

**EXCERPT OF DRAFT MINUTES  
OF THE MEETING OF THE  
ASSEMBLY COMMITTEE ON GOVERNMENT AFFAIRS**

**Seventy-Fifth Session  
March 9, 2009**

Following is an excerpt of the draft minutes of the Assembly Committee on Government Affairs held on March 9, 2009, in Room 3143 of the Legislative Building, 401 South Carson Street, Carson City, Nevada, and videoconferenced to Room 4406 of the Grant Sawyer State Office Building, 555 East Washington Avenue, Las Vegas, Nevada. The meeting was called to order by Chair Marilyn Kirkpatrick at 9:16 a.m.

**COMMITTEE MEMBERS PRESENT:**

Assemblywoman Marilyn K. Kirkpatrick, Chair  
Assemblyman David P. Bobzien, Vice Chair  
Assemblyman Paul Aizley  
Assemblyman Kelvin Atkinson  
Assemblyman Chad Christensen  
Assemblyman Jerry D. Claborn  
Assemblyman Ed A. Goedhart  
Assemblywoman April Mastroluca  
Assemblyman Harvey J. Munford  
Assemblywoman Peggy Pierce  
Assemblyman James A. Settelmeyer  
Assemblywoman Ellen B. Spiegel  
Assemblyman Lynn D. Stewart  
Assemblywoman Melissa Woodbury

**COMMITTEE MEMBERS ABSENT:**

Assemblywoman Mastroluca, excused

**GUEST LEGISLATORS PRESENT:**

None



**STAFF MEMBERS PRESENT:**

Susan Scholley, Committee Policy Analyst  
Scott McKenna, Committee Counsel  
Denise Sins, Committee Secretary  
Cyndie Carter, Committee Manager  
Olivia Lloyd, Committee Assistant

**OTHERS PRESENT:**

Gary Milliken, Government Affairs, Public Relations, GEM Consulting,  
Las Vegas, Nevada  
Megan Jackson, Government Affairs Liaison, Associated Builders and  
Contractors, Inc., Sierra Nevada Chapter, Reno, Nevada  
Jeanette K. Belz, M.B.A., J. K. Belz and Associates, representing  
Associated General Contractors, Reno, Nevada  
Richard "Skip" Daly, Business Manager, Laborers' International Union,  
Local 169, Reno, Nevada  
Evan Dale, Deputy Manager, State Public Works Board  
Mandi Lindsay, Government Affairs Specialist, Associated General  
Contractors, Las Vegas, Nevada  
Gustavo "Gus" Nuñez, P.E., Manager, State Public Works Board  
Patrick T. Sanderson, representing Laborers' International Union,  
Local 872, Carson City, Nevada  
Robert A. Ostrovsky, President, Ostrovsky and Associates, Government  
Affairs Consultants, Las Vegas, Nevada

**Chair Kirkpatrick:**

[Roll called.] Let the record reflect that Mrs. Mastroluca is excused.

We are going to open the hearing on Assembly Bill 175. For those of you here, and those listening on the Internet, the meeting will start at 9:15 this morning because there is a whiteout in Washoe Valley, and we want to allow time for the rest of the Committee to arrive. We will start with the introduction of A.B. 175, introduced by Assemblyman Atkinson.

**Assembly Bill 175: Temporarily revises the provisions governing the prequalification of bidders on public works of this State. (BDR 28-1032)**

**Assemblyman Atkinson, Clark County Assembly District No. 17:**

As the Chair has stated, this bill has changed dramatically. Assembly Bill 175 has been amended and is refocused from bidder's preferences to hiring preferences ([Exhibit C](#)). Like the original bill, the amendment applies to both

State Public Works projects and Nevada Department of Transportation (NDOT) projects. The amendment clarifies that the bill applies only to State Public Works or NDOT projects paid for in whole or in part with federal stimulus money under the American Recovery and Reinvestment Act of 2009. The bill will require each contractor and subcontractor to ensure that at least 95 percent of the workers hired are Nevada residents. All workers must also be offered health insurance with coverage at a reasonable cost. This language is a little vague, because we did not want to bog down the bill by trying to set rates ourselves. It would have been too difficult.

To enforce the provisions, the bill requires the contractor and subcontractor to obtain and maintain evidence of the residency of their workers. The contractor also has to certify his and the subcontractor's compliance. The contractor must withhold 10 percent of each contractor's payment, and any who violate this provision have to forfeit that 10 percent.

