

Journal

OF THE

ASSEMBLY OF THE STATE OF NEVADA

SEVENTY-FIFTH SESSION

THE FIRST DAY

CARSON CITY (Monday), February 2, 2009

Pursuant to the provisions of the Constitution and Statutes, the Assembly was called to order by Speaker Barbara E. Buckley at 12:01 p.m.

Madam Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Pastor Tom Beck, Faith Lutheran Church, Reno, Nevada.

Hear my prayer, O God. Generous God, we have received as gifts every resource for our lives and even our lives themselves. Gracious One, You seek to work Your purpose and surround us with Your presence. In the beginning, You gave the first man, Adam, and the first woman, Eve, all they needed for life. You made for them a garden. You gave them work. You walked with them in the Garden. You gave them to each other. Gracious God, You have given us, also, a garden—the world around us, with fields, ranchlands, forests, and mines with their minerals, towns and cities that are webbed with roadways and railways. Generous God, you have given us, also, to each other. There is industry and commerce, arts, and learning—all that we need for daily life. You have ordained government so that justice and mercy may be preserved. Gracious God, we are the people of Your creation, who prosper by these means. For all Your rich gifts we give You thanks, Generous God.

In our garden, You have made us to be stewards and caretakers. The first man and woman in the Garden were given the responsibility to care for Your creation and delight in harvesting its produce. Give to us a keen sense of our responsibility to tend to Your garden well. Grant to each person who lives in Your creation the grace to receive Your blessings and to use Your blessings well. Especially this day we pray for Your blessing upon all the elected officials of this state.

These Assemblymen, Assemblywomen, Senators, this House, this Governor—all who labor for justice in Your garden. Grant to them Your gifts of wisdom and understanding, a spirit of counsel and might, the spirit of knowledge and fear of the Lord, the spirit of joy in Your presence.

Holy One, our days are not easy. Care of our garden is difficult. The way ahead is confused. When we look ahead, we do not see a straight path before us; we see crossroads. We struggle to choose the best way. In such anxious times when fear is close at hand, we pray You will grant to us a calm of peace. Enable us to make such decisions and take such actions that are pleasing to You, according to Your will. In a time when there are no easy solutions, guide us to make intelligent choices. Make us ever mindful of the blessings You give to Your creatures, that we, who are Your stewards, may take proper care of the gifts You send us.

Compassionate God, we grieve for the losses and hurt suffered by many. Grant us Your spirit of mercy as we labor for justice. Grant us wisdom that is informed by compassion. Gracious God, You have entrusted us to care for one another. Send Your spirit upon us that we may wisely use Your good gift of government to protect the weak and provide for the poor with justice and mercy. Breathe into this Legislature, the House, the Senate, and the Governor of this state, Your spirit, that in all our labors we toil together with mutual respect. Guide our labors with Your good purpose, that our works are in accord with Your good will.

Almighty God, You are not absent. We are not deserted. Be our strength and might. Compassionate and Holy One, remain among us that there will be justice and mercy for all of Your people. This is my prayer, Lord Jesus.

AMEN.

Joining Pastor Beck in prayer were Father Chuck Durante, representing Bishop Randolph Calvo, Diocese of Reno, Roman Catholic Church; District Supervisor Jerry Smith, representing Bishop Warner Brown, California-Nevada Conference of the United Methodist Church; Bishop Dan Edwards, Episcopal Diocese of Nevada; Bishop Mark Holmerud, Sierra Pacific Synod, Evangelical Lutheran Church in America; Bishop Stephen S. Talmage, Grand Canyon Synod, Evangelical Lutheran Church in America; Chris Rhodes, Vice Moderator, Presbytery of Nevada, Presbyterian Church, representing Rev. Carol Wood, Moderator; District Superintendent Reverend Candace Lansberry, representing Bishop Minerva Carcano, Desert Southwest Conference of the United Methodist Church; and Tim O'Callaghan, representing Bishop Anthony Pepe, Las Vegas Diocese, Roman Catholic Church.

Remarks by Madam Speaker.

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

MADAM SPEAKER:

I am pleased to thank the bishops and leaders of these faith communities which have formed this historic religious alliance in Nevada. This is the first time the heads of these five denominations, either in person or through their designated representatives, have come together in one location for the common purpose of supporting advocacy ministry in search of social justice, compassion, and fair treatment for all Nevadans. These leaders are the voices of the social conscience, representing thousands of people with faith, living in every community in our state. We appreciate their prayers and welcome their words of hope and support as we begin the task of serving the common good of the people of the State of Nevada.

Presentation of the Colors by the North Las Vegas Fire Department Honor Guard.

Pledge of allegiance to the Flag.

Special musical rendition of the *Star Spangled Banner*, *The Waking*, and *Home Means Nevada* by the University of Nevada Reno's Chamber Chorale, conducted by Jennifer Tibben-Lemke.

Madam Speaker appointed as a committee Assemblymen Horne and Carpenter to escort Chief Justice James Hardesty of the Supreme Court of the State of Nevada to the rostrum to readminister the oaths of office to the Assemblymen.

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

Assembly in recess at 12:26 p.m.

ASSEMBLY IN SESSION

At 12:55 p.m.

Madam Speaker presiding.

Quorum present.

Chief Justice Hardesty readministered the oaths of office to the Assemblymen.

Madam Speaker requested the Chief Clerk call the roll of each member.
Roll called.

Present: Assemblymen Aizley, Anderson, Arberry, Atkinson, Bobzien, Buckley, Carpenter, Christensen, Claborn, Cobb, Conklin, Denis, Dondero Loop, Gansert, Goedhart, Goicoechea, Grady, Gustavson, Hambrick, Hardy, Hogan, Horne, Kihuen, Kirkpatrick, Koivisto, Leslie, Manendo, Mastroluca, McArthur, McClain, Mortenson, Munford, Ocegüera, Ohrenscha11, Parnell, Pierce, Segerblom, Settelmeyer, Smith, Spiegel, Stewart, and Woodbury.

Assemblyman Segerblom moved that Chief Justice Hardesty be given a unanimous vote of thanks for readministering the oath.

Motion carried unanimously.

Madam Speaker appointed Assemblymen Conklin, Leslie, and Stewart as a committee to inform the Senate that the Assembly was ready for business.

Madam Speaker appointed Assemblymen Ocegüera, Anderson, and Gansert as a committee to inform the Governor that the Assembly was ready for business.

A committee from the Senate composed of Senators Carlton, Copening, and Hardy appeared before the bar of the Assembly and announced that the Senate was organized and ready for business.

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

Assembly in recess at 1:13 p.m.

ASSEMBLY IN SESSION

At 1:20 p.m.

Madam Speaker presiding.

Quorum present.

MOTIONS, RESOLUTIONS, AND NOTICES

Assemblyman Conklin reported that his committee had informed the Senate that the Assembly was ready for business.

Assemblyman Ocegüera reported that his committee had informed the Governor that the Assembly was ready for business.

Remarks by Madam Speaker, Assemblyman Ocegüera, and Assemblywoman Gansert.

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

MADAM SPEAKER:

Welcome to the 75th Session of the Nevada Legislature. We recently completed our 25th Special Session, so you are now here for the 100th session of the Nevada Legislature.

Congratulations to our new legislators and your families: Assemblyman Paul Aizley, Assemblywoman Marilyn Dondero Loop, Assemblyman Don Gustavson, Assemblyman John Hambrick, Assemblywoman April Mastroluca, Assemblyman Richard McArthur, Assemblywoman Ellen Spiegel, and Assemblywoman Melissa Woodbury. You worked so hard to get here—knocking on doors, meeting with people, learning about things you never thought you would ever know a thing about or would want to know a thing about.

Campaigns are very difficult. Things are said about you that are not true or are half true, but you survived and you now have an opportunity to represent your districts and represent the state. What an honor.

To our returning legislators, welcome back. I have learned so much from all of you throughout the years. Your expertise is needed more than ever with the challenges which are facing us. The state needs the best of all of us in these very difficult times.

This session will be about what kind of state we want to be. While there are so many economic issues outside of our control, there are things that we can do, that we must do, immediately. We have opportunities to lead our state in the right direction. We have an opportunity to try to stabilize our housing market. Continued foreclosures are wrecking our economy. We were not in session when this foreclosure crisis started, but we can take action now. Right now 47,000 Nevadans are 30 days or more delinquent on their mortgages. One out of every 11 families faces foreclosure, and the rest of us face plummeting housing values as a result. We have seen residential construction come to a standstill. We see mounting job losses, and we see our budget figures affected as a result.

If we are to get our state on the road to economic recovery, we must do all that we can to stem the hemorrhaging in our housing market with meaningful measures to prevent foreclosures. This session we will have an opportunity to institute mediation for homeowners who wish to remain in their homes and who are desperate for a workout agreement but cannot get anyone to respond to their phone call. The program would operate statewide and would use senior judges and the judiciary to administer it. We are very fortunate to have a Nevada Supreme Court and a court system who have already pledged their full support towards making a program effective immediately. Lenders would be required to participate with owner-occupied homeowners and to work in good faith towards resolutions.

This Legislature will also examine recommendations issued by our interim committee that would allow renters to not be surprised when the home they are renting is in foreclosure before they know it and to crack down on some lenders who are still engaging in predatory lending practices. I find it ironic that we now have foreclosure consultants promising to help refinance people when they were the same people engaging in the predatory lending to begin with. We can do something about that. We must do something about that.

This legislative session, job creation will also be a priority. We all know, as we have gone across the state campaigning or talking to people, folks are terrified about the mounting job losses. In better times when we clung to the illusion that Nevada was recession proof, we never worried about coping with a 9 percent, and soon to be 10 percent, unemployment rate. Job creation has to be one of our top priorities. While there is discussion across the nation about renewable energy, we in Nevada are uniquely poised to do something about it because of our vast, valuable resources. That is why the Legislature must consider a green jobs initiative. We will be receiving stimulus money to support this program. If we jump on this opportunity and train individuals for the jobs of the future, not only do we create jobs, but we diversify our economy and our state's budget to be less reliant on gaming and sales taxes.

