

## THE THIRTY-EIGHTH DAY

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CARSON CITY (Wednesday), March 14, 2007

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

Madam Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Patrick Propster.

Psalm 5: "Give ear to my words. O Lord, consider my meditation. Give heed to the voice of my cry, my King and my God, for to You I will pray. My voice You shall hear in the morning, O Lord. In the morning, I will direct it to You and I will look up."

Gracious Lord, with the many important decisions that will be made in these days ahead, we dedicate ourselves to You in prayer seeking Your divine understanding. This morning and those to follow, we look up to You.

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.

### MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 13, 2007

*To the Honorable the Assembly:*

I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 13.

SHERRY RODRIGUEZ

*Assistant Secretary of the Senate*

### MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Grady, Allen, Anderson, Arberry, Atkinson, Beers, Bobzien, Buckley, Carpenter, Christensen, Claborn, Cobb, Conklin, Denis, Gansert, Gerhardt, Goedhart, Goicoechea, Hardy, Hogan, Horne, Kihuen, Kirkpatrick, Koivisto, Leslie, Mabey, Manendo, Marvel, McClain, Mortenson, Munford, Ocegüera, Ohrenschall, Parks, Parnell, Pierce, Segerblom, Settlemeyer, Smith, Stewart, Weber, and Womack; Senators Amodei, Beers, Care, Carlton, Cegavske, Coffin, Hardy, Heck, Horsford, Lee, Mathews, McGinness, Nolan, Raggio, Rhoads, Schneider, Titus, Townsend, Washington, Wiener, and Woodhouse:

Assembly Concurrent Resolution No. 14—Commemorating the 100th anniversary of the incorporation of the City of Yerington.

WHEREAS, On March 14, 1907, Governor John Sparks signed into law a bill that incorporated Yerington as a city, defined its boundaries and established its governmental structure, and March 14, 2007, marks the 100th anniversary of that event; and

WHEREAS, The origins of Yerington can be traced back to the 1850s when N. H. A. “Hock” Mason settled in the valley that now bears his name, and in 1871, the Mason Valley Post Office was established in the town near the Walker River; and

WHEREAS, The town was referred to by many as “Pizen Switch,” which folklore traces to the inferior grade of whiskey (tasted like poison or “pizen”) sold in a local saloon that was constructed of willow branches (“switches”), and in 1879, the town was rechristened “Greenfield,” but the name of the local post office was not officially changed; and

WHEREAS, In 1880, Henry Marvin Yerington, the General Superintendent of the Virginia and Truckee Railroad, founded the Carson and Colorado Railroad that soon extended from Mound House through Dayton, Fort Churchill, Wabuska in northern Mason Valley and Schurz to places farther south in both Nevada and California; and

WHEREAS, By 1894, the residents officially changed the names of the town and its post office to Yerington, in an unsuccessful effort to flatter Henry Yerington so that he would extend his rail line 12 miles south of Wabuska through the town named after him; and

WHEREAS, The county seat of Lyon County was moved from Dayton to the thriving and growing City of Yerington in 1911; and

WHEREAS, Joseph E. Dini, Jr., the longest serving Assemblyman and Assembly Speaker in Nevada history and the State’s first and only Speaker Emeritus, is a Yerington native who continues to reside in his hometown and is just one of many prominent Nevada residents from Yerington; now, therefore, be it

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the members of the 74th Session of the Nevada Legislature recognize the 100th anniversary of the incorporation of the City of Yerington and applaud the efforts of those men, women and children who helped shape Yerington into a vibrant city of over 3,000 residents in the heart of a valley of 9,000 proud Nevadans; and be it further

RESOLVED, That the residents of Yerington, Mason Valley, Lyon County and the State of Nevada are urged to join together in the celebrations to commemorate the colorful and rich history of Yerington, one of Nevada’s truly special places; and be it further

RESOLVED, That the Chief Clerk of the Assembly prepare and transmit a copy of this resolution to the City of Yerington through its Mayor Doug Homestead.

Assemblyman Grady moved the adoption of the resolution.

Remarks by Assemblyman Grady.

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

Resolution adopted unanimously.

Assemblyman Grady moved that all rules be suspended and that Assembly Concurrent Resolution No. 14 be immediately transmitted to the Senate.

Motion carried unanimously.

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

Assembly in recess at 11:18 a.m.

#### ASSEMBLY IN SESSION

At 11:20 a.m.

Madam Speaker presiding.

Quorum present.

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

Assembly Resolution No. 7—Providing for the appointment of an additional attaché for the Assembly.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Sharon McCallen is elected as an additional attache of the Assembly for the 74th Session of the Nevada Legislature.

Assemblywoman Koivisto moved the adoption of the resolution.

Remarks by Assemblywoman Koivisto.

Resolution adopted.