There was some confusion after we had a working group of about 16 people who attempted to work out this language. Some contractors are already withholding a percentage of their costs, so for clarification, we wanted to make sure that 10 percent was the same across the board. There is not an additional 10 percent added to what already exists.

Any penalties collected due to a violation will go to the General Fund. We will be able to use that money for State Public Works or NDOT projects. The State Public Works Board and NDOT are required to adopt regulations governing the filing of complaints and alleged violations of these requirements, and for investigating and resolving the complaints.

The bill provides some additional detail on the 95 percent Nevada residency requirement. It will be calculated in man-hours. Residency will be based on either a Nevada driver's license or a Department of Motor Vehicles (DMV) identification card. It does not apply to subcontractors performing less than 1 percent of the work. The requirement may be waived when specialty contractors are needed and Nevada specialty contractors are not available.

Just as in the original bill, the amendment will expire in July 2011. This bill will no longer be in effect at that time, and companies can return to the hiring practices they used prior to the bill's passage.

In short, that is what the amendment does; that is what the working group came up with. We are attempting to make sure that the jobs that come from the stimulus money remain in Nevada and remain with our workforce.

I got a call from NDOT this morning regarding their concerns over the legalities of the bill. We have been told by our Legal staff that this is legal. If that changes, we will have to discuss it later. We have been told to proceed, and that is what we are doing.

**Assemblyman Goedhart:**

For the purpose of a bona fide Nevada resident, he would either have Nevada identification and/or a Nevada driver's license. So, theoretically, if I wanted to have a job with ABC Construction Company, and they say, "I can only hire Nevadans," regardless of where I am from, what would stop me from going to the DMV and saying, "I want to get my Nevada driver's license today?"

**Assemblyman Atkinson:**

What would stop you?

**Assemblyman Goedhart:**

I could be from anywhere. How long does it take to get a Nevada driver's license?

**Assemblyman Atkinson:**

It is my understanding you have to have proof showing that you have a residence; you cannot register with a post office box. Most of the time the DMV requires some type of utility bill, so you do have to prove residency. What is stopping you from cheating? I cannot tell you that. People who are going to break the law are going to do just that. If they want to cheat, they are going to cheat. These are the rules set in place. The DMV has a mechanism that they have to prove residency to get a driver's license in this state, and people have to follow those rules.

**Assemblyman Goedhart:**

In Nye County, they still let you register with a post office box on your driver's license.

**Assemblyman Munford:**

Is there a diversity plan for the bill? A restriction has been put in this bill requiring Nevada residency; should there not be some restrictions on ensuring fair hiring practices?

**Assemblyman Atkinson:**

If you look at the Reinvestment Act, there is another provision of the bill that applies to diversity. There is also a section in the Act where states can get additional monies for exercising diversity and fair hiring practices.

**Assemblyman Munford:**

I am sure the federal government has some restrictions on that, especially if you are getting stimulus money. They do require some type of disparity plan or study to ensure compliance with certain governmental standards when it comes to your bidding process.

**Assemblyman Atkinson:**

That is why I clarified earlier that this really is not bidder's preference anymore. We have moved away from that. This involves hiring preferences. I do not necessarily think hiring preferences is a good idea, but since this covers all Nevada residents, it is good for the economy. As I said before, there is another part of the Act that addresses diversity. I can get that information to you if you need it.

**Assemblyman Stewart:**

I appreciate all the hard work you have done on this bill. A good job has been done on its revision.

In the initial bill, there was some concern about health care currently being provided and the burden of additional health care provisions to be imposed; is that no longer in the bill?

**Assemblyman Atkinson:**

Yes, that is correct. All of the original language in the bill is gone. The only thing we adjusted in the health insurance section was to offer it at a reasonable rate. I think some of the employers earlier on had an issue with the insurance being totally employer-paid, because some have employer/employee-paid insurance and some have employer-paid only. We wanted to allow employees the opportunity to continue their same method of insurance premium payments.

**Chair Kirkpatrick:**

Mr. Stewart, in section 4 of the bill it talks about the change. I went to a portion of Mr. Atkinson's working group, and there was a lot of discussion on this piece. At the end they did not want to be penalized in case they did not have enough employees to get health care insurance, and they did not want to be penalized if people waived the insurance. All of that was discussed, and this is the language that was agreed upon by the working group. I spoke with Clara Andriola from Associated Builders and Contractors, who was part of the working group, and she said that she fully supports the bill and is committed to putting Nevadans back to work.

