

THE TWENTY-FIFTH DAY

CARSON CITY (Thursday), March 1, 2007

Assembly called to order at 11:01 a.m.

Madam Speaker presiding.

Roll called.

All present except Assemblymen Christensen and Womack, who were excused.

Prayer by the Chaplain, Pastor Marvin Dennis.

Heavenly Father, for each of these ladies and gentlemen who are giving of themselves and their resources to serve the citizens of this great state, I pray that You will reward them with Your blessings. In the Name of my Lord, I pray.

AMEN.

Pledge of allegiance to the Flag.

Assemblyman Oceguera 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

Madam Speaker:

Your Committee on Commerce and Labor, to which was referred Assembly Bill No. 47, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

JOHN OCEGUERA, *Chair*

Madam Speaker:

Your Concurrent Committee on Education, to which were referred Assembly Bills Nos. 131, 151, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

BONNIE PARNELL, *Chair*

INTRODUCTION, FIRST READING AND REFERENCE

By the Committee on Commerce and Labor:

Assembly Bill No. 224—AN ACT relating to manufactured housing; exempting specialty servicemen from the requirement of taking an examination for licensure in certain circumstances; requiring a provider of services to enter into written contracts for any work he provides with each person who is pertinent to the sale, installation and occupancy of a manufactured home; requiring the Manufactured Housing Division of the Department of Business and Industry to adopt national standards and codes for the construction of factory-built housing, manufactured buildings and modular components; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 225—AN ACT relating to mental health; revising provisions concerning emergency admissions of allegedly mentally ill persons to certain mental health facilities; and providing other matters properly relating thereto.

Assemblywoman Leslie moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblymen McClain, Kirkpatrick, Parnell, Koivisto, Gerhardt, Arberry, Atkinson, Bobzien, Buckley, Carpenter, Claborn, Conklin, Denis, Hogan, Horne, Kihuen, Leslie, Ocegüera, Parks, Pierce, Segerblom, and Womack:

Assembly Bill No. 226—AN ACT relating to older persons; creating the Unit for the Review and Oversight of the Investigation and Prosecution of Crimes Against Older Persons, the Initial Crime Evaluation Team, and the Civilian Volunteer Investigation and Prosecution Team; providing for the appointment of an Executive Director of Crimes Against Older Persons; creating the Repository for Information Concerning Crimes Against Older Persons; and providing other matters properly relating thereto.

Assemblywoman McClain moved that the bill be referred to the Committee on Judiciary.

Motion carried.

By Assemblymen Carpenter, Mabey, Claborn, Goedhart, Goicoechea, Grady, Marvel, and Settelmeyer; Senators Rhoads and McGinness:

Assembly Bill No. 227—AN ACT relating to trespassing; revising the provisions governing the posting of warnings against trespassing; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Natural Resources, Agriculture, and Mining:

Assembly Bill No. 228—AN ACT relating to pest control; authorizing the Director of the State Department of Agriculture to refuse to issue a license to engage in pest control to a person who is convicted of certain acts; prohibiting the Director from issuing such a license until the expiration of the period of the person's parole, probation or sentence; prohibiting a person, in connection with a real estate transaction, from engaging in certain pest control activities concerning wood-destroying pests or organisms without a

license issued by the Director; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 229—AN ACT relating to education; requiring the Department of Education to develop a pilot program for mentor teachers; making an appropriation; and providing other matters properly relating thereto.

Assemblywoman Parnell moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 230—AN ACT relating to justice courts; expanding the jurisdiction of justice courts in criminal cases in which an arrest was made by a field agent or an inspector of the State Department of Agriculture; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Gansert, Hardy, Mabey, Allen, Beers, Carpenter, Christensen, Cobb, Conklin, Goedhart, Goicoechea, Grady, Kirkpatrick, Marvel, Parnell, Settelmeyer, Stewart, and Weber:

Assembly Bill No. 231—AN ACT relating to taxation; increasing the amount of the deduction from certain excise taxes that an employer may take for payments he makes for health insurance or a health benefit plan for his employees; and providing other matters properly relating thereto.

Assemblywoman Gansert moved that the bill be referred to the Committee on Ways and Means.

Motion carried.

