

THE NINETY-NINTH DAY

CARSON CITY (Monday), May 16, 2005

Assembly called to order at 11:03 a.m.

Mr. Speaker presiding.

Roll called.

All present except Assemblyman Horne, who was excused.

Prayer by the Chaplain, Pastor Stan Pesis.

Spirit of God, the rain and snow You have given us this year has brought us a rainbow of colors as the flowers of the desert bloom. Remind us when we see such beauty, to remember that we, too, may wait until Your Spirit provides all things necessary for our lives to bloom and grow.

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 Senate Bills Nos. 15, 135, 138, 225, 255, 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 Ways and Means, to which were rereferred Assembly Bills Nos. 299, 500 and 530, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY JR., *Chairman*

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 13, 2005

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 78.

MARY JO MONGELLI

Assistant Secretary of the Senate

INTRODUCTION, FIRST READING, AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 561—AN ACT relating to state financial administration; extending the reversion date of the appropriation made in the 20th Special Session for distribution to the Fighting AIDS in Our Community Today organization for expenses related to the provision of

certain HIV/AIDS services; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 562—AN ACT relating to education; revising provisions regarding the implementation of the No Child Left Behind Act by this State; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 78.

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

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 11:09 a.m.

ASSEMBLY IN SESSION

At 11:12 a.m.

Mr. Speaker presiding.

Quorum present.

SECOND READING AND AMENDMENT

Assembly Bill No. 533.

Bill read second time.

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

Amendment No. 696.

Amend section 1, page 1, by deleting lines 3 through 9 and inserting:

“Sec. 4. 1. The sums appropriated by section 1 of this act are available for either fiscal year.

2. Any remaining balance of the ~~sums~~ sum appropriated by subsection 1 of section 1 of this act must not be allocated by the Interim Finance Committee after June 30, ~~2005,~~ 2007, and reverts to the State Highway Fund ~~and to the State General Fund, respectively,~~ as soon as all payments of money committed have been made.

3. Any remaining balance of the sum appropriated by subsection 2 of section 1 of this act must not be allocated by the Interim Finance Committee

after June 30, 2005, and reverts to the State General Fund as soon as all payments of money committed have been made.”.

Assemblywoman Giunchigliani moved the adoption of the amendment.

Remarks by Assemblywoman Giunchigliani.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Senate Bill No. 19.

Bill read second time and ordered to third reading.

Senate Bill No. 93.

Bill read second time.

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

Amendment No. 695.

Amend section 1, page 1, line 3, by deleting “\$1,400,000” and inserting “\$1,300,000”.

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblyman Arberry.

Amendment adopted.

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

Senate Bill No. 169.

Bill read second time and ordered to third reading.

Senate Bill No. 180.

Bill read second time and ordered to third reading.

Senate Bill No. 193.

Bill read second time.

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

Amendment No. 738.

Amend section 1, page 2, lines 6 and 7, by deleting: “is:

(1) A” and inserting “is a”.

Amend section 1, page 2, by deleting lines 9 through 11 and inserting: “State Medical Association.

~~{2.—One doctor of}~~

(b) *One member who is an osteopathic physician licensed to practice”.*

Amend section 1, page 2, line 14, by deleting “(b)” and inserting “(c)”.

Amend section 1, page 2, line 17, by deleting “(c)” and inserting “(d)”.

Amend section 1, page 2, line 19, by deleting “(d)” and inserting “(e)”.

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

Amend section 1, page 3, line 4, by deleting “(f)” and inserting “(g)”.

Amend section 1, page 3, line 8, by deleting “(g)” and inserting “(h)”.

Amend section 1, page 3, line 11, by deleting “(h)” and inserting “(i)”.

Amend sec. 6, page 5, by deleting line 10 and inserting:

“2. The Committee shall charge and collect:

(a) From a university, state college, community college or medical school within the University and Community College System of Nevada and any other medical school in this State to which the Committee distributes a dead human body in accordance with subsection 1, a fee in an amount”.

Amend sec. 6, page 5, line 12, by deleting “a” and inserting “the”.

Amend sec. 6, page 5, by deleting lines 13 through 16 and inserting: “451.350 to 451.470, inclusive; and

(b) From any other person or entity to which the Committee distributes a dead human body in accordance with subsection 1:

(1) A fee in an amount not to exceed the expenses of the Committee to obtain, handle and distribute the body delivered to it pursuant to the provisions of NRS 451.350 to 451.470, inclusive; and

(2) An additional fee of \$200 for each body distributed to the person or entity which must be used by the Committee to carry out the provisions of NRS 451.350 to 451.470, inclusive.”.

Assemblywoman Leslie moved the adoption of the amendment.

Remarks by Assemblywoman Leslie.

Amendment adopted.

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

Senate Bill No. 290.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 712.

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 482.3763 is hereby amended to read as follows:

482.3763 1. The Director shall order the preparation of special license plates in support of veterans’ homes, and establish procedures for the application for and issuance of the plates.