**Assemblywoman Spiegel:**

Regarding the sunset provision, what happens if the projects go on longer than June 30, 2011?

**Assemblyman Atkinson:**

In the Reinvestment Act, the monies have to be obligated well before then. There are a few different things they have to do to get on the list and be shovel-ready to start. Those projects will already have been identified well before 2011.

**Assemblywoman Spiegel:**

What happens in terms of the hiring preference if the project continues past the sunset date, even though the funds are obligated and allocated prior to that date? What would happen to the workers after that date?

**Assemblyman Atkinson:**

Maybe I do not understand your question. Do you mean if they are already hired?

**Assemblywoman Spiegel:**

I mean if there are turnovers or new hires and they are just not subject to it?

**Assemblyman Atkinson:**

You got me. I do not know. We will have to look at that.

**Chair Kirkpatrick:**

Ms. Spiegel, we will ask one of the contractors, but I would bet there will not be a whole lot of people moving from job to job at the present time. I know that in my neighborhood, people are thankful to be on a list to get a job. We can ask Mr. Milliken or Megan Jackson.

If there is anyone else here to testify in support of this bill, please do so now.

**Gary Milliken, Government Relations, Public Affairs, Associated General Contractors, Las Vegas, Nevada:**

I am speaking in favor of the amended version of the bill. I think it accomplishes exactly what Assemblyman Atkinson wanted.

Partially in answer to Assemblywoman Spiegel's question, most projects have a set crew. If a job carries over a couple of weeks, I do not think there will be many changes on that crew from its original composition. I think obligation is a key word in the bill.

**Megan Jackson, Government Affairs Liaison, Associated Builders and Contractors, Inc., Sierra Nevada Chapter, Reno, Nevada:**

I am here today, speaking on behalf of Clara Andriola, the President of our chapter. She asked me to extend her apologies, as she could not be here due to a prior commitment. She wanted to express her greatest appreciation to Assemblyman Atkinson for including her in the conversation for these proposed amendments.

Associated Builders and Contractors would like to recognize Assemblyman Atkinson who has done a great job. We all want to see Nevadans working. It is clear that this amendment now offers a much more effective strategy than what was originally proposed.

**Jeanette K. Belz, M.B.A., J.K. Belz and Associates, representing Associated General Contractors, Reno, Nevada:**

I want to thank Assemblyman Atkinson for the clarification regarding retention. That was one of the issues we brought up. We do appreciate it and we do support the bill.

**Chair Kirkpatrick:**

Does anyone have any questions for any of the three speakers? Thanks for being part of the working group. Is there anybody else who would like to testify in support of this bill?

**Richard "Skip" Daly, Business Manager, Laborers' International Union, Local 169, Reno, Nevada:**

I also want to thank Assemblyman Atkinson. We were part of the working group on this. We believe the bill is an accurate rendition of what we agreed to, what we talked about, and we think it is a good issue and should move forward.

I will address Ms. Spiegel's concern, and the NDOT can elaborate. Generally, if you have a provision with a retention amount, it will be in the bid investigation and subsequently in the contract. It would last for the duration of the job, even if it goes past the sunset.

**Chair Kirkpatrick:**

Is there anybody else here who would like to testify in favor of A.B. 175 the way it is amended? Is there anybody in opposition to A.B. 175? Is there anybody who is neutral on A.B. 175?

**Evan Dale, Deputy Manager, State Public Works Board:**

I would like to point out the amendment is a big improvement over the prior bill. I am happy to see it.

In section 3, subsection 6, I am a little concerned about the regulation requirement. At Public Works, we believe the earliest that we could adopt a regulation would be around December 2009. If that is required to start carrying out the law, we might miss the window. There is a regulation requirement for setting up a process to investigate claims that a contractor has violated these provisions.

**Chair Kirkpatrick:**

Thank you for coming on such short notice. Would the job already be started, though, before anybody would actually complain about it? The way I understood it to read is that the jobs would already be going, then somebody would complain about the hiring practices, then they would file a complaint.

**Evan Dale:**

Madam Chair, I suppose that is possible. However, if a complaint came about before we adopted the regulation, or the work was completed prior to adopting the regulation, we would be in a bit of a jam.

