

THE ONE-HUNDREDTH DAY

CARSON CITY (Tuesday), May 17, 2005

Assembly called to order at 11:18 a.m.

Mr. Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Elder Ralph Burns.

Today we are gathered to honor your positions and praise you for the hard work you have done to get here. I ask the Creator to bless you with the strength and wisdom to make good and fair decisions. To not only think with your mind but to look into your hearts and listen for answers to make right choices that affect all the people, all the land, all the waters, and all the air. May your families also have good health and happiness to support you in your work. With great respect, heartfelt gratitude, we welcome you all and wish you good luck as your journey begins.

AMEN.

Pledge of Allegiance to the Flag.

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

Motion carried.

REPORTS OF COMMITTEES

Mr. Speaker:

Your Committee on Commerce and Labor, to which was referred Senate Bill No. 483, 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 Senate Bill No. 247, has had the same under consideration, and begs leave to report the same back with the recommendation: Rerefer to the Committee on Ways and Means.

BARBARA BUCKLEY, *Chairman*

Mr. Speaker:

Your Committee on Elections, Procedures, Ethics, and Constitutional Amendments, to which was referred Senate Bill No. 70, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

ELLEN KOIVISTO, *Chairman*

Mr. Speaker:

Your Committee on Government Affairs, to which were referred Senate Bills Nos. 81, 131, 184, 194, 229, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

DAVID PARKS, *Chairman*

Mr. Speaker:

Your Committee on Health and Human Services, to which was referred Senate Bill No. 280, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Health and Human Services, to which was referred Senate Bill No. 395, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

Also, your Committee on Health and Human Services, to which was referred Senate Bill No. 36, has had the same under consideration, and begs leave to report the same back with the recommendation: Amend, and do pass as amended.

SHEILA LESLIE, *Chairman*

Mr. Speaker:

Your Committee on Judiciary, to which was referred Senate Bill No. 443, 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 Senate Bill No. 331, 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 Senate Concurrent Resolution No. 21, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

BERNIE ANDERSON, *Chairman*

Mr. Speaker:

Your Committee on Ways and Means, to which was referred Assembly Bill No. 101, 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 referred Assembly Bill No. 313, 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*

Mr. Speaker:

Your Concurrent Committee on Ways and Means, to which was referred Assembly Bill No. 526, 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*

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblywoman Buckley moved that Senate Bill No. 247 be rereferred to the Committee on Ways and Means.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, May 16, 2005

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Assembly Bills Nos. 80, 108, 118, 159, 181, 231, 271, 392, 393, 486, 537, 547; Assembly Joint Resolutions Nos. 4, 10, 12, 14.

Also, I have the honor to inform your honorable body that the Senate amended, and on this day passed, as amended, Assembly Bill No. 112, Amendment No. 732; Assembly Bill No. 220, Amendment No. 678; Assembly Bill No. 341, Amendment No. 699; Assembly Bill No. 501, Amendment No. 706; Assembly Bill No. 518, Amendment No. 704, and respectfully requests your honorable body to concur in said amendments.

Also, I have the honor to inform your honorable body that the Senate on this day passed, as amended, Senate Bill No. 214.

MARY JO MONGELLI
Assistant Secretary of the Senate

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

Assembly in recess at 11:25 a.m.

ASSEMBLY IN SESSION

At 11:26 a.m.

Madam Speaker pro Tempore presiding.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

By Assemblymen Perkins, Buckley, and Hettrick:

Assembly Resolution No. 6—Establishing an Assembly Wall of Distinction.

WHEREAS, Certain past members of the Assembly have distinguished themselves with their exemplary contributions to the State of Nevada in their public service to its residents and in their professional and private lives; and

WHEREAS, Public service in our “citizen legislature” is a noble calling and the demands of legislative responsibilities often require giving beyond the call of duty with long hours dedicated to the study, discernment and enactment of laws which will ensure security and justice for all Nevadans; and

WHEREAS, Those members of the Assembly whose ability, virtue and dedication have been exceptional deserve the acknowledgment of their colleagues, as well as the appreciation of those they represent; and

WHEREAS, The Assembly of the Legislature of the State of Nevada wishes to recognize the contributions of those past members of the Assembly who served with great distinction, and whose vision, leadership and accomplishments are exceptional models for service in the Nevada Legislature; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That there is hereby established an Assembly Wall of Distinction to honor those past members of the Assembly whose service has been exceptional and who are selected by the Assembly leadership to be acknowledged for their exemplary contributions to the State of Nevada.

Assemblyman Perkins moved the adoption of the resolution.

Remarks by Assemblymen Perkins and Hettrick.

Assemblyman Perkins requested that the following remarks be entered in the Journal.

ASSEMBLYMAN PERKINS:

Thank you, Madam Speaker pro Tempore. I think, as you see what goes on down the hall with the Senate’s recognition of those members who have served with great honor and distinction, it is long overdue that we have a similar type of recognition in this House, although I think we would all agree that most of the members of the People’s House have served with greater humility than they do down the hall. It is still with great honor that I think we should recognize our own, those who have truly led this state for many, many years and have served the state well.

Oftentimes, I’ve had conversations with new members about walking into these Chambers and having Abraham Lincoln oversee the proceedings and how, after my tenure here, I am still in great awe, every time we walk into these Chambers, about the responsibility we bear and the responsibility we owe to the citizens of this state. So, it is truly my belief that it is long overdue and appropriate to create our own wall, to recognize these who came before us and have served this state with great pride and in appropriate ways, people we have looked to for many, many

years for guidance, and hopefully we will continue to have that tradition for many, many years. For those reasons, I urge your support of Assembly Resolution No. 6.

ASSEMBLYMAN HETTRICK:

Thank you, Madam Speaker pro Tempore. I, too, rise in support of Assembly Resolution No. 6. First, I do want to thank the Speaker for asking that we participate together and do this. I thought it was very appropriate and I thank him for that. I do think it is important for us to recognize the folks who have served here, with distinction. To recognize them by putting them out there for all to see is an appropriate thing. I am proud to rise in support of this resolution and urge my colleagues' support.

Resolution adopted unanimously.

By Assemblymen Perkins, Buckley, and Hettrick:

Assembly Resolution No. 7—Adding Joseph E. Dini, Jr., to the Assembly Wall of Distinction.

WHEREAS, The Assembly of the Legislature of the State of Nevada has established an Assembly Wall of Distinction for those past members selected by leadership who served with great distinction and who made exemplary contributions to the State of Nevada; and

WHEREAS, Joseph E. Dini, Jr., served the Nevada Assembly, the “people’s house” of the Legislature, with great skill, integrity, leadership and fairness as its Speaker for an unprecedented 16 years, from 1977 to 1978 and 1987 to 2000, and as a member for a record 36 years; and

WHEREAS, Joe Dini’s record-setting service in the Assembly is a legacy that will endure over future years, decades and centuries and that rightly earned him the ongoing designations of “Speaker Emeritus” and “State Assemblyman 1”; and

WHEREAS, Joe Dini represented the very fabric of the legislative institution and will forever be remembered for his diligent efforts to guide Nevada in its transition from a small western state to the most vibrant and rapidly growing state in the nation; and

WHEREAS, Joe Dini was a recognized expert on numerous issues important to both rural and urban areas of the State, including the management of Nevada’s precious water resources, public education, arts, cultural affairs and historic preservation, and the protection of the clear waters of Lake Tahoe through an Interstate Compact between Nevada and California; and

WHEREAS, The people and government of the State of Nevada were incredibly fortunate to have been served faithfully and led with great vision by “Mr. Speaker” Joseph E. Dini, Jr.; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Speaker Joseph E. Dini, Jr., who dedicated much of his life to the service of the people of the State of Nevada as the longest serving Speaker and member of the Nevada Assembly, is hereby added to the Assembly Wall of Distinction.