2. The Department shall, upon application therefor and payment of the prescribed fees, issue special license plates in support of veterans’ homes to ~~any~~ :

(a) A veteran of the ~~Armed Forces~~ Army, Navy, Air Force, Marine Corps or Coast Guard of the United States , a reserve component thereof or ~~this~~ the National Guard; or

(b) The spouse, parent or child ~~[-]~~ of a person described in paragraph (a).

The plates must be inscribed with the word “VETERAN” ~~[and four consecutive numbers,]~~ and with the seal of the branch of the Armed Forces of the United States *or the seal of the National Guard, as applicable*, requested by the applicant. *A person may request that personalized prestige license plates issued pursuant to NRS 482.3667 be combined with special license*

plates in support of veterans' homes if that person pays the fees for the personalized prestige license plates in addition to the fees for the special license plates in support of veterans' homes pursuant to subsection 4.

3. If , during a registration year, the holder of special plates issued pursuant to this section disposes of the vehicle to which the plates are affixed, ~~he shall retain~~ *the holder shall:*

(a) Retain the plates and ~~[-~~

~~(a) Affix~~ *affix them to another vehicle which meets the requirements of this section [and report the change to the Department in accordance with the procedure set forth for other transfers;] if the holder pays the fee for the transfer of the registration and any registration fee or governmental services tax due pursuant to NRS 482.399; or*

(b) Within 30 days after removing the plates from the vehicle, return them to the Department.

4. In addition to all other applicable registration and license fees and governmental services taxes, and to the special fee for veterans' homes, the fee for:

(a) The initial issuance of the special license plates is \$35.

(b) The annual renewal sticker is \$10.

5. If the special plates issued pursuant to this section are lost, stolen or mutilated, the owner of the vehicle may secure a set of replacement license plates from the Department for a fee of \$10.”.

Amend sec. 3, page 4, line 6, by deleting “section 1” and inserting: “sections 1 and 2”.

Amend sec. 3, page 4, line 8, by deleting “Section 2” and inserting “Section 3”.

Amend the title of the bill, first line, after “vehicles;” by inserting: “revising certain provisions governing special license plates in support of veterans' homes;”.

Amend the summary of the bill to read as follows:

“SUMMARY—Makes various changes concerning issuance of certain special license plates. (BDR 43-223)”.

Assemblyman Ocegüera moved the adoption of the amendment.

Remarks by Assemblyman Ocegüera.

Amendment adopted.

Bill ordered reprinted, engrossed, and to third reading.

Senate Bill No. 295.

Bill read second time and ordered to third reading.

Senate Bill No. 307.

Bill read second time.

The following amendment was proposed by the Committee on Transportation:

Amendment No. 728.

Amend section 1, page 3, line 36, by deleting “*services.*” and inserting: “*services, if the company elects, in the form and manner prescribed by the Department, to have the property of the company assessed by a county assessor.*”.

Amend the title of the bill, first line, by deleting “requiring” and inserting “authorizing”.

Amend the summary of the bill to read as follows:

“SUMMARY—Authorizes local assessment of unscheduled air transport companies that only use three or fewer small planes. (BDR 32-1289)”.

Assemblyman Ocegüera moved the adoption of the amendment.

Remarks by Assemblyman Ocegüera.

Amendment adopted.

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

Senate Bill No. 321.

Bill read second time and ordered to third reading.

Senate Bill No. 424.

Bill read second time and ordered to third reading.

Senate Joint Resolution No. 12.

Bill read second time and ordered to third reading.

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

Assembly in recess at 11:26 a.m.

ASSEMBLY IN SESSION

At 11:28 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ocegüera moved that Senate Bill No. 174 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

Assemblyman Anderson moved that Senate Bill No. 201 be taken from the Chief Clerk’s desk and placed on the Second Reading File.

Remarks by Assemblyman Anderson.

Motion carried.

Assemblyman Anderson moved that Senate Bill No. 382 be taken from the Chief Clerk’s desk and placed on the General File.

Remarks by Assemblyman Anderson.

Motion carried.

Assemblywoman Leslie moved that Senate Bill No. 235 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblywoman Leslie.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 201.

Bill read second time and ordered to third reading.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Ways and Means, to which was rereferred Assembly Bill No. 386, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass, as amended.

Also, your Committee on Ways and Means, to which was rereferred Assembly Bill No. 279, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

MORSE ARBERRY JR., *Chairman*

INTRODUCTION, FIRST READING, AND REFERENCE

By the Committee on Ways and Means:

Assembly Bill No. 563—AN ACT relating to public officers; establishing the Commission to Review the Compensation of Legislators; making an appropriation; and providing other matters properly relating thereto.

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

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 11:33 a.m.

ASSEMBLY IN SESSION

At 11:34 a.m.