Another serious problem facing us this session is the public's loss of confidence in our health care system that resulted from the Hepatitis C crisis in southern Nevada. We were all horrified by the news reports that more than 40,000 patients received letters in the mail telling them to be tested for Hepatitis C and AIDS because an endoscopy center in southern Nevada used unsafe medical practices. Many of us knew someone who was affected by that crisis personally. This session, we will make it a priority to enact new patient safeguards to ensure that a situation like this will never happen again.

During this session, we must address the state's financial structure and our state's budget. I have said this a dozen times but this explains it the best, to me: in good times, we spend a little bit of money on a lot of things and get good at nothing, and in bad times, we destroy everything we just built. Who thinks that makes sense? What can we do differently?

Well, we start by looking at three things. First, budgeting. What we must do this session is comb through every budget. The three big ones: Education, Health and Human Services, and Public Safety. We have to work together.

We have to decide what we can cut, what we can reform, and what we must save.

We create a budget stabilization fund. We take 1.5 cents of every new dollar and put it into a fund so that when we have economic downturns, we are not forced to make cuts, only to rebuild programs when times get better. It means less money when times are good but less pain when times are bad. It also means that in the long run, we will save money because we will not be dismantling a program only to rebuild it again when times are good.

We set short-term and long-term spending priorities. We didn't get to last in the states' rankings in a day—we won't be first in a day. But if we do not chart a course of how we want to change the kind of state we are to improve, to make the state we love so much become better, we must engage in long term-planning.

We have to consider revenues to meet our state's priorities.

We should examine everything: uncollected taxes, how revenue is distributed between state and local government. Could consolidation of local governments yield more revenue for all? Gaps in revenues, how to address them. As I have gone across the state, I think one thing that so many people said that struck me is, "I do not know where my tax dollar goes. I do not know what goes to the city, what goes to the county, what goes to the state. I just want it all to work." That is our charge this legislative session. We have to make sure we do not lose money in the long run by implementing cuts of 36 percent overall to our state's higher education system, with both UNR and UNLV losing 50 percent.

When we face a crisis, it brings people together. Maybe that's a silver lining in today's crisis. If we focus on stabilizing the housing market, taking advantage of the stimulus money to prepare for the new green energy economy, make some cuts—but avoid draconian ones that will cost more in the long run—and overhaul our financial system, we will have done the best that we can do in this time of economic crisis.

We will come out of this economic downturn; it is just a matter of when. In the meantime, we must do all we can to focus on solutions that make sense for our state. That is what we were

elected to do and that is what our state and constituents deserve. I am honored to once again serve as the Speaker of this body and pledge to each and every one of you that I will do my best to work with every single member on all the issues facing the state and collectively help us all do the best that we can in these very challenging times. Thank you for the honor of serving as your Speaker for this legislative session.

ASSEMBLYMAN OCEGUERA:

Madam Speaker, esteemed colleagues, honored guests and friends, thank you for the opportunity and privilege to make a few comments before we get down to the people's business.

Accomplishing that business in 120 days will not be an easy task. Our state and national economies are in crisis. Nevada's tourist-based revenue structure is unable to keep up with the state's basic needs. We have made severe cuts to our state. Now, additional deep cuts have been proposed which would risk the public's health and safety. I could offer up the usual list of clichés as we begin our work. I could tell you that Nevada is at a crossroads, and it is time for everyone to come to the table. But Madam Speaker and my colleagues, every time we use those clichés, we distance ourselves from the people and the real problems that they face.

Last week, during some budget hearings, a struggling father and two of his children, one in a wheelchair, shared their story of how budget cuts were making it impossible for the children to get care under the state's Medicaid program. Physicians are no longer willing or able to take new patients because of the state's appallingly low reimbursement rate. When the family was leaving the hearing room, one of the children turned and smiled and said goodbye. She may not have understood the gravity of the discussion we were having, but I think we did. We have an obligation to her and so many like her. We have an obligation to our teachers and to the children in their classrooms. We have an obligation to our college students, to our seniors, and yes, we have an obligation to businesses, large and small, that employ our citizens. We have an obligation to everyone who pays taxes when they make a purchase, when they register a car, or when they buy a home. We are not forgetting them or the difficult times in which Nevadans find themselves. The most important obligation we have—I think that any policy maker has—is to consider how our decisions affect others.

I believe, Madam Speaker, that we have reasonable people in this state. Not just in this chamber, but also our businesses and communities. They understand we cannot let political dogma and tired clichés dictate Nevada's course. That does not mean we will always agree about the solutions to the problems, but we cannot let the objections of a few keep us from making tough decisions that we are expected to make. Everyone has to compromise and be willing to give a little. That is the price of democracy. We know it will not be easy. In addition to the immediate problem of crafting a budget that at a minimum reinstates basic public service needs, we need measures that spur economic recovery, create jobs, and stabilize our neighborhoods. And if Congress does provide us with the much-needed revenue to restore the worst of the budget reductions, we cannot afford to then wipe our brows in relief and say the budget is balanced and that we can go home. If we do that, if we make no provision for the future and instead rely on the economic stimulus to bail us out, we will be back here in the next legislative session, maybe in special session, addressing the same problems and offering up the same, old clichés about tough questions and tough decisions. Yes, the decisions are tough, so let us make them and be done with it.

If we listen to one another, if we accept that we may not get everything exactly as we want, if we maintain civility even when we disagree, we can do the job. It is what we were elected to do, and that is our obligation to Nevada. Thank you, Madam Speaker.

ASSEMBLYWOMAN GANSERT:

Madam Speaker, Majority Leader Ocegüera, my distinguished colleagues, assembled friends and family, I will not recount what we already know and what has been foreshadowed by the speeches we have heard today as far as the state of our state.

I trust that we can all agree that the conditions are severe, the challenges daunting, the pressure mounting, and answers elusive.

Today the Democrats have majorities in both the Senate and Assembly and will be controlling the legislation in both houses.

In our chamber, we hold one-third of the seats. We are 14. Now some may suggest that given our numbers, we will not have a significant impact on legislation. But emphatically, I say not. Our caucus is diverse and we represent portions of every county in this state. We must take into account the impact of our decisions on all citizens of Nevada, from the working families of Green Valley to the retirees of Carson Valley. It is for the Nevadans of every county that we took our oath—not for the special interest groups, not for the lobbyists, and not for the partisan factions.

The challenges we face today are historic in size and scope. It is time to remember what the people of this state require of us—they want us to work for them. They want us to be good stewards of their money, and they want us to work together throughout this process.

On many decisions in the ensuing 75th Session, I can assure you that more often than not the final tally will be something other than 28-14. We Republicans are ready to support sensible legislation and will strive to put our mark on the new laws as long as they do not hurt our state. We want to be at the table, not on the sidelines.

There is a marked difference between flatly saying “no” and participating in healthy debate. It is the latter approach that we choose.

During this session, you can expect this Republican caucus and this Minority Leader to present stiff resistance to proposals that we do not believe are in the right direction for our state. However, we pledge today to work in a constructive manner with every member of this Legislature.

Now is the time to reform the way our state does business. We must define a new path that leads our state back to prosperity.

The Republican Assembly Caucus is dedicated to this task—to strengthen the future of our home, Nevada. Thank you.

COMMUNICATIONS
MESSAGES FROM THE GOVERNOR
OFFICE OF THE GOVERNOR

January 30, 2009

THE HONORABLE STEVEN HORSFORD, THE HONORABLE BARBARA BUCKLEY, NEVADA
LEGISLATURE, 401 S. CARSON STREET, CARSON CITY, NEVADA 89701

DEAR MAJORITY LEADER HORSFORD AND SPEAKER BUCKLEY:

Enclosed please find my message to the 75th Session of the Nevada Legislature. As you know, I delivered the message, as required by Article 5, Section 10 of the Nevada Constitution, on Thursday, January 15, 2009, to a gathering of your colleagues and other guests in the Assembly Chamber in Carson City.

My staff and I look forward to working with all of you during the 75th Legislative Session.

Sincerely,
JIM GIBBONS
Governor

Assemblyman Ocegüera requested that the Governor’s State of the State Address as presented to the Legislative Commission’s Special Committee to Receive the Governor’s State of the State Address of January 15, 2009, be entered in the Journal.

Speaker Buckley, Majority Leader Horsford, Lt. Governor Krolicki, members of the Senate and the Assembly, Honorable Justices of the Supreme Court, Constitutional Officers, distinguished guests, and my fellow citizens: I stand here before you today, resolved to uphold the responsibility you entrusted to me to lead Nevada through good times and turbulent times. I am here to discuss the state of our state and our plan to address the challenges we are facing. But first, I would like to recognize some very special Nevadans. We have ten newly elected members of the Assembly and the Senate with us, and I would like to welcome: Shirley Breeden,

Allison Copening, Paul Aizley, Marilyn Dondero Loop, Don Gustavson, John Hambrick, April Mastroluca, Richard McArthur, Ellen Spiegel, and Melissa Woodbury.

I look forward to working with each of you in this session. And to Senator Parks, I wish you the best in your new role as well.

For 17 of you, this will be your last session, as term limits will require your retirement from your current positions. Nevada has benefited tremendously from your service, and I look forward to working with you to ensure that your final session is also your finest one.

We also have with us tonight Charles Hansen, Director of Nevada State Friends for K-9. Nevada State Friends for K-9 obtained private donations from corporations and individuals to allow the Nevada Department of Public Safety to purchase its only specially trained dogs that are used to halt the flow of drugs and drug money on our highways, a vital step in our ongoing efforts to keep meth and other drugs out of the hands of our children. Since the program's inception last month, the Nevada Department of Public Safety has reported it already seized more than 6 pounds of meth, 20 pounds of marijuana, 7 pounds of ecstasy, 2 pounds of cocaine, and \$450,000 in cash. This money is being deposited into a state seizure account that, over time, will allow the K-9 program to be self-funded and to become a revenue source for the state. Please join me in thanking Charles Hansen and the Nevada Friends for K-9 for their great work.