Assemblyman Perkins moved the adoption of the resolution.

Remarks by Assemblymen Perkins, Buckley, Hettrick, Grady, Marvel, Anderson, Arberry, Leslie, and Ohrenschall.

Madam Speaker pro Tempore requested the privilege of the Chair for the purpose of making remarks.

Assemblyman Perkins requested that the following remarks be entered in the Journal.

ASSEMBLYMAN PERKINS:

Certainly, as we create this Wall of Distinction, there is no greater person to be the first inductee than Joseph E. Dini, Jr. The resolution speaks in small part of some of the things Speaker Dini did and accomplished and all the reasons why we are so respectful of his service. I thought it would be interesting as well to share a little bit of his biography with this Body.

Joseph E. Dini, Jr., was born in Yerington, Nevada. His parents were Giuseppe and Elvira Costaloni Dini, immigrants to America in the early 1900s from an area in Tuscany in Italy. Joe obviously attended schools in Yerington and went on to the University of Nevada, graduating from there. There was long service to the family business at Dini's Lucky Club. Joe was first elected to public office in 1966, when he won election to this very House, serving in the Old Chambers. Some of you may remember our sojourn over there earlier this year.

Joe was a legislative leader on many fronts. In 1973, he was selected to serve as the Speaker pro Tempore under then-Speaker Keith Ashworth. In 1975, he was elevated to Majority Floor Leader. In 1977, he was elected to his first term as Speaker in the Assembly. Speaker Dini served as Minority Leader in 1985, and in 1987 was again elected Speaker of the Assembly and remained in that role through the 1999 Session. In 1995, Speaker Dini was co-Speaker with Assemblyman Hettrick. It was an interesting time for those of you who remember. In fact, as much as that session was doomed for failure because of the evenly split House, I attribute largely to Joe and to Lynn the success of that session that many remember.

Joe was a leader on many issues affecting Nevada. He helped draft the Nevada Plan in 1967, an education revenue equity formula, dozens of water bills, chaired two legislative studies, served on the Western States Water Council, chaired the Water Policy Committee for the Council of State Governments for about a decade, worked with other Nevada and California legislators to hammer out the redrafting of the bi-state Tahoe Regional Planning Compact. I could go on, and on, and on. The accomplishments of Joe Dini are very distinguished and very well known. There are probably others that I have missed that he would like to be recognized for because they were such a big part of his life, as he served 36 years in this House.

When I first got elected, before I came to Carson City, I had actually been here a couple of times to visit and watch the legislation that was ongoing then. I was always in awe of Joe. He was always so quiet and walked around these halls with such dignity. He was the epitome of a statesman. In 1995, he made me his Floor Leader. There was a quip by a southern Nevada political pundit about how Joe Dini could pluck this obscure cop from Henderson and thrust him into the role of Floor Leader. I will always be indebted and grateful for that opportunity. When I came here, my first session working with Joe, I knew I was working with history. He was setting history every day he was here. I think as we look back at that, as the history books are written about the State of Nevada, they will always include the work of Joe Dini.

No one could ask for a better mentor. His teaching style, his steady hand, his approach to life, and his approach to implementing his love of this great state could not have been better. I also attribute, for those of you who have watched the evolution of the Assembly Democrats from the mid-1980s until the 1990s and the successes that were seen there, a lot of that to Joe. He was able to balance the business community, the labor community, northern Nevada, southern Nevada, rural Nevada in a way I have never seen anyone else accomplish. He taught me and prepared me for the job I now hold. He created the transition on his own accord in 2001. If I could sum up my relationship with Joe, it would be tell you, without equivocation, that I consider him a surrogate father to me. Joe, we miss your steady hand, your institutional knowledge, and so much more that you provided for this House. You are obviously the longest-serving member.

One little story I can share. We were having a tribute to Speaker Dini in Reno once and there was a great, big map of Nevada, with Yerington right smack in the middle. Every road in Nevada led to Yerington. That was symbolic of Joe's service here and basically getting every road in Yerington paved. It created this aura that Nevada kind of revolved around Yerington because of Joe's service and his efforts.

I hope that when I leave this Legislature, I am thought of as someone who contributed in a positive way to this process, that I was a good Speaker. I know that the only thing I have to do to accomplish that is to emulate just a small part of what you meant to this Body and what you mean to our great state. I will always be thankful for what I have learned from you and our relationship we have always had. You will always be known in Nevada as Mr. Speaker. Thank you for your service to the state.

ASSEMBLYWOMAN BUCKLEY:

Thank you, Madam Speaker pro Tempore. I, too, rise in support of this resolution. Speaker Dini knew so much about so many issues: water, insurance, education. He knew every bill, he knew the history of every bill, he knew the story behind every bill, he knew what bills were good, which bills were not, who wanted what and why, and whether it was good for the state of Nevada. He oversaw a transition. I do not know if I can imagine what this Body was like 36 or 34 or 30 years ago. But the stories I hear—business being done in Jack’s Bar, smoking—it just conjures up kind of a good ol’boy, rough and tumble Nevada. He oversaw the transition to what we are today. In those days, women did not have a powerful role in running the Assembly. Under Speaker Dini, we had women chairing committees, having a leadership role. When I came in 1995, it was a historic time, being tied. Right before Speaker Dini and Minority Leader Hettrick patched things up, it was not so smooth. The Assembly Republicans had a caucus and declared themselves in the majority because there were two election challenges, one against Jan Evans and one against the current Speaker pro Tempore. So, Speaker Dini called me up and said, “Hey, you are a lawyer, right?” I said yes. “Well, we have got our first job for you.” So I worked with Bob Sader, who was the outgoing chair of Judiciary, and the Speaker. We made an argument that you cannot take someone’s seats away from them without due process by saying they don not have their seats. Secretary of State Heller caved, issued the certificates of election, and Lynn and Joe went on to run one of the smoothest sessions in history.

My point to that story is that Speaker Dini did not know me, gave me a chance to work on something exciting, and promoted me to Leadership with Speaker Perkins. He gave me every chance that I have. Of all the people I have learned things from during my ten years in the Assembly, I learned from Joe Dini more than anyone else. Here is a couple of things I learned. You do not have to talk loudly to get your point across. Joe sometimes would not say anything for six committee meetings, and then he would speak and everyone would listen, because he spoke when he had something to say, and he spoke with such authority and conviction that it carried the day. Whether or not you were with him or not, it carried the day. He taught me that you can be a Democrat and appreciate the business community. What is ironic is the speeches he gave me my first two sessions about calming down and working with people more. I now give those speeches to freshmen. I find it quite ironic to be giving those speeches, especially when I see the faces of some freshmen, like, “What are you talking about? I am right.” They are all ready to go. I feel like Speaker Dini when he was giving those speeches. The irony is not lost on me whatsoever. He once said to me, “The best thing you can do in this building is to be a mechanic. Know what is in a bill, know how to take it apart, and know how to put it together again so it will run.” That sums up Joe Dini. He knew this process backwards and forwards. He will have forgotten more than most of us will learn. I hope for the freshmen and sophomores who did not have an experience with working with Joe Dini, give him a call. You probably could learn more from that phone call than you could your whole first session. We miss you. We thank you. We do not know how you did 36 years, but the state is so much more the better for it, Mr. Speaker.