#### INTRODUCTION, FIRST READING AND REFERENCE

By Assemblyman Goicoechea and Senator Rhoads:

Assembly Bill No. 302—AN ACT making an appropriation to the Pershing County Water Conservation District for certain emergency repairs; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Stewart, Hardy, Mabey, Beers, Gansert, Goedhart, Goicoechea, Manendo, Munford, Segerblom, Settelmeyer, and Weber:

Assembly Bill No. 303—AN ACT relating to insurance; requiring insurers to provide notice to policyholders or prospective policyholders of serious medical conditions detected during required medical examinations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 304—AN ACT relating to manufactured home parks; revising the provisions relating to the review of rental agreements and other residency documents; revising the provisions relating to certain repairs to a manufactured home; making changes pertaining to rules and regulations of a manufactured home park; revising the provisions relating to meetings between a landlord and tenants under certain circumstances; requiring a landlord to pay certain costs associated with the conversion of a manufactured home park; increasing the amount of the limitation on the lien of a landlord; prohibiting local governing bodies from restricting the installation of certain manufactured homes; 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 Elections, Procedures, Ethics, and Constitutional Amendments:

Assembly Bill No. 305—AN ACT relating to the protection of children; creating the Legislative Committee on the Health, Welfare, Safety and Protection of Children; creating the position of Child Welfare Specialist to audit and survey certain governmental and private facilities that have custody of children pursuant to a court order; 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 Judiciary:

Assembly Bill No. 306—AN ACT relating to crimes; providing for the criminal and civil forfeiture of property and proceeds attributable to technological crimes; making certain changes to the membership and duties of the Advisory Board for the Nevada Task Force for Technological Crime; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Claborn, Anderson, Koivisto, Arberry, Buckley, Conklin, Goedhart, Hogan, Horne, Kihuen, Leslie, Manendo, McClain, Mortenson, Munford, Smith, and Stewart; Senators Beers, Hardy, Horsford, McGinness, Rhoads, Schneider, Titus, Wiener, and Woodhouse:

Assembly Bill No. 307—AN ACT relating to crimes; prohibiting the use of certain lasers and other light sources to interfere with the operation of an aircraft; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen McClain, Smith, Koivisto, Womack, Parks, Anderson, Atkinson, Carpenter, Claborn, Conklin, Denis, Gansert, Gerhardt, Hogan, Leslie, Manendo, Marvel, Mortenson, Munford, Ohrenschall, Parnell, Pierce, and Weber:

Assembly Bill No. 308—AN ACT making an appropriation to the Department of Health and Human Services to extend “Nevada 2-1-1” service to 7 days per week; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen McClain, Koivisto, Weber, Parks, Allen, Buckley, Claborn, Conklin, Denis, Gansert, Gerhardt, Hogan, Kirkpatrick, Leslie, Parnell, Pierce, Smith, and Womack; Senators Titus, Wiener, and Woodhouse:

Assembly Bill No. 309—AN ACT making an appropriation for the Women's Research Institute of Nevada and the National Education for Women's Leadership program at the University of Nevada, Las Vegas; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen McClain, Parks, Hardy, Anderson, Atkinson, Bobzien, Claborn, Conklin, Denis, Gerhardt, Hogan, Kirkpatrick, Koivisto, Leslie, Manendo, Marvel, Mortenson, Munford, Ohrenschall, Parnell, Pierce, and Womack:

Assembly Bill No. 310—AN ACT relating to aging persons; expanding the program of the Aging Services Division of the Department of Health and Human Services which provides community-based services to enable frail elderly persons to live independently to include frail elderly persons who have certain higher incomes under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Hardy, Gansert, Beers, Parks, Cobb, Denis, Goedhart, Mabey, Marvel, McClain, Settlemeyer, Stewart, and Weber; Senators Care and Heck:

Assembly Bill No. 311—AN ACT relating to motor vehicles; prohibiting certain fees from being charged for the storage of a motor vehicle in certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Hardy, Mabey, Gansert, Beers, Parks, Goedhart, Marvel, McClain, Settlemeyer, and Stewart; Senator Care:

Assembly Bill No. 312—AN ACT relating to ethics in government; clarifying the provisions governing ethical standards for public officers and employees concerning gifts; authorizing the Commission on Ethics to render opinions on hypothetical matters upon its own motion; revising the contents of statements of financial disclosure required to be filed by certain candidates for public office and public officers; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Ocegueda:

Assembly Bill No. 313—AN ACT relating to education; requiring the Department of Education to establish a procedure for the notification, tracking and monitoring of the status of criminal cases involving licensed teachers and other licensed educational personnel; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 314—AN ACT making an appropriation to the Las Vegas-Clark County Urban League for a prisoner reentry program; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 315—AN ACT making a contingent appropriation to the Lied Discovery Children's Museum for the costs of planning a new facility; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 316—AN ACT making an appropriation to the University of Nevada School of Medicine for the construction of a facility for the treatment of chronic fatigue syndrome and related research; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 317—AN ACT making an appropriation to the Department of Administration for allocation to the Nevada Commission for National and Community Service for continuation of its programs dedicated to promoting citizen volunteerism; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 318—AN ACT making an appropriation to the Department of Education for allocation to Save the Children for in-school and after-school literacy programs; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 319—AN ACT relating to public employees' retirement; pledging that the Legislature will not increase the retirement benefits for certain public employees unless the retirement fund from which the benefits will be paid is funded at or above a certain level; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Buckley:

Assembly Bill No. 320—AN ACT making an appropriation to Three Square for the construction of a food production facility; and providing other matters properly relating thereto.