I would also like to take a moment to recognize the fine work done by the members of the California-Nevada Tahoe Basin Fire Commission over the past year and a half. That Commission was formed in response to the devastating Angora fire at Lake Tahoe during the summer of 2007. The Commission made 90 detailed recommendations, and I will be promoting legislation during the upcoming session to implement them. Several of the Commissioners—Allen Biaggi, Bud Hicks, Pete Anderson, and Leo Drozdoff—are with us tonight; thank you. So on behalf of Nevada, I do thank them and Commission Co-chair Sig Rogich and all the other Commissioners and their staff for their efforts to help preserve and protect our Lake Tahoe Basin.

We have also with us Lieutenant Colonel Daniel Waters of the Nevada Army Guard, who has served in Panama, Kosovo, and Afghanistan. Colonel, thank you for a job well done. Our country has been safer because of you and thousands of other brave members of our military forces. I, sir, salute you.

I would like now to take a moment to ask that all our veterans in the audience please stand and be recognized. As a veteran myself of two wars, I thank you on behalf of a grateful state and a grateful nation.

I also want to take a moment to acknowledge the sacrifices of those who cannot be with us here tonight—Nevada military service personnel overseas fighting the war on terror. These members of our armed forces and their families endure great hardships to protect our country and deserve our respect and thanks as well.

I also want to take this time to express our thanks to the members of the Nevada Army Guard, 1st Squadron, 221st Cavalry. This armored reconnaissance squadron, led by Lieutenant Colonel John Cunningham, is in the process of preparing for deployment to Afghanistan in late April. This deployment of 600 soldiers will be the Nevada Army Guard's largest international deployment of one unit since World War II and the fourth major mission for the 221st since 2001. In addition, about 140 soldiers from the Las Vegas-based 1864th Transportation Company will also be deploying to Iraq and Kuwait in April. Our prayers go with all of you.

Finally, I want us all to take a moment to remember our injured and fallen heroes. Many Nevadans—many of our finest— have suffered greatly while serving our country, and some have made the ultimate sacrifice for our freedom. We cannot and do not forget their sacrifices for our nation. Thank you.

Today, Nevada faces historic challenges. Every day, people in our communities are seeing their work hours cut, their benefits and retirement programs reduced or eliminated, their tip and commission income shrinking, or their jobs eliminated altogether.

Many of our fellow citizens are losing their homes, losing their retirement savings, and losing their ability to continue to work and prosper in our state.

For years, Nevada led the nation in population growth, led the nation in small business growth, and led the nation in job creation. Economic expansion brought prosperity to every sector of the economy, and our state was the envy of many.

We have been that beacon on the hill of hope for those who wanted to work hard and prosper. While right now our beacon may not be as easy to see, it is our responsibility to ensure that we can help bring back the bright light of success to shine all across this state.

As we struggle through these tough times, we need to ensure that we are positioned to regain those lofty heights that we came to take for granted for so many years.

For many years, people believed that our state was recession proof. Unfortunately, this economic downturn has shown that this simply is not the case. When the nation, and indeed the world, are in economic turmoil, Nevada is also shaken by the tremors.

In fact, Nevada has actually fared worse in this national and worldwide economic crisis than many other states. The combination of tight credit markets, sharp declines in discretionary spending, and record low consumer confidence has caused our two major industries, construction and tourism, to suffer drastic reductions. Folks, the numbers are daunting.

The visitor count to our state normally increases every year. Instead, the past 12 months, our visitor count to Las Vegas has declined by over one million people, or 3.5 percent. To visualize that number, just look at the news clips of New Year's Eve on the Strip. Officials estimate that over 290,000 people visited Las Vegas to bring in the New Year. Now just imagine it empty, and you will have a good notion of how much our visitor count deteriorated just in November alone.

Our tourism destinations in other parts of the state have also seen similar or worse declines. The Reno-Sparks area, for example, saw declines of nearly 10 percent during the past year.

The fact is that when we have declining numbers of visitors and they are spending less money when they are here, that impacts the incomes of those who work in the tourist industry as well as those who sell goods and services to those workers. It is a snowball effect that continues to impact the entire economy.

The national credit crisis has also had a huge impact on Nevada's economy. For a long time, the joke was the state bird of Nevada was the construction crane. Now, many construction projects have been scaled back or deferred because credit has dried up. Again, the loss of those construction projects has rippled through our economy.

Even our mining industry has slowed down following worldwide decreases in the price of minerals, such as copper, molybdenum, and lithium. Copper, for example, has fallen from \$4.10 per pound to less than \$1.50 per pound in just six months, and some Nevada mines have slowed production and laid off workers.

With major declines in our premier industries, our state's unemployment rate has nearly doubled in the last year alone. While normally we enjoy an unemployment rate that is lower than the national average, our unemployment rate at the end of November was 8 percent and significantly higher than the national average. Every 1 percent increase in unemployment means another 14,000 Nevadans have lost their jobs. Last year alone, more than 42,000 of our fellow citizens lost their livelihoods, and many of those who kept their jobs only did so with reduced hours, lower wages and fewer benefits.

Reduced income for our residents has compounded our economic downturn. Business in our local restaurants is down significantly as is business in many of our retail establishments and service industries. Some companies and casinos that have been here for decades are closing their doors or scaling back their operations. We have even seen some of our state banks file for bankruptcy or be taken over by federal regulators.

The simple fact is that for most of the last year, our residents have paid more for gas, paid more for food, paid more to heat and cool their homes, and paid more for nearly every necessity of life. When you need to use every dollar to provide the basic necessities for your family, you do not have money for the extras in life. Too many do not even have money for the basics and are making decisions between heating their homes and buying needed medications.

I was particularly struck by a recent story in the *Wall Street Journal* about pawnshops and about how good business was for them. It came as little surprise that the story talked about people selling or pawning items for short-term loans to pay their bills. What was a big surprise was that businesses were doing the very same thing—in some cases, pawning large and expensive equipment in order to obtain the funds needed to cover their payroll and other expenses.

Folks, these are extraordinary times. As Governor, I must, first and foremost, look at the economic situation of our people in order to determine that our state government does not “pile on” and make our citizens’ problems worse.

Nevada government should meet the needs of the people; people should not meet the needs of Nevada government.

Many of Nevada’s families and businesses are being stretched to their breaking point and making remarkable sacrifices in the face of the most difficult economic downturn in our lifetimes. Ladies and gentlemen, I will not ask these businesses and I will not ask these individuals to pay more when they have less.

Make no mistake about it: higher taxes will cost more Nevadans their jobs. It is not the role of state government to put people out of work. Because when all is said and done, the prosperity of our state can only be truly measured by the prosperity of our people.

This does not mean we can turn a blind eye to our challenges or our responsibilities. State revenues are down 30 percent, and we must determine how best to live within our means, just like Nevada’s families and its small and large businesses are doing all across this state.

We are not the only state facing tough times, and I am not the only Governor who is balancing a tough budget. Governors across this nation are coping with declining revenues. Some Governors are looking to raise income taxes, gas taxes, property taxes, sales taxes—taxes on nearly everything that people need, buy, or own. Others are recommending that school days be limited, releasing thousands of prisoners early, drastically cutting state workforces, or saddling future generations with significant debt.

Folks, these are solutions that I just cannot accept and that Nevadans should not accept. You know, in our state, tough times mean we work harder to stretch our resources.

We showed that resourcefulness with transportation projects during the past two years. In 2007, the Legislature agreed with my proposal to increase transportation funding by reallocating existing tax revenues, instead of imposing higher fuel taxes. The widening of I-15 in Las Vegas is well underway using those revenues. Future revenues from the 2007 transportation plan will also allow expansions on U.S. 95 and Highway 395.

In the upcoming session, I will also ask the Legislature to endorse other creative and innovative ways to build critical infrastructures without raising taxes, such as public-private partnerships to add much needed traffic reduction programs throughout the state, and particularly in southern Nevada where traffic problems are the most severe.

Folks, tough times always require tough choices, and we are definitely making tough choices in this Legislative session.

Recently, the Economic Forum met and forecasted General Fund revenues for the next biennium of \$5.7 billion. Now by law, as Governor I am required to use those numbers in setting a budget for submission to the Legislature.

The budget that I submit today reflects our current economic realities. It is \$2.2 billion smaller than the one we submitted just two years ago. It is also a budget based on the money we have, without taking more from residents and businesses that are already making do with less. Yes, it is also a budget that requires us to live within our means.

I take no joy in submitting a budget that eliminates, reduces, or changes many things that we have grown to expect in Nevada—many things that we have taken for granted when times have been good and many programs we have added when times have been great.

Many of these decisions have been agonizingly difficult. We have spent hundreds of hours working on these numbers to create a fiscally responsible budget that sustains us through the next two years and positions the state to regain our economic footing when the national and international economy rebounds.

We also worked to ensure that we gain the greatest possible efficiencies in government, prioritizing services and making certain that each available dollar is spent wisely. And for the first time in Nevada history, all the people of our state can view this budget themselves. The entire budget has been posted online at www.NevadaSpending.com.

I promised to bring transparency to your state government, and this is one of many steps we are taking to keep that promise. I encourage all Nevadans to look at this budget and offer your suggestions to your Legislators and to my office. Folks, this is your tax money and you deserve a voice in how it is spent.

This budget does not rely on creating any entirely new tax system for our state. Our existing tax system brought us record job growth and prosperity for decades. And, quite frankly, I have yet to see an example of any state that has a tax system that brings growth during good times and remains stable during downturns.

For those who suggest that we need a new tax system, I would ask them to show me a state that has what some call a more dependable, diversified tax system and that is not having the same kinds of revenue problems that we have today.

I do propose that we establish a new spending system in our state, one that requires a stronger cap on our budget increases in good times so that we have the additional reserves needed to get us through the inevitable tough times without raising taxes.

I think it is clear; the simple fact is that higher taxes kill economic growth and job creation. And I will not raise taxes today on people and businesses that are already struggling to get through these times, jeopardizing our state's growth and our prosperity for tomorrow. Higher taxes will just fuel the downward spiral, leading to more business closings, more job losses, and more foreclosures. Nor will I support a tax that targets only our profitable companies and industries. We need to retain and we need to attract companies that offer stable, high-paying jobs, not send them to other states. I will not do it.