ASSEMBLYMAN HETTRICK:

Thank you, Madam Speaker pro Tempore. I, too, rise in support of Assembly Resolution No. 7. It would simply be totally remiss of me not to stand up here and tell Speaker Dini what a true honor it was to serve with him and has been to serve with him in this House, both as an Assemblyman and as a co-Speaker. He was always fair. He always treated me absolutely equally to everyone else. It was something I always appreciated about him, that he was fair. I remember going to him one time and talking to him about a bill I had. He said, “I really do not like that bill very much.” And I said, “Well, I have the votes.” He said, “If you have the votes, you have got the bill, but I am going to fight it.” And indeed, I had the votes. He took the vote and the bill passed, but he was fair. He treated me the same as everyone else. I truly appreciated that. I think I would be totally remiss if I did not say that a great deal of his success—and, I know, of mine—when we had that 1995 co-Speaker session, has to be attributed to Mouryne, who was the Chief Clerk. She made us look good and has always made this Body, through her service here, look good. Another person with many, many years of service to this House, all of that to the benefit of the state of Nevada. I am proud to rise in support of this.

ASSEMBLYMAN GRADY:

Thank you, Madam Speaker pro Tempore. I, also, rise in support of Assembly Resolution No. 7. First off, I would like to really thank his leadership. If you talk to anyone from District 38, and I do not care where you go, if it's to Virginia City, or Gold Hill, or Yerington, or Silver Springs, you mention Joe Dini and it is like a ticket to the Super Bowl. You are respected because you know Joe Dini. Some of the things that were mentioned here, the Speaker mentioned the paved roads in Yerington, I think one of the things we are most proud of is the Six Mile Canyon paved road. Everyone remembers that. Joe has the distinction of having four sons; two of them are in business with him. One of them, his son George, probably runs one of the finest restaurants in Yerington, if not all of Lyon County. It is named after Joe's father, Giuseppe's. I would encourage you to stop by Dini's Lucky Club. It is a great place. I served as mayor in Yerington and used to go to Joe quite often and ask his advice. When I decided I would run for this office and I was elected, the first person I went to was Joe. "What should I do?" He said, "Remember one thing: God gave you one mouth and two ears. And there's a reason for that." Joe, I thank you. The people of District 38 thank you. Mouryne, thank you, too. We just appreciate what you two have done for Nevada. Thank you.

ASSEMBLYMAN MARVEL:

Thank you, Madam Speaker pro Tempore. I, too, rise in support of the resolution. It was just such a pleasure sitting with Joe all those years, from 1979 to the time he elected not to run again. He certainly has been sorely missed. But if you can say one thing about Joe, he is Mr. Nevada. I think he has done everything. I think he was fair. As the resolution says and the Speaker said, he was fair to everybody. It did not make a difference what party you were from or what your interest was, Joe took it and sorted out all the facts. If something was good, he went for it, regardless of what the partisanship was.

I remember my first session here. I was on Government Affairs when Joe was Chairman. We had one of the other honorees on that committee, Lou Bergevin. Lou sat at one end of the table, and I sat at the other. He were are, two Republicans, and Joe the Democrat, and if he wanted a vote killed he would nod at either one of us. We took on that responsibility. One thing I would like to say, Joe, is that you did a tremendous job in picking your mate there. I might say if we ever have a Wall of Distinction for Chief Clerks, I certainly would nominate Mouryne. Joe, it is great to have you here today, and wish you all the luck and health in the world.

ASSEMBLYMAN ANDERSON:

Thank you, Madam Speaker pro Tempore. I am really at a loss to say something about Speaker Emeritus Dini. The first time that I came down to Carson City to lobby on an education bill, I spent a day and a half trying to figure out what Joe Dini's first name was, because in the Italian neighborhood I grew up in, people had names like Romaciotti and Cicarelli. I naturally thought that Joe Dini was his last name. The reality is that we honor the Speaker for many different reasons, but for me, it is the integrity of the man that he is, and has always been that he stands for. It is not his longevity as Speaker or the length of time that he has been here, but the integrity with which he served while he was here. It was his vision and his foresight that makes him the distinctive person that he is. His caring nature, his willingness to listen and to work out whatever problem you have and his advice to me, besides, "You ought to sit and shut up," has always been important. There are many funny stories I think we, all of us, can tell about Speaker Dini, but probably the one for me that has always been the most important when he told me it would be a good idea to visit the museum, rather than go back to my office and listen to three or four lobbyists push me around on a particular piece of legislation. Strangely enough, when I came back from visiting the museum, they had worked out their problem by themselves. They did not need me. His advice was sage advice, if we had the courage to listen and follow. It was always helpful. For that, I am most greatly grateful, Mr. Speaker.

ASSEMBLYMAN ARBERRY:

Thank you, Madam Speaker pro Tempore. I was not going to say anything, because I knew there were going to be a quite a few who have served with the Speaker, but I thought I would say something and share with this Body a couple of stories about the Speaker and myself. There was a time when everyone, like the Speaker, said that all roads lead to Yerington. As a fresh person,

being Chair of Ways and Means, Joe had a bill to put in a road to go somewhere. I do not have a clue today. It was very hard for me to be the chair of Ways and Means and tell the Speaker no. He would come to me and say, "You going to pass my bill?" I would say no. He would come back and I would say, "No." So then, one day I had to line up the votes to kill the Speaker's bill. So we killed his bill. He said, "That is okay." Then he went over to the Senate. This was when I really started learning. He was testing me, and I knew that was what it was about. He put the road in a bill in the Senate. And he hid it way in the back of the bill. Chris and I, we were going through the bills one day and said, "The Speaker has gone and hid that road in the back of this bill." He was determined to get this road to Yerington. I tell you, Mr. Speaker, I appreciate and respect you making me do my homework and making sure we read the bills.

That was one of the issues. His passion is that in our community we had some sinking homes one time. Everybody in that development, all the homes were sinking. I went to the Speaker and went to the chairman at the time, Marvin Sedway. I spoke to them about the issue because the people living in this area were elderly or retired. They could not afford to just get up and move and go somewhere else. Between the Speaker and Marvin, they called the Governor's Office and requested the State jet. We were going to go down there and take a look. I thought that was really, really admirable. We left here and flew down. They walked around in these folks' home. This gentleman was in his bed and we walked up this hallway, and we had to walk sideways because it was slanted. The Speaker and Marvin spoke to the man, who was on his deathbed, and he said, "Is there anything you can do for these homeowners and my family? I might not see it, but can you do something?" Before we walked out of that house, the Speaker and Marvin Sedway said, "Get them the money and get it now." I owe you, Joe. I really do.

The other part of it is that you have to have served with a gentleman like Joe, to serve with someone who really cares about Nevada. I used to say he was not fair sometimes, because I felt that because he was from Yerington, he had no clue what went on in southern Nevada. But he was in Las Vegas more than I was. I would see Joe and he would say, "You coming out to have breakfast with me?" We are glad that you were there. God put you there for a reason and brought you to the state of Nevada. I am glad I had the honor to serve with you, and I will always respect you as Mr. Speaker.