By Assemblymen Leslie, Buckley, Horne, McClain, Ocegüera, Allen, Anderson, Arberry, Atkinson, Beers, Bobzien, Claborn, Conklin, Denis, Gerhardt, Hogan, Kihuen, Kirkpatrick, Koivisto, Mabey, Manendo, Mortenson, Munford, Ohrenscha11, Parks, Parnell, Pierce, Segerblom, and Smith; Senators Wiener, Titus, Care, Coffin, Lee, McGinness, Nolan, Schneider, and Woodhouse:

Assembly Bill No. 232—AN ACT relating to the State Board of Pharmacy; requiring the Board to compile and make available to consumers certain information relating to pharmacies and the prices of commonly prescribed prescription drugs; making an appropriation; providing an administrative penalty; and providing other matters properly relating thereto.

Assemblywoman Leslie moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 233—AN ACT relating to mental health; increasing the number of members of the Commission on Mental Health and Developmental Services; and providing other matters properly relating thereto.

Assemblywoman Kirkpatrick moved that the bill be referred to the Committee on Government Affairs.

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 234—AN ACT relating to homeopathy; revising various provisions governing the regulation of homeopathic physicians; requiring the Nevada Institutional Review Board to reimburse the Board of Homeopathic Medical Examiners for the expenses it incurs to supervise the Nevada Institutional Review Board; requiring the Board of Homeopathic Medical Examiners to adopt regulations for the Nevada Institutional Review Board; and providing other matters properly relating thereto.

Assemblyman Conklin moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Bobzien, Buckley, Conklin, Leslie, McClain, Kihuen, Koivisto, Manendo, Parks, Segerblom, and Smith:

Assembly Bill No. 235—AN ACT relating to pharmacy; requiring a practitioner to include on a prescription the symptom or purpose for which a prescription drug is prescribed if requested by the patient; requiring such information to be included on the label of a prescription if requested by the patient; authorizing a practitioner to prohibit the inclusion on the label of a prescription certain information concerning the substitution of a generic drug for a drug with a brand name; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Bobzien moved that the bill be referred to the Committee on Commerce and Labor.

Motion carried.

By Assemblymen Mabey, Allen, Gansert, Settelmeyer, Cobb, Beers, Carpenter, Christensen, Goedhart, Goicoechea, Grady, Hardy, Marvel, Stewart, and Weber; Senators Washington, Hardy, Townsend, Amodei, Beers, Cegavske, Heck, McGinness, Nolan, Raggio, and Rhoads:

Assembly Bill No. 236—AN ACT relating to taxation; allowing the Department of Taxation to refrain from taking any action to collect unpaid sales and use taxes due from a person if the cost of that action would exceed

the total amount due; revising the provisions governing the reporting and payment period for those taxes and the maximum amount which may be required as security for the payment of those taxes; and providing other matters properly relating thereto.

Assemblyman Settlemeyer moved that the bill be referred to the Committee on Taxation.

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 5.

Bill read second time and ordered to third reading.

Assembly Bill No. 66.

Bill read second time and ordered to third reading.

Assembly Bill No. 110.

Bill read second time and ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 1, 2007

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day adopted Senate Concurrent Resolution No. 7.

SHERRY RODRIGUEZ

Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

Senate Concurrent Resolution No. 7.

Assemblyman Mabey moved the adoption of the resolution.

Remarks by Assemblymen Mabey, Pierce, and Madam Speaker.

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

ASSEMBLYMAN MABEY:

I am honored to speak to the resolution honoring Dr. Emil Frei, III. Dr. Frei was born into a family of artists. He was expected to join the family business, a stained glass company in St. Louis, but Emil, or Tom, as he is known by everyone, was drawn to science in his early teens after reading a book called *Rats, Lice, and History*. He briefly studied art at Washington University but soon found medicine was his true calling. Dr. Frei received his medical degree from Yale.

In 1972, while working at the National Cancer Institute, Dr. Frei was recruited to the Dana-Farber Cancer Institute at Harvard in Boston. He became its director, a position he held for nearly 20 years. While at Dana-Farber, Dr. Frei teamed with Dr. Emil Freireich, and the pair developed a revolutionary approach to treating childhood leukemia using combinations of chemotherapy drugs. The treatment soon gained international acceptance and is viewed as the single most important advance in the past quarter century in saving the lives of cancer patients.

In 1965, the cure rate for childhood leukemia patients was 0 percent—today, it is 80 percent.

This resolution honors a man whose life work served mankind for over 50 years. He is a dedicated and compassionate physician in the field of oncology but also a man known for his irrepressible sense of humor, delight in silly jokes, and his love and devotion to his family as a beloved husband, father, and grandfather.