Mr. Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblywoman Buckley moved that Assembly Bill No. 249 be taken from the General File and placed on the Chief Clerk's desk.

Remarks by Assemblywoman Buckley.

Motion carried.

Assemblyman Arberry moved that Senate Bill No. 321 be taken from the General File and rereferred to the Committee on Ways and Means.

Motion carried.

GENERAL FILE AND THIRD READING

Senate Bill No. 31.

Bill read third time.

Remarks by Assemblyman Mabey.

Roll call on Senate Bill No. 31:

YEAS—41.

NAYS—None.

EXCUSED—Horne.

Senate Bill No. 31 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 91.

Bill read third time.

Remarks by Assemblywoman Weber.

Roll call on Senate Bill No. 91:

YEAS—41.

NAYS—None.

EXCUSED—Horne.

Senate Bill No. 91 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 205.

Bill read third time.

Remarks by Assemblywomen Leslie and Giunchigliani.

Roll call on Senate Bill No. 205:

YEAS—41.

NAYS—None.

EXCUSED—Horne.

Senate Bill No. 205 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 261.

Bill read third time.

Remarks by Assemblywoman Weber.

Roll call on Senate Bill No. 261:

YEAS—41.

NAYS—None.

EXCUSED—Horne.

Senate Bill No. 261 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Senate Bill No. 297.

Bill read third time.

Remarks by Assemblywoman Leslie.

Roll call on Senate Bill No. 297:

YEAS—41.

NAYS—None.

EXCUSED—Horne.

Senate Bill No. 297 having received a constitutional majority, Mr. Speaker declared it passed.

Bill ordered transmitted to the Senate.

Senate Bill No. 382.

Bill read third time.

Remarks by Assemblyman Mabey.

Roll call on Senate Bill No. 382:

YEAS—37.

NAYS—Anderson, Buckley, Holcomb, Ohrenschall—4.

EXCUSED—Horne.

Senate Bill No. 382 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 502.

The following Senate amendment was read:

Amendment No. 659.

Amend section 1, page 1, line 6, after “*sole*” by inserting “*or primary*”.

Amend section 1, page 2, line 31, by deleting “*in of*” and inserting “*in*”.

Amend sec. 15, page 12, line 15, by deleting “*a substantial*” and inserting: “*the sole or primary*”.

Amend sec. 15, page 12, line 37, by deleting: “*of the employers*”.

Amend sec. 15, page 12, line 39, before “*primarily*” by inserting “*solely or*”.

Assemblyman Conklin moved that the Assembly concur in the Senate amendment to Assembly Bill No. 502.

Remarks by Assemblyman Conklin.

Motion carried by a constitutional majority.

Bill ordered to enrollment.

RECEDE FROM ASSEMBLY AMENDMENTS

Assemblywoman Leslie moved that the Assembly do not recede from its action on Senate Bill No. 68, that a conference be requested, and that Mr. Speaker appoint a first Conference Committee consisting of three members to meet with a like committee of the Senate.

Remarks by Assemblywoman Leslie.

Motion carried.

APPOINTMENT OF CONFERENCE COMMITTEES

Mr. Speaker appointed Assemblymen McClain, Pierce, and Mabey as a first Conference Committee to meet with a like committee of the Senate for the further consideration of Senate Bill No. 68.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Goicoechea, the privilege of the floor of the Assembly Chamber for this day was extended to Ashley Smith and Nick O'Neill.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Patty Gray, Bonnie Akbar, Rosalba Medina, Mark Pustovrh, Stacey Andrews, Franky Beltran Gonzalez, Micheal Bolander, Daniel Cervantes, Alan Chavarria Sagastume, Rylie Clark, Lizeth Gutierrez Bravo, Amanda Silvers, Felipe Hernandez Medina, Lexi Johnson, Julio Perez Barriga, Matthew Pustovrh, Mariah Rhinehart, Katie Anderson, Miranda Carlton, Rebecca Chavez, Joselin Gonzalez, Shelby Kirschner, Tenessa Melvin, Joseph Prather, Marta Romero, Krystal Schertz, Alexis Torres Solorzano, Christian Trigilio, Briana Wardsworth, Jonathan Aquino, Cameron Bolado, Jazlyn Chavez Espinosa, Justin Cornwall, Jesser Fuentes Cristales, Paloma Garcia Renteria, Russell Holland, Nicholas Klett, Jessica Marlow, Ashley Medina Gil, Esmeralda Pantoja, Jessamyn Perez Monroy, Jordon Powell, Sergio Romero, Kacey Worsham, and Jay Kornmayer.

Assemblywoman Buckley moved that the Assembly adjourn until Tuesday, May 17, 2005, at 11:00 a.m.

Motion carried.

Assembly adjourned at 11:53 a.m.

Approved:

RICHARD D. PERKINS
Speaker of the Assembly

Attest: NANCY S. TRIBBLE
Chief Clerk of the Assembly