ASSEMBLYWOMAN LESLIE:

Thank you, Madam Speaker pro Tempore. I, too, rise in support. I just have one short story to tell. I served my first session under Speaker Dini. I was a Dini Democrat. Some people still ask what that is. All you have to do is listen to what people have said today about Speaker Dini to know what he stands for, for Democrats in particular. In my first session, he told me privately what I think he told Ms. Buckley, and, I would guess, our Speaker pro Tempore as well: "Freshmen should be seen and not heard." Over the years, I have come to really understand what that means and what good advice that was. So, today he walked in and said, "You know, you are doing a good job. Getting in the paper too much, but you are doing a good job." I said, "Well, Speaker Dini, you wouldn't be too proud of me this morning, because I lost my temper in committee and I do not like to do that, and did." I told him what it was over. He said, "Sometimes you have to slap down your hand." He told me a story, one I will not repeat, about something that happened with Senator Raggio, and it made me feel so much better. Speaker Dini, we all look up to you so much. I am so proud to have served here under you. Thank you.

ASSEMBLYWOMAN OHRENSCHALL:

Thank you, Madam Speaker pro Tempore. I, too, rise in support of this resolution. What can I say? Joe Dini not only taught all of us here everything that we know about the legislative process, the legislative history of Nevada, but he also taught us how to understand people and how to value them, something that is absolutely necessary in running any type of government. He always had an ear to listen to anyone's problem, no matter how big or how small. He seemed to be here 24 hours a day, because I never remember being in the building when he was not in the building while he was Speaker. And it was a just a great education for every one of us. Thank you very much, Mr. Speaker, Joe Dini.

Madam Speaker pro Tempore requested the privilege of the Chair for the purpose of making the following remarks:

I was a freshman, and the Speaker gave me the opportunity to chair Labor and Management at that time. I scared him to death, I think. It was an honor and it was an opportunity, as a freshman and as a woman, to come into a different role. Many of the comments that were made today don't sum up the person. I do not think the words I have can do that either. I think he brought a balance to this state. You helped us from the urban parts to understand the rural needs, and vice versa. You took the time to come to southern Nevada. You knew northern Nevada. You balanced that. That is what this whole institution is about. I think that sometimes we forget it is not about us, but it's about the institution, and it's about the constituents that the institution serves. I think that pride that you have has penetrated these halls. You are truly a statesman, but you are also Italian. Through that Italianess there is a family link, a friendship, an ethic that you bring to that as well. So, as a fellow "paisano," I just want to thank you for giving me the opportunities you did, but also all the people in these halls. You broke some trends that were there. I don't think people realize that part of it. Thank you for your openness and understanding, Mr. Speaker.

Resolution adopted unanimously.

By Assemblymen Perkins, Buckley, and Hettrick:

Assembly Resolution No. 8—Adding Jan Evans to the Assembly Wall of Distinction.

WHEREAS, The Assembly of the Legislature of the State of Nevada has established an Assembly Wall of Distinction for those past members selected by leadership who served with great distinction and who made exemplary contributions to the State of Nevada; and

WHEREAS, Jan Evans represented with vision, integrity and compassion the residents of the State of Nevada and Assembly District No. 30 of Washoe County as a member of the Nevada Assembly for 14 years from 1987 to 2000; and

WHEREAS, Jan Evans was elected by her colleagues in the Assembly as Speaker pro Tempore for the 1995, 1997 and 1999 sessions and served with great skill in this capacity and in appointive positions as Assistant Majority Floor Leader, Chair of the Assembly Committee on Health and Human Services, and Vice Chair of the Assembly Committee on Ways and Means; and

WHEREAS, During her years of service in the Assembly, Jan Evans was widely recognized for her intelligence, hard work, honesty and unfailing commitment to improving the lives of less fortunate Nevadans and advocating programs of crucial importance to women, children, families and persons with disabilities; and

WHEREAS, Among other measures, Jan Evans sponsored important legislation to assist victims of domestic violence, enhance funding for occupational education, improve public services pertaining to alcohol and substance abuse, and establish state spending priorities for money derived from federal tobacco settlements; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Assemblywoman Jan Evans, who dedicated much of her life to the service of the people of the State of Nevada as a member of the Assembly and in a number of other capacities, is hereby added to the Assembly Wall of Distinction.

Assemblywoman Smith moved the adoption of the resolution.

Remarks by Assemblymen Smith, Buckley, Anderson, Arberry, Perkins, and Leslie.

Madam Speaker pro Tempore requested the privilege of the Chair for the purpose of making remarks.

Assemblyman Perkins requested that the following remarks be entered in the Journal.

ASSEMBLYWOMAN SMITH:

I would like, first of all, on behalf of Jan's family and many friends who are gathered here today, to thank Mr. Speaker, Madam Majority Leader, and the Speaker pro Tempore for including Jan in this honor today. Jan Evans is the perfect person to be selected to the inaugural group for the Wall of Distinction. We recently memorialized Jan on the anniversary of her death, so I know that we all remember why Jan is included in this special category of former legislators.

Jan led a life of distinction: as a child in the foster system, striving to overcome that disadvantage; as a student who put herself through college; as a tireless advocate whose life experiences caused her to work passionately on family-related issues such as child abuse, domestic violence, education, and juvenile justice; and as a legislator who was a role model for all with whom she served. She was a champion for those, like myself, whom she represented. In fact, the last few years of her life, Jan lived two doors down from me. I would always see her leaving very early in the morning and coming home very late at night. I was always amazed at her stamina when she was campaigning. She was out there herself, pounding signs in the ground and always walking door to door, and being involved with her constituents year-round.

When she realized her health had declined to the point that she could not run again, she called and asked me if I would consider running in her seat. After what I had witnessed and what job I knew I had to do, it may have been a miracle that I said yes. She was truly a wonderful role model, and I heard story after story about her time as a member of the Ways and Means Committee and how she would bring those budget books home at night and plow through them and find money that she could use to help fund the programs that she held so near and dear. I have a feeling that Madam Speaker pro Tempore learned a few of those tricks because I see the same kind of talent. I worry about being able to have that ability in that Committee. She just had such an innate talent for it, and I keep hoping for divine intervention that she will rain down upon me some of that experience and ability to do such a fabulous job of representing those people whom she cared so much about.

Serving with distinction is defined as serving with merit and making a difference, and that, Madam Speaker pro Tempore, is Jan Evans. Thank you.

ASSEMBLYWOMAN BUCKLEY:

Thank you, Madam Speaker pro Tempore. Anybody who served with Jan Evans loved Jan Evans. She had compassion, dignity, and her work ethic was unparalleled. She spoke with such precision. Her speaking style was that she would be deliberate and thoughtful, and when she spoke it was like E. F. Hutton: everybody listened, because it always came from the heart. She worked so hard with my colleague, the Chairman of Ways and Means, and our fiscal staff. She was a tireless worker. The folks who got most of her energy were those who really had no lobbyists or someone to stick up for them, the kids in the juvenile justice system, kids in foster care, and victims of domestic violence. She, through her legislation and through the budget, made all of these issues her priority.

I think we were all just amazed that she worked while she knew she had cancer. None of us knew because the budget was not done and all of her priorities for women, health care, and children, were not done yet. I think it almost takes someone who serves in this Body to understand what that would be like, when you fight so hard for a bill and an issue and it is all-consuming, and you will follow it through to get it done. There were few champions like Jan Evans. We thank all of the friends and family for sharing her with us. We love her. I think our best tribute to Jan is that we can keep fighting for the people she fought for.