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

Motion carried.

#### MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ocegüera moved that Assembly Bill No. 162 be taken from the Second Reading File and rereferred to the Committee on Ways and Means.

Motion carried.

#### SECOND READING AND AMENDMENT

Assembly Bill No. 42.

Bill read second time and ordered to third reading.

Assembly Bill No. 135.

Bill read second time and ordered to third reading.

#### GENERAL FILE AND THIRD READING

Assembly Bill No. 137.

Bill read third time.

Remarks by Assemblymen Ocegueda, Carpenter, and Anderson.

Roll call on Assembly Bill No. 137:

YEAS—42.

NAYS—None.

Assembly Bill No. 137 having received a constitutional majority, Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

#### REPORTS OF COMMITTEES

*Madam Speaker:*

Your Committee on Ways and Means, to which was referred Assembly Concurrent Resolution No. 12, has had the same under consideration, and begs leave to report the same back with the recommendation: Be adopted.

Also, your Committee on Ways and Means, to which was referred Senate Bill No. 193, has had the same under consideration, and begs leave to report the same back with the recommendation: Do pass.

MORSE ARBERRY JR., *Chair*

#### GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblywoman Buckley, the privilege of the floor of the Assembly Chamber for this day was extended to the following members of Farmer's Insurance Company: William Burgess, Scot Clements, Michael Daniel, Rusty Hinman, Venus Janes, Hortencia McKinnon, Sandy Meisner, Robert Meyers, James Millick, Lorraine Porter, Leon Taylor, Kay Uhrlaub, Ron West, Betsi Williams, Michael Achilli, Kent Bailey, Jeffrey Brooks, Stephanie Brooks, Mark Hammond, Beverly Hanson, Mary Jane Lake, Julie Merrill, Annette Texeira, Matthew Teixeira, Robert Gleason, Scott Fulwider, Mary Widberg Lutcf, Michael Idehara, Mike Idehara, Alan Kerner, Richard Sacca, Steven Schiebel, Michael Williams, Robert Jaramillo, Holly Anderson, Ronald Anderson, Kimo Harward, Craig Sherman, Dave Tattam, David Truelock, Robert Worden, Wynn Guinn, Steven Guinn, Tim Purcell, Dean Dorn, Scott Held, Douglas Lieberman, Jeffrey Venuto, Burt Garavaglia, Kimberly Achilli, Glenn Bienstock, Victoria Bremner, Ann Burgess, Christina Cassella, Cyndi Chidester, Robert Compan, Jim DeGrafferreid, David Dela Torre, Greg Flanigan, Kristine Flower, Jamie Galati, Beverly Geyer, James Grant, Carolyn Hunton, Shannon Idehara, James Johnson, Rodney Johnson, Brandon Koch, Evelyn Lederman, Mark Miller, Paul Niemeier, Scott Pick, Jon Porter Jr., Michael Ramseth, Paula Rice, Donald Sim, Karen Staker, Bradley Thiele, Annie Tran, Kyle Wegner, and Perry Woodward; Taylor Gray.

On request of Assemblyman Christensen, the privilege of the floor of the Assembly Chamber for this day was extended to Christopher Androl.

On request of Assemblyman Claborn, the privilege of the floor of the Assembly Chamber for this day was extended to Andrew Ervin.

On request of Assemblywoman Gansert, the privilege of the floor of the Assembly Chamber for this day was extended to Robin Archuleta, Mike Dolan, and Rick Schneider.

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to Speaker Emeritus Joe Dini, former Chief Clerk Mouryne Dini, Douglas Homestead, Harvey Pinkerton, Jim Sanford, and Vaughn Silva.

On request of Assemblyman Hardy, the privilege of the floor of the Assembly Chamber for this day was extended to Jaysen Reel and Brooke Stein.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Emily Persaud.

On request of Assemblywoman Koivisto, the privilege of the floor of the Assembly Chamber for this day was extended to Alok Pandey, Gargi Pandey, Mahima Pandey, and Wani Pandey.

On request of Assemblyman Mabey, the privilege of the floor of the Assembly Chamber for this day was extended to Mark Toohey.

On request of Assemblyman Ocegüera, the privilege of the floor of the Assembly Chamber for this day was extended to Mike Ashe.

On request of Assemblyman Segerblom, the privilege of the floor of the Assembly Chamber for this day was extended to former Assemblywoman Gene Wines Segerblom.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Alfonso Ruiz and Chelsea Schwartz.

Assemblyman Ocegüera moved that the Assembly adjourn until Thursday, March 15, 2007, at 11 a.m.

Motion carried.

Assembly adjourned at 11:43 a.m.

Approved:

BARBARA E. BUCKLEY  
*Speaker of the Assembly*

Attest: SUSAN FURLONG REIL

*Chief Clerk of the Assembly*