When I ran for Governor, I told the people of this state my views on taxes. I am honored that they elected me and trusted me to keep my promise to them.

Likewise, I will not unfairly balance this budget on the backs of those in our society who can least afford to shoulder the burden, either. We have an obligation to preserve needed services for our children, our families, our seniors, and our veterans.

For example, our Health and Human Services budget preserves benefits for those who need state services. In fact, our Health and Human Services expenditures now encompass 34 percent of our General Fund expenditures—that's compared to 28 percent in the prior budget.

We have maintained Nevada Check-Up so low-income children can receive the health care they need and deserve. We have protected the eligibility limits for our long-term care program to ensure elderly Nevadans are cared for with the respect and dignity they have earned. We have sustained our Medicaid pharmacy program to ensure people can receive the prescription drugs they need to manage their health according to their doctor's orders. And while we have had to reduce the intensity of service, our budget also recognizes the value of personal care attendants who assist our elderly and disabled citizens so they can live in their homes instead of institutions.

And we protected the Senior Property Tax Rebate Program, because so many of our most economically vulnerable seniors rely on this benefit.

We have also protected juvenile justice programs and child welfare programs. For example, Nevada's Early Intervention Services provides care for children up to age three who have developmental delays and disabilities. Unfortunately, growth in this program has exceeded its funding, and we have hundreds of children waiting to receive needed services. So I have included in my budget an additional \$9 million over the biennium to absorb this waiting list and accommodate the increased caseload that we expect to see in each of the next two years.

This is difficult to add to some programs while we are taking from others, but without Early Intervention Services, many of these children would never be able to achieve their full potential. Nevada's children are our most precious resource, and I will not allow those who need our help to go without those essential services. I will not allow these children to fall through the cracks.

This budget also maintains funding for the state's Child Care Assistance Program, which helps pay a portion of the cost of child care for low-income workers.

This budget also preserves programs for mentally challenged children and adults, health programs for women, benefits for seniors, and programs for our state's veterans, to whom we all owe a great debt of gratitude. I also insisted that we protect the all-day kindergarten programs that we have in place in at-risk schools.

These programs are expensive, but we cannot responsibly cut them, either. We have an obligation to ensure that we take care of those who must depend on such vital state services.

We also have an obligation to make the best use of every tax dollar we spend. One prime example of stretching our dollars is how we have managed medications for the state's mental health programs. To this end, we are utilizing a better process for identifying clients with

Medicaid, Medicare Part D, and private insurance options that will help pay for prescription drugs instead of the state bearing the burden of those costs.

We also negotiated for more free medications from pharmaceutical companies, and we are working with our doctors and physicians to ensure that they are prescribing the most economical and effective medications.

These and other measures let us save \$11.4 million during the current fiscal year, and I have budgeted similar savings for each of the next two years, as well. Finding savings this way has helped us avoid major service cuts in mental health.

Our budget also recognizes that the weak economy will result in caseload increases for core services from the state. As I noted earlier, we estimate that for every 1 percent our state unemployment rate climbs, another 14,000 Nevadans will have lost their jobs. Aside from the stark effect the loss of work has on these individuals and families, there is a tremendous impact on the state's programs. For example, for that same each 1 percent of growth in unemployment, we expect nearly 17,000 new enrollees in Medicaid.

Folks, this budget projects that the number of Medicaid enrollees will climb by more than 43,000 between today and the end of the next biennium, and we expect Temporary Assistance for Needy Families to increase its enrollees by nearly one-third during that very same period. Ladies and gentlemen, all increases, all caseloads, are fully funded in this budget. I am proud that we have been able to protect and preserve core health and human services.

This budget also reflects my belief that public safety must remain a top priority, and we did not reduce funding that keeps Nevadans safe. In some cases, this meant that we had to restore some program funding, like funding for parole and probation officers, or we would be jeopardizing the safety of our citizens.

In order to be able to maintain funding for K-12 education and health and human services at viable levels, and to maintain public safety, we've had to make spending reductions in other areas.

For example, we had to reduce state funding for Nevada State Higher Education, but we kept intact our Millennium Scholarship program. While higher education reductions will bring challenges to the system, I want to note that we are still spending 13.7 percent of our total General Fund budget on higher education—now that's as compared to the national average of just 11.2 percent.

We also had to make funding reductions to our state parks and museums. However, our state and our people would lose too much if we closed these places completely, so we kept at least partial funding for these facilities so that our families and schools can still access our parks and museums.

Ladies and gentlemen, the largest budget item in our state is personnel costs, and we simply cannot afford to keep payroll costs at their current level, much less increase them.

Private businesses across the nation are laying off workers that they cannot afford to retain with their reduced revenues. I want to keep our state employees working for the people of our state. In just the last six months, our nation has escalated from an annual job loss figure of 8,000 workers to an annual job loss figure of 2.6 million workers. There are now more displaced workers today than at any point in modern history, surpassing the losses reported in every recession since 1950. Some private companies are also reducing wages and salaries by as much as 20 percent. Companies just do not have the money to maintain existing payroll costs.

Likewise, our state government also does not have the revenue to maintain its current payroll costs. But instead of massive layoffs, I want to keep our people working and minimize the financial impact as much as possible.

We really have only two choices: we can either lay people off—thousands of people—or we can keep Nevadans working. My philosophy as Governor has been and continues to be that we are served best by keeping Nevadans working. This is why we instituted a hiring freeze in the fall of 2007, when the first indications of our revenue shortfall materialized. That hiring freeze and other budget-reduction methods allowed us to preserve state jobs and minimize lay offs of our valued state workers and save money. I believed then, and I still believe now, that this approach is best for our state workers and for our people.

Today, to balance our need to reduce personnel costs with our goal of saving jobs, our budget includes a temporary 6 percent pay reduction for state employees instead of widespread layoffs.

I take no joy in asking state employees to work just as hard for the people of Nevada but for less money. And I make this pledge to our state employees and teachers: I will restore salary levels as soon as we can.

Let me tell you, I am also taking the same 6 percent reduction in my own salary, and I am asking the other constitutional officers and other branches of government do the very same.

We are also forced to freeze step increases and longevity pay. We cannot give raises with money we do not have. These increases, too, will be reinstated when we have the revenue to do so.

Only by taking these steps now can we preserve vital state services, take care of our most vulnerable citizens, and protect jobs. If we do not take the measures proposed in this budget, we will need to lay off thousands of state workers. I do not want to do that. We must keep Nevada working.

We are also going to reduce state government expenditures and expenses through agency consolidations and by elimination of duplicate service providers, for example, redundancy, and provide better services for our citizens. We can eliminate that redundancy by bringing all the various consumer affairs offices into one agency and by combining government agencies, such as Tourism and Economic Development, and the Division of Housing with the Division of Manufactured Housing.

Quite frankly, these consolidations work in the best interests of our state and should be undertaken regardless of our state's current economic condition. In good times or in tough times, wasting taxpayer money is simply wrong.

That is why I am also proposing legislation creating a Sunset Commission—to systematically review agencies, boards, and commissions to ensure that their ongoing operations and budgets are justified. The Sunset Commission will also review existing tax exemptions and abatement programs. Accountability and transparency in government is always needed, and the Sunset Commission will ensure that the SAGE Commission's work continues even after the SAGE Commission expires.

But we also need creative solutions to protect the State General Fund in the short term. That is why I am also proposing a temporary reallocation of some revenues from our most populous counties to the State General Fund to help us through these challenging times. Our state employees and teachers are being asked to do their part to help the state through this recession, and it would simply not be fair to ask them to shoulder that responsibility alone.

However, we must also remember that many of our local governments have invested significant sums in the local government investment pool, and in December the Legislature and I agreed to use that pool as collateral for a line of credit to get us, and to get this state, through the first part of 2009. It is imperative that we stand by our commitment to preserve the integrity and solvency of that pool, and that is why I have included in my budget sufficient funds to repay half of that line of credit, with the understanding that the other half will be repaid in the 2012-2013 biennium.

At the beginning of this budget process, I stated, "Everything is on the table." We had a responsibility to look at the needs of our state and the effectiveness of each and every program in order to determine how we could get where we needed to be and still provide needed services. And, folks, we did that.

Last year, I also established the SAGE Commission to look in detail at how we could save money, streamline programs, and make our state more efficient. To date, this bipartisan group of people have made outstanding savings recommendations, and I am proud to announce that this budget has benefited greatly from those recommendations.

By adopting SAGE Commission recommendations, the taxpayers of Nevada will save approximately \$269 million in this budget and in excess of \$600 million over the next five years. We save \$157 million over the biennium just in changes to our benefits packages and also dramatically decrease our unfunded liabilities.

Folks, these are real savings for Nevada, and they allow us to ensure that our vital public services continue. I look forward to further recommendations from the SAGE Commission and will work to implement further cost savings during the next two years.

When I selected the members of the SAGE Commission, I admit that I expected such a stellar group to produce wonderful results. They are surpassing even my high expectations. This

bipartisan group is volunteering their time and significant expertise for the betterment of our state. They are earning thanks from every Nevadan, and I want to make sure that my thanks are added now, tonight.

I chose the members of the SAGE Commission based on recommendations from the leaders of both parties, and we ensured that the Commission's membership included people from various political and professional backgrounds. Consequently, the SAGE Commission is an excellent example of how a bipartisan, diverse group of people can work together to solve problems and identify creative solutions. I hope that we can follow that example during the upcoming legislative session.

We needed two special sessions in the past year to address revenue shortfalls from the last budget. Many said we could not account for nearly \$1.5 billion in shortfalls without raising taxes or harming state services, but folks, we did it.

We started by making across-the-board reductions, and our government agencies absorbed those reductions. We also worked on raising revenues through existing taxes.

Our tax amnesty program brought in over \$40 million. Of those funds, almost \$9 million of delinquent local school support taxes were collected, providing much needed relief to education funding.