ASSEMBLYMAN ANDERSON:

Thank you, Madam Speaker pro Tempore. My colleague, Jan Evans, took me under her wing, being from Sparks, to make sure that the Sparks kid did not get into any more trouble than he has a tendency to get into. I worked in her first political campaign, where she advocated for education and was a strong advocate on those issues. I came to know her as a person who cared deeply, as the Majority Leader indicated, about the issues that are near and dear to all of us in education and child welfare. I saw her push for bills in Judiciary dealing with juvenile justice, where kids would be treated fairly and equitably. I remember her being upset with me when a

bill seemed to be overly reaching relative to juveniles and the cost of those juvenile crimes. It was difficult when we did things that she would prefer we did not.

Most of all, Jan Evans clearly represented a part of my community that needed an advocate. She stepped into a seat that had been held by a noted Assemblyman for some time. When she picked up those reins, she demonstrated that you could lead without bullying, showed you could be a person who cared without wincing. She was not apologetic about her issues. The women's issues that she advocated for are ones that were right for all of us. By championing those causes, we raised the standards of this State ever higher. I can hardly imagine that my colleague and friend, Jan Evans, would not be included in such a distinctive wall.

ASSEMBLYMAN ARBERRY:

Thank you, Madam Speaker pro Tempore. I would be remorseful if I did not say something about Jan. Most every time you are the third speaker, someone has already covered a lot of the great things a person has accomplished. However, I can take you back in time when Jan was a lobbyist. I remember like it was yesterday when I was Chairman of Welfare and Human Services. I would walk out the door and she would stalk that door waiting for me to come out, and, in a soft way but with a big stick, she would beat me down for issues dealing with Welfare. I would think, "Where does this little lady come from every day?" She was very strong about those issues, just as the Chair of Judiciary spoke about. Then there came the time when she was elected. I was honored to be able to serve with her on the Ways and Means Committee under Marvin Sedway. Then we both moved to the leadership position where I became the Chair and she was my Vice Chair. She did not say much, but when she did, it was to the point, to the key issue. I very seldom saw her get upset, but when she did get upset, you knew it because she would almost come out of her seat. When it was dealing with kids and families, it would upset her when you would try and take it in a wrong direction. I was honored to work with her and sit next to her.

I knew we had to keep things moving because she always had a trip planned at the end of session to go to Hawaii. That was every session, going to Hawaii. There came a time when I thought I was Michael Jordan coming out of retirement and the fellows asked me to come play basketball with them one morning. I stole the ball from Greg Ferraro and got ready to dunk the ball on David Goldwater and it did not happen that way. I split my knee, tearing a ligament, and I was out for about a month. Jan took over while I was gone, while I recuperated in Vegas, and when I came back it was like the Committee never missed a beat. When I sat down, she gave me back the gavel and we kept moving. I can say that when you have someone working for you like that, I am honored to have had two: Madam Speaker pro Tempore and her. To serve with those kind of ladies is an honor. I will always miss her. I never imagined that she would get ill and not be with us. A lot of the strong legislation for families and kids that you see today was because of Jan.

ASSEMBLYMAN PERKINS:

Thank you, Madam Speaker pro Tempore. I, too, rise in support of the resolution. Jan was a liberal, but she made the term "liberal" a positive thing. One of her best friends in the world was a Republican State Senator and then-Lieutenant Governor, Sue Wagner. They got along very well. They talked about a lot of things, but you always knew where Jan stood. Her issues would be defined, for all intents and purposes, by our society as "liberal." But that was not a bad thing because she never asked for anything for herself. She was always selfless. She always looked out for those who could not help themselves. That is what she did, and she did it with such grace and such fortitude that it was always a strong and positive thing.

She loved the support role, as the Chairman of Ways and Means just discussed. Would she have loved to chair various committees? Sure, and she did chair a couple, but she loved that support role because she liked working behind the scenes and getting things done. She was the epitome of a work horse, not a show horse.

I can tell you, she is really mad right now because she is the last person that would have wanted anything like this to happen. She did not want the accolades. She did not want the recognition. All she wanted to do was do her work, and she took pride in what she did. The only accolades Jan ever wanted was to know that she had done something good for someone else.

In her last session, toward the end of the session, I had an opportunity to talk to Jan about a number of things. I think we all knew she was ill, but she would not discuss that with us. She would not tell us how ill she was. We knew she had to miss a few meetings and was not feeling well. I can tell you, without a doubt, she knew what was wrong with her health, and she sacrificed herself for others. She could've taken the last half of the session off, received better treatment, and been under less stress, and it is my firm belief that Jan Evans sacrificed herself for others.

As I mentioned once before, we truly miss Jan, because when Jan Evans left this Body and left our world, we lost our moral compass. She was that guiding light for us and kept us centered as a Body. For those reasons and others, Madam Speaker pro Tempore, I support the resolution.

ASSEMBLYWOMAN LESLIE:

Thank you, Madam Speaker pro Tempore. I, also, rise to support the resolution. Not a day goes by that I do not sit down in this particular seat in the Chambers that I do not think of Jan. This is where Jan sat for many years when she served in our Body as Speaker pro Tempore. My freshman year I was placed right next to her, as my friend from Las Vegas is placed next to me. She guided me through that session and helped me out a great deal. I, too, did not know she was ill. I remember when she left and somebody came to me in Leadership and said I needed to do this, this, and this now. I said, "What about Jan? When is she coming back?" and they said, "Well, she is not coming back." I will never forget that day. It was such a shock. Yet, during that last month of the session, I do not think a day went by when I did not get a phone call from Jan saying, "Where is my health bill? I do not like this amendment. You have to watch out for this. You have to watch out for that." She cared so deeply about the work that she left behind.

For those of us involved in Democratic politics in Reno, Jan still is our role model. During the campaign season, I remember she called me up and said, "You know, your biggest enemy is not a Republican, not your Republican opponent, and when you win your election, it will not be the Republicans that you serve with. Your biggest enemy is time." Over the years I have come to see that Jan was right. Time to get things done, time to read all the budget documents, time to think about things, and time to talk to your colleagues, is really the biggest enemy. I try to remind myself of that as well.

I think one of Jan's biggest legacies, for people who did not know her, to take out of the Chambers today, is the work that she did on domestic violence. Nevada's fine network of domestic violence programs and shelters would not have happened without Jan Evans working closely with her Republican friend, Senator Wagner. We have so much to thank Jan for, and even though she would be tremendously embarrassed to have us talking about her, I know her family and friends, many of whom are here today in our Chambers, do value this opportunity for us all to reflect on somebody who has meant a great deal to those of us who knew her, and also, I hope, will serve as a role model for those who here who did not, as what a truly great legislator is.

