywoman Kirkpatrick, the privilege of the floor of the Assembly Chamber for this day was extended to Danielle Ellico and Shonda Dann.

On request of Assemblywoman Leslie, the privilege of the floor of the Assembly Chamber for this day was extended to Teresa Fullerton and Velvet Davidson.

On request of Assemblyman Manendo, the privilege of the floor of the Assembly Chamber for this day was extended to Mapuana Vai, Karen Flanagan, and Vailaau Vai.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Charmain Hopper and Cynthia Murphy.

On request of Assemblywoman McClain, the privilege of the floor of the Assembly Chamber for this day was extended to Joy Kendall, Amy Widdison, and Sandi Dutton.

On request of Assemblyman McCleary, the privilege of the floor of the Assembly Chamber for this day was extended to Emily Coombs and Chris Leavitt.

On request of Assemblyman Munford, the privilege of the floor of the Assembly Chamber for this day was extended to Gwen Campbell.

On request of Assemblyman Ocegueda, the privilege of the floor of the Assembly Chamber for this day was extended to Tonya Pack.

On request of Assemblywoman Ohrenschall, the privilege of the floor of the Assembly Chamber for this day was extended to Michele Nemione, Maria Elwood, and Tracey Bush.

On request of Assemblywoman Parnell, the privilege of the floor of the Assembly Chamber for this day was extended to Jenifer Blake and Heather Brazil.

On request of Assemblywoman Pierce, the privilege of the floor of the Assembly Chamber for this day was extended to Angela Ardolina and Nicki Avery.

On request of Assemblyman Sherer, the privilege of the floor of the Assembly Chamber for this day was extended to Sarah Krieger, Debbie Kirby, Kay Powell, Petra Perez, George Worden, Anita Worden, Jessie Cornforth, Lee Petty, Judy Potts, Kay Stidham, Jennifer Byington, Lynn Andreason, Dan Isaac, Jessica Villa, Ed Stidham, Jesse Mazur, Kimberly Arias, Mary Moore, Mitchell Jackstadt, Amber Martinez, Briseyda Muro, Christian Thackeray, Ermilo Arias, Osvaldo Arias, Darren Chapa, Erik "A.J." Gromis, Eric "Cedric" Kirby, Joshua Moore, Julie Morton, Eric Reynoso, Vanessa Aguilera, Daniel Arias, Jose Arias, Maurice Kennedy, Sandra Miramontes, Joshua Morton, Adam Thackeray, Ambrlyn Gromis, Mark Isaac, Roberto Miramontes, Patrick Moore, Sergio Perez, Annalysse Petty, William Huelsen, Tyanna Petty, Aaron Rohlman, Colton Fought, Cheyanne Hogwood, Austin Rohlman, Chance Hogwood, Jedidiah Fritz, Dayman Stratford, Robert Batt, Kristopher Gillum, Wyatt Singleton, Shawn Carlsen, Corrie Fritz, Michael Gordon, Melissa Ivy, Cole Shrider, James Gordon, Jordan Shelton, Jessica Stanley, Natasha Shelton, Jerri Thompson-Ivy, Dylan Sanford, Rebecca Shrider, Devan Stuart, Ariel Bradley, Melissa Collier, Kristian Johnson, Gary Conway, Josiah Fritz, and Curtis Jordan.

On request of Assemblyman Sibley, the privilege of the floor of the Assembly Chamber for this day was extended to Kim Tso and Kelly Tourek.

On request of Assemblywoman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to D.J. Stutz and Linda Hodge.

On request of Assemblywoman Weber, the privilege of the floor of the Assembly Chamber for this day was extended to Loretta Evenson and Barbara Clark.

Assemblywoman Buckley moved that the Assembly adjourn until Friday, April 15, 2005, at 11:30 a.m.

Motion carried.

Assembly adjourned at 12:58 p.m.

Approved:

RICHARD D. PERKINS
Speaker of the Assembly

Attest: NANCY S. TRIBBLE
Chief Clerk of the Assembly