But as the national and state economy continued to deteriorate, even those steps were not enough. We needed to take additional measures to balance our budget, as required by our Constitution, which is when I asked the Legislature to work with me. I reached across the aisle to work with leaders of both parties to ensure that the solutions we implemented were the best possible for our state. I pledge to do the same now, and I ask that members of the Legislature look at this budget with an open mind and in good faith. As we proved in December's special session, Nevada is served best by cooperation among her elected leaders. Grandstanding and partisan bickering helps no one in this state, and Nevadans deserve better.

I believe this budget provides a fair and responsible solution that balances the need to provide vital services with the need to reduce our spending to the level our state can afford.

I also want to let the people of our state know that we are looking beyond our borders for ways to jump-start our economy. For example, Governor Schwarzenegger and I have discussed working together on obtaining federal assistance to build a high-speed train to connect our states, which we all agree would be mutually beneficial to our citizens.

I am also reaching out to our federal representatives for help. Along with other governors of other states, I met with President-elect Obama to discuss how the federal government can best help ensure that the country recovers quickly from the economic downturn. During that meeting, I stressed that federal spending on important infrastructure projects is needed to get people back to work quickly. I also stressed that time is of the essence and that this is no time for the red tape that can delay needed action.

I would also like to take this opportunity to wish President-elect Obama every success. Folks, he will be dealing with an economic environment that is at best challenging, and we will all benefit when our nation's economy turns around.

I have also had numerous communications with members of our federal delegation concerning how federal aid and Medicaid reimbursement increases can help our state, and I am encouraged by those discussions.

While we built this budget assuming certain levels of federal funding, we are hopeful that we can obtain increased federal funding to defray some of our expenses, particularly given the severe impact of the national downturn on Nevada's economy. If this funding materializes, we can put back into our budget funding for many educational and other programs that we simply cannot afford with existing revenues.

I also pledge to you that if our economy turns around during this budget cycle, I will restore funding to programs and salary levels to our state personnel. Folks, special sessions can be called in good times as well.

I would like to take a moment to thank all of the agency heads, department heads, and cabinet members who worked so hard with me during the past few months to create this budget. I also want to single out Budget Director Andrew Clinger and his entire staff for their tireless work putting budgets together and balancing that budget under very-very trying circumstances. We have had to make some very tough decisions, and I thank Andrew, for all your hard work. We

remain resolved to do our best to serve the needs of the people of our state, and I commend each person who worked with me to find these solutions.

I'm also commending the Legislature for your efforts to reduce the cost of government. Initially, the budget for this upcoming Legislative session was set at \$20.5 million. But you agreed to reduce the amount appropriated in Senate Bill 1 for legislative session costs to \$15 million, and I commend and thank you for that.

Now, I resolve to work with each and every one of you to meet our common goal: to ensure that Nevada provides vital services for our people while regaining positive levels of economic growth, job creation, and prosperity.

I ask that each and every one of us remember that we are all in this fiscal crisis together, and we will find the solutions together. I also want to remind everyone that this is not the first time that Nevada has faced major economic challenges. For example, Nevada faced worse problems during the mining depression of the 1880-1890s and during the Great Depression. We pulled out of the mining depression in large part based on reclamation projects that allowed agricultural development. We pulled out of the Great Depression with a combination of federal assistance, legalized gaming, and the "One Sound State" campaign, which focused on attracting businesses to Nevada by publicizing our business-friendly climate.

We also weathered the downturns in the 1980s, early 1990s, and survived the aftermath of September 11, 2001. Historically, we have emerged from economic challenges stronger through diversification. We can do the same now by focusing on developing our bountiful renewable energy resources and becoming an energy exporting state. Nevada has the talent, the expertise, the resources and creativity within its borders to not just meet our own power demands, but to export clean electricity to our neighbors.

Northern Nevada is our geothermal capital and southern Nevada is our solar capital and everywhere in between we can harness our wind resources. Our opportunities in this area are endless.

What we must do, and what I am focused on, is bridging the gap between our current capabilities and our renewable-powered future while economically meeting our current power needs.

To move to this future, we need to overcome the challenges caused by long permitting processes, inadequate transmission infrastructure, and limited incentives. We need to overcome those challenges now, or folks, in ten years, Nevada's powerful energy future will still be just talk here in our state, but reality in other states.

I spoke two years ago about making Nevada an energy-producing state, and we have not been idle since then. We are making progress in all of our major challenge areas, and my energy bill will bring us even closer to our goal. We have already streamlined Nevada's permitting process for the development of renewable energy. We also created the Renewable Energy Transmission Access Advisory Committee to identify renewable energy zones, review our current transmission capabilities, and identify ways to ensure that our renewable resources are brought efficiently and cost effectively to the market. Additionally, my 2009 energy bill is designed to push us to the leading edge of this growth industry. It includes provisions to further streamline the permitting process, particularly for small projects.

Over the years, we have learned that incentives work to help foster renewable energy investments. Therefore, as part of my energy bill, I propose to increase our renewable portfolio standards requirements and to extend our renewable energy tax credits by five more years.

I also propose that we implement other much-needed incentives to bring renewable energy development to Nevada, including economic incentives such as tax abatements for renewable energy manufacturers, renewable energy research and development, and for companies that actually build the much needed transmission lines.

Finally, we are currently in the process of creating a public-private partnership to pursue funding to build needed transmission lines. That partnership will include voices from the Executive Branch, the Legislative Branch, local government and private industry, working together to ensure that renewable energy transmission lines are built and built soon.

These kinds of economic incentives for diversification have helped Nevada pull out of recessions in the past, and I have no doubt they will bring businesses and jobs to our state now.

Considering the importance of renewable energy to our economic future and to job creation in our state, I am hoping that legislative leaders and private industry will work with me to make

Nevada a world leader in producing clean and renewable energy. We always do our best for the people of this state when a united government works with business leaders to create growth industries. Ladies and gentlemen, energy is an essential element of Nevada's future.

Even in the most trying times, I see a future filled with promise. I see a future filled with possibilities. I see a future in which we build for a better tomorrow, but never forget about the good work and endless sacrifices that provide our solid foundation.

I see a future in which pro-business and pro-resident tax structure keeps Nevadans working and a future where a smaller government means a more efficient government. I see a future in which a resilient and resourceful Nevada—a Battle Born Nevada—proves once again that her prosperity has been no accident. Her prosperity is a result of creative spirit of her people.

I am not going to stand before you this evening and tell you that the road ahead is easy or that we will all agree about how to address the very real challenges that confront us. What I will tell you is that I believe in Nevada and I believe in its people, and I am willing to work for you and with you to preserve what we all hold dear.

While no one knows exactly when this economic downturn will end, I assure you it will end. Growth, investment, and renewed consumer confidence are not going to come from my office or this chamber. They will come from you, the people of Nevada, and businesses that also believe in our state.

My pledge to you this evening is simple. I will take down whatever barriers I can, I will keep as many people working as I can, and I will do everything in my power to make tomorrow better than today.

Two years ago, I stood before you and spoke of one Nevada—a Nevada united, not one divided by regional or partisan differences.

I stand here tonight and ask again that we work together as one Nevada for our common good because only together can we ensure that our state weathers the economic storm and moves quickly to economic recovery and prosperity for all Nevada.

Thank you, God bless you, God bless Nevada, and good night.

MESSAGES FROM THE SECRETARY OF STATE

STATE OF NEVADA
OFFICE OF THE SECRETARY OF STATE

January 8, 2009

SUSAN FURLONG REIL, *Chief Clerk of the Assembly*
401 S. Carson Street
Carson City, Nevada 89701-4747

DEAR MS. FURLONG REIL:

In compliance with the laws of the State of Nevada, pursuant to NRS 218.395, I am returning Assembly Joint Resolution No. 3 of the 74th Session of the Nevada Legislature.

Respectfully,
ROSS MILLER
Secretary of State

STATE OF NEVADA
OFFICE OF THE SECRETARY OF STATE

January 8, 2009

SUSAN FURLONG REIL, *Chief Clerk of the Assembly*
401 S. Carson Street
Carson City, Nevada 89701-4747

DEAR MS. FURLONG REIL:

In compliance with the laws of the State of Nevada, pursuant to NRS 218.430, I am returning Assembly Bill 396, vetoed in the 74th Session of the Legislature, for consideration by the 2009 Legislature.

Respectfully,
ROSS MILLER
Secretary of State

STATE OF NEVADA
OFFICE OF THE SECRETARY OF STATE

February 2, 2009

SUSAN FURLONG REIL, *Chief Clerk of the Assembly*
401 S. Carson Street
Carson City, Nevada 89701-4747

DEAR MS. FURLONG REIL:

Pursuant to the Nevada Constitution, Article 19, Section 2, this office is required to transmit any statutory Initiative Petition to the Nevada Legislature once it convenes. In compliance with the laws of the State of Nevada enclosed is the statutory Initiative Petition entitled "Support Our Schools."

Respectfully,
ROSS MILLER
*Secretary of State*By: Matthew M. Griffin
*Deputy Secretary for Elections***SUPPORT OUR SCHOOLS****THE PEOPLE OF THE STATE OF NEVADA DO ENACT AS FOLLOWS:**

Section 1. Purpose. This measure provides by statute for the imposition of an additional tax on the gross receipts from the rental of transient lodging in certain counties, and for the manner in which the proceeds of the tax must be used.

Sec. 2. Chapter 244 of NRS is hereby amended by adding thereto the provisions set forth as sections 3 and 4 of this measure.

Sec. 3. 1. *Except as otherwise provided in subsection 2, in any county whose population is 300,000 or more, the board of county commissioners shall impose a tax at the rate of 3 percent of the gross receipts from the rental of transient lodging in that county. Except as otherwise provided in subsection 2, the tax must be imposed throughout the county, including its incorporated cities, upon all persons in the business of providing lodging. The ordinance imposing the tax must include a schedule for the payment of the tax and the provisions of subsection 4.*

2. If the sum of the rates of all other taxes existing on July 31, 2008, and imposed by the State of Nevada or any unit of local government on the gross receipts from the rental of transient lodging in any area of the county exceeds 10 percent, the tax imposed pursuant to this section in that area must be imposed at a rate equal to the difference between 13 percent and the sum of the rates of the existing taxes. If the sum of the rates of the existing taxes in any area of the county is equal to or greater than 13 percent, no additional tax may be imposed in that area pursuant to this section. For the purposes of this section, the sum of the rates of any existing taxes must be determined as of July 31, 2008, and any increase in the rate of an existing tax after that date does not reduce the rate of the tax imposed pursuant to this section.