Madam Speaker pro Tempore requested the privilege of the chair for the purpose of making the following remarks:

Jan put a face to just about every issue that we tend to just read on paper. They are words, but Jan was able to crystallize and put a face on it and a voice to it. It was those who did not have an advocate that she was out there advocating for. If nothing else, if you did not have the opportunity to serve with Jan, remember that she felt that if it was good enough to have happen, it was worth a fight. It was not necessarily whether you won, but if you never had the discussion you never would win anything, you would never educate anybody, you would never change anybody's minds. That is how Jan tried to approach much of the legislation that she dealt with. I can sum it up saying that Jan Evans will never be forgotten. You can tell that by her friends that are here who were her family, as well as her real family. I am sorry that I missed the memorial. Jan lives on in their hearts. Every day in these halls, when we are trying to deal with things that are, maybe, not the glossiest issues – foster care, domestic violence, all of those things that people did not want to ever talk about – now they are out in the open and we have the responsibility to do something about them, not just talk about them. I think that is how Jan tried to approach it. She will be missed. She would be terribly embarrassed, you are absolutely

correct, but she was a dynamo in a compact little package. I had the pleasure of serving with her. I know she's watching us. She and Marvin are up there going, "Oh, my God." Thank you, very much.

Resolution adopted unanimously.

By Assemblymen Perkins, Buckley, and Hettrick:

Assembly Resolution No. 9—Adding Louis W. Bergevin to the Assembly Wall of Distinction.

WHEREAS, The Assembly of the Legislature of the State of Nevada has established an Assembly Wall of Distinction for those past members selected by leadership who served with great distinction and who made exemplary contributions to the State of Nevada; and

WHEREAS, Louis W. Bergevin served the people of the State of Nevada with great wisdom, honesty and dignity as a member of the Assembly for 14 years, from 1979 to 1992, as the President of the State Board of Education for 10 years, from 1961 to 1970, and as a member of the Nevada Tax Commission for 5 years, from 1970 to 1974; and

WHEREAS, During his tenure in the Assembly, Louis Bergevin was selected to serve as Minority Floor Leader for the 1987 and 1989 Legislative Sessions, Minority Whip for the 1991 Session, Chairman of the Committee on Government Affairs for the 1985 Session, Chairman of the Legislative Commission in 1985 and 1986, and a member of the Committee on Taxation for 14 years; and

WHEREAS, As a member of the Assembly, Lou Bergevin helped guide the Legislature through major changes in Nevada's tax system, advocated tax measures that protected veterans and senior citizens, and was an acknowledged expert in the subjects of education, agriculture and water rights; and

WHEREAS, Lou Bergevin also faithfully served his colleagues in the ranching profession as a member of the Nevada Cattlemen's Association, and as its President in 1978 and 1979, and his community as a member and President of the Douglas County School Board; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Assemblyman Louis W. Bergevin, who dedicated much of his life to the service of the people of the State of Nevada as a member of the Assembly and in a number of other capacities, is hereby added to the Assembly Wall of Distinction.

Assemblyman Hettrick moved the adoption of the resolution.

Remarks by Assemblymen Hettrick, Marvel, Arberry, Anderson, and Carpenter.

Assemblyman Perkins requested that the following remarks be entered in the Journal.

ASSEMBLYMAN HETTRICK:

Thank you, Madam Speaker pro Tempore. I had the privilege of serving with Speaker Dini and with Jan Evans. I did not have the privilege of serving with Lou Bergevin. I know him by reputation more than anything else. I will say that Jan is by far the prettiest of the three.

Lou Bergevin had a tremendous reputation in this building. He was a very straightforward man. He did not mince many words. He moved to get things done, and he knew what he wanted to do. He was totally regarded as one of Nevada's finest tax experts. He understood the tax code in Nevada better than I think anyone in this building ever has. Interesting enough, one of his sessions, he dealt with changing Nevada's tax code, in regard to the fact that property taxes were rising too quickly. There had to be a change, and we did the tax shift over to sales taxes and transferred a great deal of the burden to tourists and others who visit this state and people who spent money. He was an interesting man in that regard. You heard from the Resolution that he was an expert in many things. He was obviously a heavyweight in the ranching industry and a part of our economy for many years. He was very active in ranching. I often envied him. I knew he went down to a ranch in Bridgeport, which I think is one of the most beautiful areas, and worked there. I would hear him talk, the time or two that I met with him, about having to go to the ranch in Bridgeport.

One of the stories that I know about Lou when he was here, while he was the Minority Leader, he was served by a young rural caucus director. Of course, in those days, all of Nevada was rural and everybody was a rural Nevadan. The young rural caucus director told me you could always tell when Lou was getting mad. He would try to explain things once or twice, and if it was not going real well and people were not understanding, he said Lou would start getting red from the shirt collar and it would start going up his face. You could see it and you would know you were in trouble. His son just said to me, "That, and his finger would come out. He would start pointing. Then you knew you were in trouble and Lou was going to set you straight in a big hurry." By the way, that young rural caucus director was somebody most all of you know; his name was Pete Ernaut.

Few people, four or five, in this building had the opportunity to serve with Lou Bergevin. He retired from these Chambers in 1992, and almost everyone in here began their career after that time. While many of us had the opportunity to serve with the first two inductees, few did with Lou, so any lack of people rising to give remarks is not because he does not deserve a great many remarks, but because he is not known as well as the other two inductees. It truly is my pleasure to rise in support of AR 9 and to support the addition of Lou Bergevin to the Wall of Distinction. He truly earned it.

ASSEMBLYMAN MARVEL:

Thank you, Madam Speaker pro Tempore. It is really a pleasure to be able to support AR 9. Lou and I were both elected at the same time. He was a little bit smarter than I was because he quit when he was ahead.

Lou and I had pretty much parallel lives. Both of us were ranchers, we were both past presidents of the Nevada Cattlemen's Association, we served together on the Tax Commission, and as I said, we were elected at the same time. Lou was an outstanding legislator. As the Minority Leader stated, he probably knew as much about taxation as anyone in this whole building. He was excellent. Lou was kind of responsible for getting the local governments back on an even keel by keeping the State out of the ad valorem tax.

One thing about Lou was, when he gave you his word, you could go to the bank with it. As I said when I spoke at his services, Lou was outspoken. I used to kid him and say, "Lou, what did you really mean?" But you knew very well from the very beginning what Lou meant, because he was that direct.

I think it is only fitting that we are going to induct Lou Bergevin today.

ASSEMBLYMAN ARBERRY:

Thank you, Madam Speaker pro Tempore. As Mr. Marvel and the Minority Leader mentioned, a lot of us have not had the opportunity to serve with some of these folks. When I was a freshman here, he reminded me of President Nixon because when he would get really excited, he would start flapping his jaws just like President Nixon. I said, "Boy, I had better stay away from this guy."

As the Minority Leader mentioned, Lou was very dedicated. When you saw him marching down the hall between the two houses and staying up late at night trying to get the tax issues together, you could have nothing but respect for him. I did not know him that well for two sessions, because I was afraid to say anything to Lou. Lou finally came over to me one day and said he had watched me for two sessions. I said, "You know, the only thing you ever say to me is 'hi.' He said, "I wanted to make sure you were serious about this House." I could not say a word, because that was true. You have some people come here, and they realize it is not as easy as it appears. Back in the day they knew how much hard work was required.

Recognizing Lou and the other inductees today is an honor. Lou's heart was into it, as my colleague "number two," Mr. Marvel, mentioned. He was dedicated, and he deserves it because he was a man of this House.