**Chair Kirkpatrick:**

Mr. McKenna, is there a way to address that through a temporary regulation until December?

**Evan Dale:**

I believe that before we can adopt a regulation, the bill has to be passed. Then, we have to launch the regulation process, which is very lengthy. During session, we might be pressed to get everyone together and hold the required number of hearings and post the required notices. The Legislative Counsel Bureau would have to review what is adopted before it could be filed.

**Chair Kirkpatrick:**

What would the process be? Would they go to the Labor Commissioner? How does it normally work now?

**Evan Dale:**

If there is an alleged violation of any statute or regulation, the agency that issues the contract, known as the contracting agency, has to perform an investigation. They have to conduct interviews, do field work, review documents that pertain to the job, and then issue a determination. Most of our

work in this area has been on the prevailing wage statutes. We issue a determination and then send it over to the Labor Commissioner for affirmation.

**Chair Kirkpatrick:**

Could you use the current process that you have?

**Evan Dale:**

I believe we could. But the bill, as it is currently written, says we have to go through a regulation adopting process in order to complete the bill's requirements.

**Chair Kirkpatrick:**

I am wondering if there is a way to delete that line, but of course we will have to ask the bill's sponsor. We can delete that line and use what we already know works.

**Evan Dale:**

That would definitely be more doable from our point of view. I appreciate Assemblyman Atkinson's comment that this has been reviewed for legality. In section 3, subsection 7, however, I have a concern about depositing federal stimulus money into the General Fund.

**Chair Kirkpatrick:**

Do you mean subsection 7 of the old bill or subsection 7 of the new bill?

**Evan Dale:**

It is in the new bill. I am sorry; it is section 4, subsection 7. It also says the same thing in section 3, subsection 7. It is the part where the money is deposited into the General Fund. I would be very surprised if the feds were okay with that. Also, some of these projects might have mixed funding, so there might be some bond funding as well as the stimulus money, and therefore reverting any surplus money totally to the General Fund might create some problems.

**Chair Kirkpatrick:**

This subsection just talks about the penalties. Hopefully, we will not have any penalties. I would think the goal is to employ enough out-of-work Nevadans to avoid penalties. Mr. Atkinson, did you want to address this?

**Assemblyman Atkinson:**

Madam Chairwoman, you actually just answered that. The clause is only for penalties. I am a little bit alarmed, Mr. Dale, because you were in the meeting, and now you are coming to the table with these concerns. Why did you not

contact us before this? If you look at this bill again, subsection 7 is for penalties. It is not necessarily for stimulus money; it is for penalties as a result of not satisfying the 95 percent hiring of Nevada residents. I think you are referring to the original bill. This one is totally different. This bill was drafted by the Legal Division. If something changes, Legal will address it and fix it if necessary.

**Assemblyman Settelmeyer:**

I see his concern. If you withhold 10 percent of the money from the beginning, it never goes to the contractor. If the money goes directly to the State General Fund, it could be argued by a lawyer that it went straight from the federal stimulus to the General Fund. It would probably be better to say we would penalize the employer 10 percent after the fact. Then he would have received the money and put it into his account. That way we could get it back. That would be a true penalty. To withhold something, you have carved it out and held it away, and it has never gone to the contractor. I think that is where Mr. Dale is going with his argument. I believe his argument is valid.

**Assemblyman Atkinson:**

I do not think you understand it correctly, and neither does Mr. Dale. Looking at some of the contractors in the audience, they are shaking their heads. Does anyone have any clarification on this issue?

**Chair Kirkpatrick:**

Is it not actual retention money that is held anyway?

**Evan Dale:**

When projects are finished and there is money remaining in the project fund, it is a very delicate situation to revert that money out of the fund. I have no personal problems sending it to the General Fund, but I just want to make sure I am clear to do what you want to do.

**Chair Kirkpatrick:**

I think we worked long and hard to get to this point. The bill is just talking about the penalties that go to the General Fund. The retention money could be given back and then the penalties could be eliminated. There are 30 percent of folks out of work in the construction business. I would hope we would not have any penalties. I think there are enough people out there who need the work. Ms. Lindsay, can you give us some insight, please?