3. The tax imposed pursuant to this section must be collected with and in the same manner as any other tax imposed by the county on the gross receipts from the rental of transient lodging. The tax may be shown as an addition to the charge for the rental of transient lodging. The person providing the transient lodging is liable to the county for the tax whether or not it is actually collected from a paying guest.

4. If the tax imposed pursuant to this section is not paid within the time set forth in the schedule for payment, the county shall charge and collect in addition to the tax:

(a) A penalty of not more than 10 percent of the amount due, exclusive of interest, or an administrative fee established by the board of county commissioners, whichever is greater; and

(b) Interest on the amount due at the rate of not more than 1.5 percent per month or fraction thereof from the date on which the tax became due until the date of payment.

Sec. 4. *Except as otherwise provided in this section, the proceeds of the tax imposed pursuant to section 3 of this measure and any applicable penalty or interest must be paid by the county treasurer to the State Treasurer for credit to the State General Fund. The county treasurer may retain from the proceeds an amount sufficient to reimburse the county for the actual cost of collecting and administering the tax, to the extent that the county incurs any cost it would not have incurred but for the enactment of this section or section 3 of this measure, but in no case exceeding the amount authorized by statute for this purpose.*

Sec. 5. NRS 244.3359 is hereby amended to read as follows:

244.3359 1. A county whose population is 400,000 or more shall not impose a new tax on the rental of transient lodging or increase the rate of an existing tax on the rental of transient lodging after March 25, 1991, except pursuant to NRS 244.3351 ~~and 244.3352~~, **244.3352 and section 3 of this measure.**

2. A county whose population is 100,000 or more but less than 400,000 shall not impose a new tax on the rental of transient lodging or increase the rate of an existing tax on the rental of transient lodging after March 25, 1991 [-], **except pursuant to section 3 of this measure.**

3. ~~[The]~~ **Except as otherwise provided in subsection 2 and sections 4 and 6 of this measure,** the Legislature hereby declares that the limitation imposed by subsection 2 will not be repealed or amended except to allow the imposition of an increase in such a tax for the promotion of tourism or for the construction or operation of tourism facilities by a convention and visitors authority.

Sec. 6. Chapter 387 of NRS is hereby amended by adding thereto a new section to read as follows:

1. *Except as otherwise provided in this subsection, the proceeds of the tax imposed pursuant to section 3 of this measure and any applicable penalty or interest must be paid by the county treasurer to the State Treasurer for credit to the State Supplemental School Support Fund, which is hereby created in the State Treasury as a special revenue fund. The county treasurer may retain from the proceeds an amount sufficient to reimburse the county for the actual cost of collecting and administering the tax, to the extent that the county incurs any cost it would not have incurred but for the enactment of this section or section 3 of this measure, but in no case exceeding the amount authorized by statute for this purpose. Any interest or other income earned on the money in the State Supplemental School Support Fund must be credited to the Fund.*

2. *The money in the State Supplemental School Support Fund is hereby appropriated for the operation of the school districts and charter schools of the state, as provided in this section. The money so appropriated is intended to supplement and not replace any other money appropriated, approved or authorized for expenditure to fund the operation of the public schools for kindergarten through grade 12. Any money that remains in the State Supplemental School Support Fund at the end of the fiscal year does not revert to the State General Fund, and the balance in the State Supplemental School Support Fund must be carried forward to the next fiscal year.*

3. *On or before February 1, May 1, August 1 and November 1 of each year, the Superintendent of Public Instruction shall transfer from the State Supplemental School Support Fund all the proceeds of the tax imposed pursuant to section 3 of this measure, including any interest or other income earned thereon, and distribute the proceeds proportionally among the school districts and charter schools of the state. The proportionate amount of money distributed to each school district or charter school must be determined by dividing the number of students enrolled in the school district or charter school by the number of students enrolled in all the school districts and charter schools of the state. For the purposes of this subsection, the enrollment in each school district and the number of students who reside in the district and are enrolled in a charter school must be determined as of the last day of the first school month of the school district for the school year. This determination governs the distribution of money pursuant to this subsection until the next annual determination of enrollment is made. The Superintendent may retain from the proceeds of the tax an amount sufficient to reimburse the Superintendent for the actual cost of administering the provisions of this section, to the extent that the Superintendent incurs any cost he would*

not have incurred but for the enactment of this section, but in no case exceeding the amount authorized by statute for this purpose.

4. The money received by a school district or charter school from the State Supplemental School Support Fund pursuant to this section must be used to improve the achievement of students and for the payment of salaries to attract and retain qualified teachers and other employees, except administrative employees, of the school district or charter school. Nothing contained in this section shall be deemed to impair or restrict the right of employees of the school district or charter school to engage in collective bargaining as provided by Chapter 288 of NRS.

5. On or before November 10 of each year, the board of trustees of each school district and the governing body of each charter school shall prepare a report to the Superintendent of Public Instruction, in the form prescribed by the Superintendent. The report must provide an accounting of the expenditures by the school district or charter school of the money it received from the State Supplemental School Support Fund during the preceding fiscal year.

6. As used in this section, "administrative employee" means any person who holds a license as an administrator, issued by the Superintendent of Public Instruction, and is employed in that capacity by a school district or charter school.

Sec. 7. NRS 387.030 is hereby amended to read as follows:

387.030 All money derived from interest on the State Permanent School Fund, together with all money derived from other sources provided by law, must:

1. ~~[Be]~~ *Except as otherwise provided in section 6 of this measure, be* placed in the State Distributive School Account which is hereby created in the State General Fund; and

2. Except as otherwise provided in NRS 387.528, be apportioned among the several school districts and charter schools of this State at the times and in the manner provided by law.

Sec. 8. Transitory provision.

1. Notwithstanding the expiration of section 4 of this measure on June 30, 2011, any tax and any interest or penalty owing and unpaid as of that date and collected on or before October 1, 2011, must be paid, deposited and credited to the State General Fund as provided in that section.

2. The Superintendent of Public Instruction shall make the initial transfer from the State Supplemental School Support Fund, as required by section 6 of this measure, on or before February 1, 2012.

3. The board of trustees of each school district and the governing body of each charter school shall prepare their initial reports to the Superintendent of Public Instruction, as required by section 6 of this measure, on or before November 10, 2012.

Sec. 9. Effective dates; expiration of certain provisions.

1. This section and sections 1 and 10 of this measure become effective:

(a) For the purposes of any challenge to the validity or legal sufficiency of this measure or any part of it,
on July 31, 2008; and

(b) For all other purposes:

(1) If subsection 2 is applicable, upon passage and approval; or

(2) If subsection 3 is applicable, upon completion of the canvass of votes by the Supreme

Court.

2. If this measure is enacted by the 75th Session of the Legislature and approved by the Governor as provided in subsection 3 of Section 2 of Article 19 of the Nevada Constitution:

(a) Sections 2 to 5, inclusive, and section 8 of this measure become effective:

(1) Upon passage and approval, for the purposes of adopting the ordinance imposing the tax; and

(2) On July 1, 2009, for all other purposes.

(b) Section 4 of this measure expires by limitation on June 30, 2011.

(c) Sections 6 and 7 of this measure become effective on July 1, 2011.

3. If this measure is not enacted and approved as provided in subsection 2, but is approved by the voters after the measure has been referred or submitted to the voters pursuant to subsection 3 of Section 18 of Article 4 or subsection 3 of Section 2 of Article 19 of the Nevada Constitution:

(a) Sections 2 and 3 and sections 5 to 8, inclusive, of this measure become effective:

(1) Upon the completion of the canvass of votes by the Supreme Court, for the purposes of adopting the ordinance imposing the tax; and

(2) On January 1, 2011, for all other purposes.

(b) Section 4 of this measure shall not become effective.

Sec. 10. Severability. If any provision of this measure or its application to any person or circumstance is held to be invalid or ineffective, the invalidity or ineffectiveness must be given the narrowest possible construction and shall not affect any other provision or application of this measure.

CARSON CITY, NEVADA
CONSOLIDATED MUNICIPALITY AND STATE CAPITAL

February 2, 2009

DEAR SPEAKER BUCKLEY AND MEMBERS OF THE ASSEMBLY:

It gives me great pleasure to join with the citizens of Carson City to extend to you and all of the members of the Nevada State Legislature our official greetings and warm welcome as we prepare for the start of the 2009 Legislative Session.

Our community, like so many areas of Nevada, is rich in history and famous for its colorful past. We are extremely proud to carry the designation "Capital City." We understand that you have many difficult issues to tackle this session and we want to ensure that your work is complemented by an enjoyable stay in our City.

We would like to invite you to attend a "welcome" reception on February 3, 2009, between 5:30 - 7:00 p.m. to be held at City Hall, 201 North Carson Street. I want to assure you we are planning a relatively low key and casual event. Our objectives are to say hello and welcome you to Carson City, and also provide an opportunity to introduce you to other elected officials and city staff - there will be no complaining! We are easy to find as we are located next to and just north of the Capitol and its silver dome which can be seen for miles, representative of government for the citizens of the Great State of Nevada.

Again, it is our pleasure to have you in our community, and we look forward to seeing you on February 3rd. If there is any way we may be of assistance to you, please do not hesitate to call on me or any member of our city's staff. Best wishes for a successful session and thank you for allowing us to be your host these next few months.

Sincerely,
ROBERT L. CROWELL
Mayor

PRESENTATION OF PETITIONS

Initiative Petition No. 1—AN ACT relating to taxation; imposing an additional tax on the gross receipts from the rental of transient lodging in certain counties; providing for the use of the proceeds; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the petition be referred to the Committee on Taxation.