Las Vegas became home to Dr. Frei in 2004, and the citizens of Nevada are enriched by his presence, his caring, and his devotion.

Dr. Frei is unable to be here today. He is 83 years of age and suffers from Parkinson's disease. I ask your support and passage of SCR 7 honoring the lifetime commitment, dedication, and inspiration of Dr. Emil Frei, III.

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

I understand that Dr. Frei is listening to us today and I, too, would like to add my comments in support of the resolution. The son of our previous Speaker, Richard Perkins, was diagnosed with leukemia, and due to the work of Dr. Frei and others, that cure rate resulted in Speaker Perkins' son also being cured. His work has touched the lives of so many Nevadans, and we applaud him for that.

ASSEMBLYWOMAN PIERCE:

I rise in support of this resolution. Most of you know that six weeks before my first election, I was diagnosed with breast cancer, and when I arrived here, I had a haircut similar to my colleague from Assembly District 34. I can attest to the fact that chemotherapy is a tremendous blessing, but not for your hair. I am very grateful for Dr. Frei's work, and I wouldn't be here today if it wasn't for chemotherapy. Thank you very much.

Resolution adopted.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Michael Hill, Whitney Leathers, and Pam Young.

On request of Assemblyman Beers, the privilege of the floor of the Assembly Chamber for this day was extended to Kendra Edens and Maria Ralls.

On request of Assemblyman Bobzien, the privilege of the floor of the Assembly Chamber for this day was extended to Margaret Oberg and Cindy Roller.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Sandra LaPalm and Cheri Luke.

On request of Assemblyman Claborn, the privilege of the floor of the Assembly Chamber for this day was extended to Deborah Jean Moore and Ginny Sais.

On request of Assemblyman Cobb, the privilege of the floor of the Assembly Chamber for this day was extended to Taya Willden.

On request of Assemblyman Denis, the privilege of the floor of the Assembly Chamber for this day was extended to Eva Cunningham.

On request of Assemblywoman Gerhardt, the privilege of the floor of the Assembly Chamber for this day was extended to Kitti Bennet.

On request of Assemblyman Goedhart, the privilege of the floor of the Assembly Chamber for this day was extended to the following students of Logos Christian Academy: Alicia Baze, Marshall Covertson, Clay Davison, Amanda Gallop, Sam Goings, Heather Hancock, Shylah Howard, Zaria Landis, Jessica Little, Brandon Phillips, Lorna Martinez, Nathan Narag, Cheyenne Sweeney, Tim Syriac, Levi Taylor, Katie Ruth Taylor, and Jes Tews; teacher Kathy Madaso; chaperones Candy Davison, Jennifer Gallop, Karina Madraso, Angie Phillips, Trina Taylor, and Linda Tews; Joyce Miller, Christine Roberto, and Bob Rowe.

On request of Assemblyman Goicoechea, the privilege of the floor of the Assembly Chamber for this day was extended to Jim Goldsworthy and Jack Riehm.

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to Robin Eaton, Gerald Hitchcock, and Ken Thompson.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Sue Conley.

On request of Assemblyman Kihuen, the privilege of the floor of the Assembly Chamber for this day was extended to Juana G. Armenta.

On request of Assemblyman Mabey, the privilege of the floor of the Assembly Chamber for this day was extended to Corinne B. Thomson and Leslie Chaney.

On request of Assemblyman Manendo, the privilege of the floor of the Assembly Chamber for this day was extended to Diana Arevalo, Lillie England, and Heidi Wood.

On request of Assemblyman Marvel, the privilege of the floor of the Assembly Chamber for this day was extended to Margo Chappel, Erica Dunson, Jeni Lyson, Judy Benvenuto, and Stephanie Wyatt.

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

On request of Assemblyman Segerblom, the privilege of the floor of the Assembly Chamber for this day was extended to Lisa Rasmussen and Lisa Roberts.

On request of Assemblyman Settlemeyer, the privilege of the floor of the Assembly Chamber for this day was extended to the students of Rite of Passage; Donna Durham and Janie Lowe.

On request of Assemblywoman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to Nancy Fincher, Cindy Johnson, and Judith E. McGlaughlin.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Sherry Goodale.

Assemblyman Ocegüera moved that the Assembly adjourn until Friday, March 2, 2007, at 11 a.m.

Motion carried.

Assembly adjourned at 11:33 a.m.

Approved:

BARBARA E. BUCKLEY
Speaker of the Assembly

Attest: SUSAN FURLONG REIL
Chief Clerk of the Assembly