ASSEMBLYMAN ANDERSON:

Thank you, Madam Speaker pro Tempore. Lou Bergevin was an interesting man. I agree with the previous speaker; clearly, he was intimidating. As a freshman, I knew I definitely wanted to try and stay out of his sight. I did not have the opportunity to serve on a committee with him; however, I did hear him and was with him a couple of times on some issues and I heard his

advice to several freshmen. In my first session and the Speaker pro Tempore's first session, there were more freshmen in the Body than there were senior members. Mr. Bergevin made it very clear to the freshmen that there was nothing more important than your word, not just to your colleagues, but to the lobbyists. You should not commit yourself to a bill unless you really believed that you were going to support that bill. With the same regard, lobbyists treated members with the distinction that if they heard a commitment from you, either against or for a bill, they did not turn you around on it. Unfortunately, some of those qualities have been lost and I am sorry to see that. It was because of Lou making it very clear on one side of the aisle, and Joe making it very clear on the other side of the aisle, that personal integrity and who you were, were not going to be violated by one side or the other. Lou epitomized that, and I am happy that he never lost his temper at me personally, although it came pretty close a couple of times. As one of the people who served with him, I definitely want to rise in support of this resolution. He was a great gentleman and a great asset to our State.

ASSEMBLYMAN CARPENTER:

Thank you, Madam Speaker pro Tempore. I rise in support of AR 9. I did have the pleasure to serve with Lou. Sometimes, if he did not agree with you on a bill you wanted to get through, it was not such a pleasure at that time. He was a great guy, and you always knew where you stood. As a member of the ranching industry we always had a lot of things to share in common. As other people have said, he knew more about taxes than most of us forget. I remember when I was on the County Commission and they were doing the tax shift. We had to come down and argue with Lou. I thought maybe some of us got the tax shaft. Anyway, we always knew where he stood, so I did enjoy serving with him.

While I am up here, I think I ought to say a couple things about the other people that everyone has been talking about.

Jan Evans and I came in with the freshman class of 1987. As far as I know, I am the only one remaining. Jan Evans was such a hard worker and such a lady. If it had not been for her, I would have never gotten the class size reduction for Elko through, and I will always remember and thank Jan Evans for that.

As far as Joe Dini is concerned, I think everybody has pretty much said how great a Speaker he was. It has always been my honor and privilege to have served with Joe. I think the greatest thing I will always remember about Joe is he was always my friend and he would always try to help me. Thank you, Joe, for being my friend.

Resolution adopted unanimously.

By the Committee on Elections, Procedures, Ethics, and Constitutional Amendments:

Assembly Resolution No. 10—Providing for the appointment of an additional attaché for the Assembly.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Kyle Zive is elected as an additional attaché of the Assembly for the 73rd Session of the Nevada Legislature.

Assemblywoman Koivisto moved the adoption of the resolution.

Remarks by Assemblywoman Koivisto.

Resolution adopted.

INTRODUCTION, FIRST READING, AND REFERENCE

Senate Bill No. 214.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

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

Remarks by Assemblywoman Buckley.

Motion carried.

SECOND READING AND AMENDMENT

Senate Bill No. 15.

Bill read second time and ordered to third reading.

Senate Bill No. 135.

Bill read second time and ordered to third reading.

Senate Bill No. 138.

Bill read second time and ordered to third reading.

Senate Bill No. 225.

Bill read second time and ordered to third reading.

Senate Bill No. 255.

Bill read second time and ordered to third reading.

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

Assembly in recess at 12:44 p.m.

ASSEMBLY IN SESSION

At 12:45 p.m.

Mr. Speaker presiding.

Quorum present.

GENERAL FILE AND THIRD READING

Assembly Bill No. 249.

Bill read third time.

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

Amendment No. 773.

Amend sec. 12, page 3, line 38, after "sale" by inserting "or lease".

Amend sec. 17, page 8, line 8, after "sale" by inserting "or lease".

Amend sec. 28.7, page 11, by deleting lines 4 and 5 and inserting: "*section 28.3 of this act relating to vehicles required to be registered with the Department pursuant to chapter 482 of NRS, or any regulation adopted by the Department pursuant thereto. The*".

Amend sec. 28.7, page 11, by deleting lines 13 and 14 and inserting: "*this section and any provision of NRS 108.265 to 108.360, inclusive, and section 28.3 of this act relating to vehicles required to be registered with the*".

Department pursuant to chapter 482 of NRS, and any regulation adopted by the Department”.

Amend sec. 28.7, page 11, line 15, by deleting “issued”.

Amend sec. 38, page 14, line 29, after “injury” by inserting “or damages”.

Amend sec. 45, page 19, by deleting lines 14 through 18 and inserting: “administrative costs incurred by the Department in carrying out the provisions of section 12 of this act.”.

Amend the title of the bill, sixth and seventh lines, by deleting: “purchase or sale” and inserting: “purchase, sale or lease”.

Assemblywoman Giunchigliani moved the adoption of the amendment.

Remarks by Assemblywoman Giunchigliani.

Amendment adopted.

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

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblywoman Giunchigliani moved that all rules be suspended and that Assembly Bill No. 249, upon return from the printer, be placed on the General File for the current legislative day.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 279.

Bill read third time.

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

Amendment No. 745.

Amend sec. 25, pages 2 and 3, by deleting lines 17 through 22 on page 2 and lines 1 through 8 on page 3, and inserting:

“3. *The State Board and the Board of Regents of the University of Nevada shall develop a mechanism to improve access to dual-credit courses by pupils enrolled in high schools in this State. The Board of Regents may authorize a high school teacher to teach a course that is approved pursuant to subsection 2 on the campus of a high school in this State.*”.

Amend sec. 26, page 3, by deleting lines 36 through 38 and inserting:

“4. *If community service credit is required for receipt of a scholarship for postsecondary education, any credit awarded pursuant to this section must be applied toward those required credits.*”.

Amend sec. 28, page 4, by deleting line 28 and inserting:

“392.033 1. A”.

Amend sec. 28, page 4, by deleting lines 35 through 43.

Amend sec. 28, page 4, line 44, by deleting “3.” and inserting “2.”.

Amend sec. 28, page 5, line 6, by deleting “~~3.~~ 4.” and inserting “3.”.

Amend the bill as a whole by deleting sections 29 through 42 and adding: “Secs. 29-42. (Deleted by amendment.)”.

Amend sec. 44, page 7, line 4, by deleting “July” and inserting “October”.

Amend the title of the bill to read as follows:

“AN ACT relating to education; revising provisions governing dual-credit courses and community service projects; authorizing teachers to participate in informal evaluations of administrators; revising provisions governing the credits required of and the award of credits to pupils; requiring the board of trustees of each school district to determine the feasibility of scheduling start times for public schools in a certain manner; and providing other matters properly relating thereto.”.

Assemblywoman Giunchigliani moved the adoption of the amendment.

Remarks by Assemblywoman Giunchigliani.

Amendment adopted.

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

Assembly Bill No. 299.

Bill read third time.

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

Amendment No. 746.

Amend section 1, page 1, line 1, by deleting “State” and inserting: “State, with the approval of the Interim Finance Committee,”.

Assemblyman Arberry moved the adoption of the amendment.

Remarks by Assemblymen Arberry, Anderson, Giunchigliani, and Marvel.

Amendment adopted.

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

Assembly Bill No. 386.

Bill read third time.

Remarks by Assemblywoman Buckley.

Roll call on Assembly Bill No. 386:

YEAS—42.

NAYS—None.

Assembly Bill No. 386 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

Assembly Bill No. 500.

Bill read third time.

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

Amendment No. 742.

Amend sec. 4, page 2, line 39, by deleting: “*information on the website*” and inserting: “*abstract of votes required to be maintained on the website pursuant to paragraph (b) of subsection 1*”.