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ocegüera moved that vetoed Assembly Bill No. 396 of the 74th Session be made a Special Order of Business for Tuesday, February 3, 2009, at 11:10 a.m.

Motion carried.

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

Assembly Concurrent Resolution No. 1—Adopting the Joint Standing Rules of the Senate and Assembly for the 75th Session of the Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, THE SENATE CONCURRING, That the Joint Rules of the Senate and Assembly for the 75th Session of the Legislature are hereby adopted as follows:

CONFERENCE COMMITTEES

Rule No. 1. Procedure Concerning.

1. *In every case of an amendment of a bill, or joint or concurrent resolution, agreed to in one House, dissented from in the other, and not receded from by the one making the amendment, each House shall appoint a committee to confer with a like committee to be appointed by the other; and the committee so appointed shall meet publicly at a convenient hour to be agreed upon by their respective chairmen and announced publicly, and shall confer upon the differences between the two Houses as indicated by the amendments made in one and rejected in the other and report as early as convenient the result of their conference to their respective Houses.*

2. *The report shall be made available to all members of both Houses. The whole subject matter embraced in the bill or resolution shall be considered by the committee, and it may recommend recession by either House, new amendments, new bills or resolutions, or other changes as it sees fit. New bills or resolutions so reported shall be treated as amendments unless the bills or resolutions are composed entirely of original matter, in which case they shall receive the treatment required in the respective Houses for original bills, or resolutions, as the case may be.*

3. *The report of a conference committee may be adopted by acclamation. The report is not subject to amendment.*

4. *There shall be but one conference committee on any bill or resolution. A majority of the members of a conference committee from each House must be members who voted for the passage of the bill or resolution.*

MESSAGES

Rule No. 2. Biennial Message of the Governor.

Upon motion, the biennial message of the Governor must be received and read and entered in full in the Journal of proceedings.

Rule No. 2.2. Other Messages From the Governor.

Whenever a message from the Governor is received, it shall be read and entered in full in the Journal of proceedings.

Rule No. 2.4. Proclamation by the Governor Convening Special Session.

Proclamations by the Governor convening the Legislature in special session must, by direction of the presiding officer of each House, be read immediately after the convening of the special session, and must be filed and entered in the Journal of proceedings.

Rule No. 2.6. Messages Between Houses.

Messages from the Senate to the Assembly shall be delivered by the Secretary or Assistant Secretary, and messages from the Assembly to the Senate shall be delivered by the Chief Clerk or Assistant Chief Clerk.

NOTICE OF FINAL ACTION**Rule No. 3. Communications.**

Each House shall communicate its final action on any bill or resolution, or matter in which the other may be interested, by written notice. Each such notice sent by the Senate must be signed by the Secretary of the Senate, or a person designated by the Secretary. Each such notice sent by the Assembly must be signed by the Chief Clerk of the Assembly, or a person designated by the Chief Clerk.

BILLS AND JOINT RESOLUTIONS**Rule No. 4. Signature.**

Each enrolled bill or joint resolution shall be presented to the presiding officers of both Houses for signature. They shall, after an announcement of their intention to do so is made in open session, sign the bill or joint resolution and their signatures shall be followed by those of the Secretary of the Senate and Chief Clerk of the Assembly.

Rule No. 5. Joint Sponsorship.

1. *A bill or resolution introduced by a standing committee of the Senate or Assembly may, at the direction of the chairman of the committee, set forth the name of a standing committee of the other House as a joint sponsor, if a majority of all members appointed to the committee of the other House votes in favor of becoming a joint sponsor of the bill or resolution. The name of the committee joint sponsor must be set forth on the face of the bill or resolution immediately below the date on which the bill or resolution is introduced.*

2. *A bill or resolution introduced by one or more Legislators elected to one House may, at the direction of the Legislator who brings the bill or resolution forward for introduction, set forth the names of one or more Legislators who are members elected to the other House and who wish to be primary joint sponsors or non-primary joint sponsors of the bill or resolution. Not more than five Legislators from each House may be set forth on the face of a bill or resolution as primary joint sponsors. The names of each primary joint sponsor and non-primary joint sponsor must be set forth on the face of the bill or resolution in the following order immediately below the date on which the bill or resolution is introduced:*

(a) The name of each primary joint sponsor, in the order indicated on the colored back of the introductory copy of the bill or resolution; and

(b) The name of each non-primary joint sponsor, in alphabetical order.

3. *The Legislative Counsel shall not cause to be printed the name of a standing committee as a joint sponsor on the face of a bill or resolution unless the chairman of the committee has signed his name next to the name of the committee on the colored back of the introductory copy of the bill or resolution that was submitted to the front desk of the House of origin or the statement required by subsection 5. The Legislative Counsel shall not cause to be printed the name of a Legislator as a primary joint sponsor or non-primary joint sponsor on the face of a bill or resolution unless the Legislator has signed the colored back of the introductory copy of the bill or resolution that was submitted to the front desk of the House of origin or the statement required by subsection 5.*

4. *Upon introduction, any bill or resolution that sets forth the names of primary joint sponsors or non-primary joint sponsors, or both, must be numbered in the same numerical sequence as other bills and resolutions of the same House of origin are numbered.*

5. *Once a bill or resolution has been introduced, a primary joint sponsor or non-primary joint sponsor may only be added or removed by amendment of the bill or resolution. An amendment which proposes to add or remove a primary joint sponsor or non-primary joint sponsor must not be considered by the House of origin of the amendment unless a statement requesting the addition or removal is attached to the copy of the amendment submitted to the front desk of the House of origin of the amendment. If the amendment proposes to add or remove a Legislator as a primary joint sponsor or non-primary joint sponsor, the statement must be signed by that Legislator. If the amendment proposes to add or remove a standing committee as a joint sponsor, the statement must be signed by the chairman of the committee.*

A copy of the statement must be transmitted to the Legislative Counsel if the amendment is adopted.

6. An amendment that proposes to add or remove a primary joint sponsor or non-primary joint sponsor may include additional proposals to change the substantive provisions of the bill or resolution or may be limited only to the proposal to add or remove a primary joint sponsor or non-primary joint sponsor.

PRINTING

Rule No. 6. Ordering and Distribution.

Each House may order the printing of bills introduced, reports of its own committees, and other matter pertaining to that House only; but no other printing may be ordered except by a concurrent resolution passed by both Houses. Each Senator is entitled to the free distribution of four copies of each bill introduced in each House, and each Assemblyman to such a distribution of two copies. Additional copies of such bills may be distributed at a charge to the person to whom they are addressed. The amount charged for distribution of the additional copies must be determined by the Director of the Legislative Counsel Bureau to approximate the cost of handling and postage for the entire session.

RESOLUTIONS

Rule No. 7. Types, Usage and Approval.

1. A joint resolution must be used to:

(a) Propose an amendment to the Nevada Constitution.

(b) Ratify a proposed amendment to the United States Constitution.

(c) Address the President of the United States, Congress, either House or any committee or member of Congress, any department or agency of the Federal Government, or any other state of the Union.

2. A concurrent resolution must be used to:

(a) Amend these Joint Rules.

(b) Request the return from the Governor of an enrolled bill for further consideration.

(c) Request the return from the Secretary of State of an enrolled joint or concurrent resolution for further consideration.

(d) Resolve that the return of a bill from one House to the other House is necessary and appropriate.

(e) Express facts, principles, opinion and purposes of the Senate and Assembly.

(f) Establish a joint committee of the two Houses.

(g) Direct the Legislative Commission to conduct an interim study.

3. A concurrent resolution or a resolution of one House may be used to:

(a) Memorialize a former member of the Legislature or other notable or distinguished person upon his death.

(b) Congratulate or commend any person or organization for a significant and meritorious accomplishment, but any request for drafting the resolution must be approved by the Senate Committee on Legislative Operations and Elections or the Assembly Committee on Elections, Procedures, Ethics, and Constitutional Amendments before submission to the Legislative Counsel.

4. A resolution of one House may be used to request the return from the Secretary of State of an enrolled resolution of the same House for further consideration.

VETOES

Rule No. 8. Special Order.

1. Bills which have passed the Legislature, and which are returned after the Governor's disapproval, or veto of the same, shall:

(a) Be taken up and considered immediately upon the coming in of the message transmitting the same; or

(b) Become the subject of a special order.

2. *When the message is received or, if made a special order, when the special order for their consideration is reached and called, the said message or statement shall be read, together with the bill or bills so disposed or vetoed; and the Secretary of the Senate and the Chief Clerk of the Assembly shall, without interruption, read the message and the bill consecutively, the bill following the message; and the message and the bill must not be read upon separate occasions; and no such bill or message shall be referred to any committee, or otherwise acted upon, save as provided by law and custom; that is to say, that immediately following such reading the only question (except as hereinafter stated) which shall be put by the Chair is, "Shall the bill pass, notwithstanding the objections of the Governor?"*

3. *It shall not be in order, at any time, to vote upon such vetoed bill without the same shall have first been read; and no motion shall be entertained after the Chair has stated the question save a motion for "The previous question," but the merits of the bill itself may be debated.*

ADJOURNMENT

Rule No. 9. Limitations and Calculation of Duration.

1. *In calculating the permissible duration of an adjournment for 3 days or less, the day of adjournment must not be counted but the day of the next meeting must be counted, and Sunday must not be counted.*

2. *The Legislature may adjourn for more than 3 days by motion based on mutual consent of the Houses or by concurrent resolution. One or more such adjournments, for a total of not more than 20 days during any regular session, may be taken to permit standing committees, select committees or the Legislative Counsel Bureau to prepare the matters respectively entrusted to them for the consideration of the Legislature as a whole.*

Rule No. 9.5. Adjournment Sine Die.

1. *The Legislature shall not take any action on a bill or resolution after midnight Pacific Daylight Time on the 120th calendar day of session.*

2. *A Legislator shall not take any action to impede the progress of the Legislature in completing its business by the time specified in subsection 1.*

3. *Any action taken in violation of subsection 2 shall be deemed out of order.*

EXPENDITURES FROM THE LEGISLATIVE FUND

Rule No. 10. Manner of Authorization.