**Mandi Lindsay, Government Affairs Specialist, Associated General Contractors,  
Las Vegas, Nevada:**

Obviously, there is quite a bit of discussion on the retention issue. Retention is a normal protocol on construction projects, both private and public. The purpose, of course, is if something goes wrong with the project, then there are monies that can be withheld from the contractor to enforce a correction. As the Chair has already mentioned, this bill does have a penalty factor, and if a technicality exists, the money could be refunded to the contractor and then paid back in the form of a penalty. I do not see a problem there.

**Assemblyman Atkinson:**

I do have a question. There is a retention schedule now, in which the money is withheld. Where does it go?

**Evan Dale:**

Under the current protocol, if retention is not withheld and the project finishes, some money is going to be reverted out of the project; where does it go? Is that your question?

**Assemblyman Atkinson:**

That was not my question.

**Evan Dale:**

The money is held in the project fund.

**Assemblyman Atkinson:**

Okay. Where does it eventually go if it does not go into the General Fund? Where does it go now?

**Evan Dale:**

It is held in the project fund. If it is determined that it will not be paid out to a contractor, then it reverts to the source of origin, whether that be the Bond Fund, the General Fund, or an agency that has put money into the project.

**Assemblyman Atkinson:**

Wait a second. You just said it. It goes back to the General Fund, correct?

**Evan Dale:**

It would if the source of the original funding was the General Fund.

**Assemblyman Atkinson:**

Then, even without this language, it could go back to the General Fund anyway?

**Evan Dale:**

Without this language, if I was to revert some of this money under general protocol, it would revert back to the source of origin, which would be the federal government.

**Chair Kirkpatrick:**

Would you rather say that it must be reverted to the source of origin and we would send the money back to the federal government if there are any penalties? We could do that, but we are trying to get this out of Committee so we can be sure Nevadans get the jobs from the stimulus package. So what, in your opinion, would be workable in subsection 7?

**Evan Dale:**

The source of origin thing is certainly routine and it works. It might be possible to hold it for more projects, since those are the strings that are attached to the money. The money could be kept in the project fund and spent on more construction work.

**Chair Kirkpatrick:**

If the money comes from the federal government and is given to the Legislature to disperse, would it not make sense for us to leave it in the General Fund so if there are penalties, and this only applies to penalties, it would go back to the General Fund because that would be the source of origin? Money would be spent that was allocated from the federal government to the State Legislature to use as they see fit, and then if penalties were applied, that money would go back to the General Fund.

**Evan Dale:**

When the federal government makes grants of money, it is very specific in stating what the money can be used for, even down to the details of how much can be used for architects, construction, and land purchases. If your legal counsel says that you can use that money however you wish, then I am good to go with it. I just want to be careful that I am not expected to revert that to the General Fund, which is an area of money that can be used for any purpose of state government, and find out later that I was in violation of the law.

**Mandi Lindsay:**

The way the bill reads is that the retention would be held until the completion of the project. I am going to assume anyhow that if there is some sort of violation by not having Nevadans employed, that that matter will come up before the end of the project.

**Gustavo "Gus" Nuñez, P.E., Manager, State Public Works Board:**

We do not have anything else. The only thing here is to have your legal counsel look at it to make sure we are absolutely clear. That is our request at this point. We do not need to change the bill. We just wanted to bring this to your attention for consideration. Neither Evan nor I are attorneys, and we do not want to practice law here.

**Chair Kirkpatrick:**

Absolutely. Does anybody else want to testify in neutral?

**Pat Sanderson, representing Laborers International Union, Local 872, Reno, Nevada:**

I have watched this bill from the beginning and it might work, it might not. In section 4, subsection 7, it says the money does not have to be deposited; it simply must be reinvested in the highway fund for ongoing projects. If it were put into the highway fund rather than the General Fund, I am sure that would meet federal guidelines, because they want the employment in our state.

**Chair Kirkpatrick:**

Our whole goal is to not incur any penalties. I think we all want it to go back to the highway fund, no matter what. We want to keep investing in what we have already established.

Is there anyone else to testify on A.B. 175?

**Robert A. Ostrovsky, President, Ostrovsky and Associates, Government Affairs Consultants, Las Vegas, Nevada:**

I was not going to testify, but I offer an easy fix here. I am representing 3M Corporation this morning.

Why not say at the end of subsection 7, "Subject to any limitations imposed by Public Law 111-5, which refers to the Reinvestment Act of 2009?" If the law limits you, you live with those limitations. Then you do not have to figure out what the limitations are. Let someone else sort that out later, simply because of the expediency needed to get this bill passed. It would go to the General Fund unless the stimulus law says do something else, period.