Amend sec. 4, page 2, line 40, by deleting “*that information*” and inserting: “*the abstract of votes*”.

Amend sec. 5, page 3, line 15, by deleting: “*information on the website*” and inserting: “*abstract of votes required to be maintained on the website pursuant to paragraph (c) of subsection 1*”.

Amend sec. 5, page 3, line 16, by deleting “*that information*” and inserting: “*the abstract of votes*”.

Amend sec. 20, page 13, line 25, by deleting: “*information on the website*” and inserting: “*abstract of votes required to be maintained on the website pursuant to paragraph (c) of subsection 1*”.

Amend sec. 20, page 13, line 26, by deleting “*that information*” and inserting: “*the abstract of votes*”.

Amend the bill as a whole by renumbering sec. 61 as sec. 62 and adding a new section designated sec. 61, following sec. 60, to read as follows:

“Sec. 61. 1. On or before October 1, 2005, the Secretary of State shall submit to the Fiscal Analysis Division of the Legislative Counsel Bureau for transmittal to the next regular meeting of the Interim Finance Committee a written report concerning the establishment and maintenance of the website required pursuant to section 4 of this act including, without limitation, the anticipated cost of establishing and maintaining the website.

2. The Secretary of State may, with the approval of the Interim Finance Committee, pay for the cost of establishing and maintaining the website required pursuant to section 4 of this act from the Account for Special Services of the Secretary of State in the State General Fund created pursuant to NRS 225.140.”.

Amend the bill as a whole by adding a new section designated sec. 63, following sec. 61, to read as follows:

“Sec. 63. 1. This section and section 61 of this act become effective upon passage and approval.

2. Sections 1, 2, 3, 6 to 19, inclusive, 21 to 60, inclusive, and 62 of this act become effective on October 1, 2005.

3. Sections 4, 5 and 20 of this act become effective on January 1, 2006.”.

Assemblywoman Giunchigliani moved the adoption of the amendment.

Remarks by Assemblywoman Giunchigliani.

Amendment adopted.

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

Assembly Bill No. 530.

Bill read third time.

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

Amendment No. 744.

Amend section 1, page 1, line 3, after “*Each*” by inserting: “*newly elected or appointed*”.

Amend section 1, page 1, line 5, by deleting “6” and inserting “9”.

Amend the bill as a whole by renumbering sections 6 and 7 as sections 7 and 8 and adding a new section designated sec. 6, following sec. 5, to read as follows:

“Sec. 6. 1. There is hereby appropriated from the State General Fund to the Commission on Ethics for the administrative costs to the Commission that are related to carrying out the provisions of section 1 of this act:

For the Fiscal Year 2005-2006..... \$10,900

For the Fiscal Year 2006-2007.....\$4,975

2. Any balance of the sums appropriated by subsection 1 remaining at the end of the respective fiscal years must not be committed for expenditure after June 30 of the respective fiscal years and must be reverted to the State General Fund on or before September 15, 2006, and September 21, 2007, respectively.”.

Amend the title of the bill, seventh line, after “lobbying;” by inserting: “making an appropriation;”.

Assemblywoman Giunchigliani moved the adoption of the amendment.

Remarks by Assemblywoman Giunchigliani.

Amendment adopted.

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

Assembly Bill No. 533.

Bill read third time.

Remarks by Assemblyman Marvel.

Roll call on Assembly Bill No. 533:

YEAS—42.

NAYS—None.

Assembly Bill No. 533 having received a constitutional majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblywoman Buckley moved that Assembly Bill No. 249 just returned from the printer, be placed at the top of the General File.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 249.

Bill read third time.

Remarks by Assemblymen Buckley and Sibley.

Potential conflict of interest declared by Assemblyman Sibley.

Roll call on Assembly Bill No. 249:

YEAS—42.

NAYS—None.

Assembly Bill No. 249 having received a two-thirds majority, Mr. Speaker declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Ocegüera moved that Senate Bills Nos. 19, 93, 169, 174, 180, 193, 201, 290, 295, 307, 424; Senate Joint Resolution No. 12 be taken from the General File and placed on the General File for the next legislative day.

Motion carried.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Assembly Bills Nos. 67, 68, 78, 89, 163, 257, 278, 292, 381, 436, 468, 470, 473, 503, 507 and 527; Assembly Joint Resolution No. 16; Assembly Concurrent Resolutions Nos. 31 and 32; Senate Bills Nos. 3, 16, 21, 27, 90, 136, and 442; Senate Joint Resolution No. 13; Senate Concurrent Resolutions Nos. 36, 37, 38, 39, 40 and 41.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Hettrick, the privilege of the floor of the Assembly Chamber for this day was extended to Lee Bergevin, Sharon Bergevin, and Luetta Bergevin.

On request of Assemblyman Hogan, the privilege of the floor of the Assembly Chamber for this day was extended to Alaina Cowley.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Tim Russel, Todd Russel, and Geania Russel.

On request of Assemblywoman McClain, the privilege of the floor of the Assembly Chamber for this day was extended to Matt Hagen, Heather Brown, Edie Ford, Jason Fromoltz, Zach Zaragoza and Ashanti-Fayshel Gholar.

On request of Assemblyman Perkins, the privilege of the floor of the Assembly Chamber for this day was extended to Joe Dini and Mouryne Dini.

On request of Assemblyman Seale, the privilege of the floor of the Assembly Chamber for this day was extended to Mr. Diggins, Brandy Everett, Amanda Ghazali, Deborah Bergin, Ann Marie Musumeci, Susan Cane, Cynthia Weber, Jennifer Weber, Carol Pickett, Theresa Lenhart, Julie Morris, Margaret Dodds, Kimberly Goodwin, Mark Tanefski, Bob Haney, Jose Mejia, Angelo Ruccia, Sunshine Middlebrooks, Julie Smith, Ms. Pelusio, Michael Gilmore, Todd Enninga, Kimberly Squires, Colleen McCullough, Kirsten Castellanos, Jolene Hoeft, Mrs. Pelusio, Cassidy Fehr, Selena Ghazali, Marina Palmer, Brittny Gray, Rebecca Screnock, Karrienne Weigant, Dominick Musumeci, Christian Cauwel, Christine Garner, Joshua Cane, Amber Rivera,

Annmarie Pickett, Alec Candelaria, Michael Slayden, Christian Petito, Mark Dodds, Ryan Goodwin, Joseph Tanefski, Justin Little, Jacob Morris, Amber Ruccia, Brett Haney, Genesis Mejia, Craig Freeman, Brendan Torrejon, Rayn Mezher, Dominique Middlebrooks, Sydni Barday, Leah Smith, Paisley Alms, Michaela Gilmore, Rikki Nelson, Donna Smith, Austin Enninga, Daniel Guel, Nickolas Hickey, Caroline McCullough, Nathaly Serna, Samantha Jackson, Tyler Vance, Zeke Castellanos, Spencer Hoeft, and Ronald Reyes.

On request of Assemblywoman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to May Shelton and Joni Kaiser.

Assemblywoman Buckley moved that the Assembly adjourn until Wednesday, May 18, 2005, at 11:00 a.m.

Motion carried.

Assembly adjourned at 1:09 p.m.

Approved:

RICHARD D. PERKINS
Speaker of the Assembly

Attest: NANCY S. TRIBBLE
Chief Clerk of the Assembly