**Assemblyman Settlemeyer:**

I would like to check with the sponsor to make sure of one change. On page 5, line 16, can we change the language to say "make available" instead of "must provide," as it says in line 15, so there is no confusion on insurance coverage? I would feel more comfortable with that language.

**Chair Kirkpatrick:**

So you want it to say "Must provide health insurance coverage at a reasonable cost to both the workmen and their dependents"?

**Assemblyman Settelmeyer:**

In line 15 it says "must be made available at a reasonable cost." I would be more comfortable if subparagraph (2), line 16 was phrased that way also. I am worried that in line 16, by saying "must provide health insurance coverage to both the workmen and their dependents," that may give somebody the idea that they have to provide and pay for the whole insurance policy for the workman's family members. Traditionally, in current common practice, you just pay a co-pay or a portion of the insurance. I am wondering if that is open for misinterpretation by a lawyer.

**Chair Kirkpatrick:**

We are going to take a ten-minute recess so Assemblyman Atkinson can look over all the amendments. I would like to have the ability to move this bill out of Committee today, but I think we need to be very clear on what we want to change and what we do not. Please come back at 10:05 a.m. and do not be late. By then, Mr. Atkinson will have had time to make sure the amendments are correct.

[Committee in recess at 9:55 a.m.]

We will bring the Assembly Government Affairs Committee back to order at 10:11 a.m.

Let the record reflect that Ms. Woodbury and Mr. Claborn made it through the snow.

Is there anybody else who would like to testify on A.B. 175? We will close the hearing on A.B. 175. At this time I will take a motion.

**Assemblyman Atkinson:**

I would like to make the motion because I need to change a few things.

**Chair Kirkpatrick:**

Okay. Everybody should have their packets. Go ahead, Mr. Atkinson.

**Assemblyman Atkinson:**

I would like to make a motion to Amend and Do Pass with the following amendments: On page 3, line 42, instead of "must provide," we are going to say "must include." That language is also under the NDOT portion on page 5, line 16, again changing "provide" to "include." I would also like to amend page 4, lines 20 and 21, by deleting those two lines. I would like to make that same change on page 5, deleting lines 36 and 37. I would also like to clarify section 4, because Assemblywoman Spiegel made a valid point about what happens to the language if the projects go over the sunset period. We want to clarify that the bill continues to apply to projects obligated or started prior to the sunset date. I think that will satisfy any questions regarding that portion of the bill.

**Chair Kirkpatrick:**

Mr. Atkinson, that would be a subsection 10 under section 4?

**Assemblyman Atkinson:**

Yes, and we will also have to put it in the *Nevada Revised Statutes* (NRS) Chapter 338.

The last amendment is to satisfy another concern, lines 27 and 28 on page 4, and lines 43 and 44 on page 5. For example, on page 4 it will read exactly as the sentence is currently written with one addition: "Any penalties forfeited to the State Public Works Board pursuant to subsection 4 must be deposited in the State General Fund, unless prohibited by federal law." This way, as we proceed in time, and deposit into the General Fund is not allowed, we can shift monies accordingly. Federal law supersedes us anyway, but to satisfy Public Works, we will put that in there.

**Chair Kirkpatrick:**

We have a motion on the floor. Is there any discussion from the Committee? This is not normal practice in here, but it will be another week before this bill gets to the floor, so we will have ample time to look at it. We need to move this forward to get to the other side.

**Assemblyman Settelmeyer:**

I will be voting yes today; however, I am concerned about all the changes, and I will reserve my right to change my vote on the floor.

**Chair Kirkpatrick:**

Yes, absolutely, as will Mr. Christensen, Mr. Stewart, and Ms. Woodbury.

ASSEMBLYMAN ATKINSON MOVED TO AMEND AND DO PASS  
ASSEMBLY BILL 175.

ASSEMBLYMAN CLABORN SECONDED THE MOTION.

Let the record reflect that, according to Standing Rule 14, Mr. Settlemeyer, Mr. Christensen, Ms. Woodbury, and Mr. Stewart reserve the right to change their vote on the floor. All those in favor please say "aye." Any opposed?

THE MOTION CARRIED. (ASSEMBLYMAN GOEDHART WAS  
OPPOSED; ASSEMBLYWOMAN MASTROLUCA WAS EXCUSED.)