Except for routine salary, travel, equipment and operating expenses, no expenditures shall be made from the Legislative Fund without the authority of a concurrent resolution regularly adopted by the Senate and Assembly.

LEGISLATIVE COMMISSION

Rule No. 11. Membership and Organization.

1. *When members of the minority party in the Senate or in the Assembly comprise one-third or less of the total number elected to that House, minority party membership for that House on the Legislative Commission must be:*

(a) One, if such membership is less than one-fifth of the total number elected to that House.

(b) Two, if such membership is at least one-fifth but not more than one-third of the total number elected to that House. If the members of the minority party in the Senate or in the Assembly comprise more than one-third of the total number elected to that House, minority party membership for that House on the Commission must be three, being equal to the membership of the majority party.

2. Each House shall select one or more alternate members for each member from that House, designating them according to party or according to the individual member whom the alternate would replace.

3. A vacancy in the regular Senate or Assembly membership created by death or by resignation or by the Legislator's ceasing to be a member of the Legislature shall be filled by the proper alternate member as designated by that House. If there is no proper alternate member, the Legislative Commission shall fill the vacancy by appointing a Senator or Assemblyman of the same party.

4. If for any reason a member is or will be absent from a meeting and there are no alternates available, the Chairman of the Commission may appoint a member of the same House and political party to attend the meeting as an alternate.

5. The members shall serve until their successors are appointed by resolution as provided in NRS 218.660, except that the membership of any member who does not become a candidate for reelection or who is defeated for reelection shall terminate on the day next after the election and the vacancy shall be filled as provided in this Rule.

6. The Chairman shall be selected at the first meeting of the newly formed Legislative Commission and shall serve until his successor is appointed following the formation of the next Legislative Commission.

RECORDS OF COMMITTEE PROCEEDINGS

Rule No. 12. Duties of Secretary of Committee and Director.

1. Each standing committee of the Legislature shall cause a record to be made of the proceedings of its meetings.

2. The secretary of a standing committee shall:

(a) Label each record with the date, time and place of the meeting and also indicate on the label the numerical sequence in which the record was made;

(b) Keep the records in chronological order; and

(c) Deposit the records upon completion with the Director of the Legislative Counsel Bureau.

3. The Director of the Legislative Counsel Bureau shall:

(a) Make the records available for accessing by any person during office hours under such reasonable conditions as he may deem necessary;

(b) Retain the records for two bienniums and at the end of that period keep some form or copy of the record in any manner he deems reasonable to ensure access to the record in the foreseeable future.

LIMITATIONS ON INTRODUCTION AND REQUESTS FOR DRAFTING OF LEGISLATIVE MEASURES

Rule No. 14. Limitations on Drafting and Requirements for Introduction; Duplicative Measures; Indication of Requester on Committee Introductions.

1. Except as otherwise provided in subsection 5 and Joint Standing Rules Nos. 14.4, 14.5 and 14.6, after a regular legislative session has convened, the Legislative Counsel shall honor, if submitted before 5 p.m. on the 8th calendar day of the legislative session, not more than:

(a) Two requests from each Assemblyman; and

(b) Four requests from each Senator,

for the drafting of a bill or resolution.

2. Except as otherwise provided in subsections 4 and 5 and Joint Standing Rules Nos. 14.4, 14.5 and 14.6, after a regular legislative session has convened, the Legislative Counsel shall honor, if submitted before 5 p.m. on the 19th calendar day of the legislative session, not more than 50 requests, in total, from the standing committees of each House for the drafting of a bill or joint resolution. The Majority Leader of the Senate and the Speaker of the Assembly shall, not later than the 1st calendar day of the legislative session, determine and provide the Legislative Counsel with a written list of the number of requests for the drafting of a bill that may be submitted by each standing committee of their respective Houses, within the

limit provided by this subsection. The lists may be revised any time before the 19th day of the legislative session to reallocate any unused requests or requests which were withdrawn before drafting began on the request.

3. A request for the drafting of a bill or resolution that is submitted by a standing committee pursuant to this section must be approved by a majority of all of the members appointed to the committee before the request is submitted to the Legislative Counsel.

4. A standing committee may only request the drafting of a bill or resolution or introduce a bill or resolution that is within the jurisdiction of the standing committee.

5. The Legislative Counsel shall not honor a request for the drafting of a bill or resolution submitted by a member or standing committee of the Senate or Assembly unless such information as is required to draft the measure is submitted to the Legislative Counsel with the request.

6. A measure introduced by a standing committee at the request of a Legislator or organization must indicate the Legislator or organization at whose request the measure was drafted.

7. The following measures must be introduced by a standing committee:

(a) Measures drafted at the request of agencies and officers of the Executive Branch of State Government, local governments, the courts and other authorized nonlegislative requesters.

(b) Measures requested by statutory committees and interim legislative studies.

(c) Bills requested by a standing committee, or by persons designated to request measures on behalf of a standing committee during the interim. Bills requested by or on behalf of a standing committee must be introduced by that committee.

8. Resolutions requested by or on behalf of a standing committee may be introduced by an individual member.

9. If two or more measures are being considered in the same House which are substantively duplicative, only the measure which has been assigned the lowest number for the purpose of establishing its priority in drafting may be considered, unless the measure with the lowest number is not introduced within 5 days after introduction of a measure with a higher number.

10. A Legislator may not change the subject matter of a request for a legislative measure after it has been submitted for drafting.

Rule No. 14.2. Limitations on Time for Introduction of Legislation.

1. Except as otherwise provided in Joint Standing Rules Nos. 14.4, 14.5 and 14.6:

(a) Unless the provisions of paragraph (b) or (c) are applicable, a bill or joint resolution may only be introduced on or before:

(1) The 10th calendar day following delivery of the introductory copy of the bill or joint resolution; or

(2) The last day for introduction of the bill or joint resolution as required by paragraph (d),

↳ whichever is earlier.

(b) If a bill or joint resolution requires revision after the introductory copy has been delivered, such information as is required to draft the revision must be submitted to the Legislative Counsel before the 10th calendar day following delivery of the introductory copy of the bill or joint resolution. The revised bill or joint resolution may only be introduced on or before:

(1) The 15th calendar day following delivery of the original introductory copy of the bill or joint resolution; or

(2) The last day for introduction of the bill or joint resolution as required by paragraph (d),

↳ whichever is earlier.

(c) If the bill or joint resolution requires a second or subsequent revision, such information as is required to draft the revision must be submitted to the Legislative Counsel before the 15th calendar day following delivery of the original introductory copy of the bill or

joint resolution. A bill or joint resolution revised pursuant to this subsection may only be introduced on or before:

(1) The 20th calendar day following delivery of the original introductory copy of the bill or joint resolution; or

(2) The last day for introduction of the bill or joint resolution as required by paragraph (d),

↪ whichever is earlier.

(d) Except as otherwise provided in subsection 3, the last day for introduction of a bill or joint resolution that was requested by:

(1) A Legislator is the 43rd calendar day of the legislative session.

(2) A standing or interim committee or other requester is the 50th calendar day of the legislative session.

2. The Legislative Counsel shall indicate on the face of the introductory copy of each bill or joint resolution the final date on which the bill or joint resolution may be introduced.

3. If the final date on which the bill or joint resolution may be introduced falls upon a day on which the House in which the bill or joint resolution is to be introduced is not in session, the bill or joint resolution may be introduced on the next day that the House is in session.

SCHEDULE FOR ENACTMENT OF BILLS

Rule No. 14.3. Final Dates for Action by Standing Committees and Houses.

Except as otherwise provided in Joint Standing Rules Nos. 14.4, 14.5 and 14.6:

1. The final standing committee to which a bill or joint resolution is referred in its House of origin may only take action on the bill or joint resolution on or before the 68th calendar day of the legislative session. A bill may be re-referred after that date only to the Committee on Finance or the Committee on Ways and Means and only if the bill is exempt pursuant to subsection 1 of Joint Standing Rule No. 14.6.

2. Final action on a bill or joint resolution may only be taken by the House of origin on or before the 79th calendar day of the legislative session.

3. The final standing committee to which a bill or joint resolution is referred in the second House may only take action on the bill or joint resolution on or before the 103rd calendar day of the legislative session. A bill may be re-referred after that date only to the Committee on Finance or the Committee on Ways and Means and only if the bill is exempt pursuant to subsection 1 of Joint Standing Rule No. 14.6.

4. Final action on a bill or joint resolution may only be taken by the second House on or before the 110th calendar day of the legislative session.

↪ No notice of reconsideration of any final vote on a bill or joint resolution is in order on the last day on which final action is allowed.

Rule No. 14.4. Emergency Requests.

1. After a legislative session has convened:

(a) The Majority Leader of the Senate and the Speaker of the Assembly may each submit to the Legislative Counsel, on his own behalf or on the behalf of another Legislator or a standing committee of the Senate or Assembly, not more than five requests for the drafting of a bill or resolution.

(b) The Minority Leader of the Senate and the Minority Leader of the Assembly may each submit to the Legislative Counsel, on his own behalf or on the behalf of another Legislator or a standing committee of the Senate or Assembly, not more than two requests for the drafting of a bill or resolution.

2. A request submitted pursuant to subsection 1:

(a) May be submitted at any time during the legislative session and is not subject to any of the provisions of subsections 1 and 2 of Joint Standing Rule No. 14, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3.

(b) Is in addition to, and not in lieu of, any other requests for the drafting of a bill or resolution that are authorized to be submitted to the Legislative Counsel by the Majority

Leader of the Senate, Speaker of the Assembly, Minority Leader of the Senate or Minority Leader of the Assembly.

3. *The list of requests for the preparation of legislative measures prepared pursuant to NRS 218.2475 must include the phrase "EMERGENCY REQUEST OF" and state the title of the person who requested each bill or resolution pursuant to this Rule. If the request was made on behalf of another Legislator or a standing committee, the list must also include the name of the Legislator or standing committee on whose behalf the bill or resolution was requested.*

4. *The Legislative Counsel shall cause to be printed on the face of the introductory copy of all reprints of each bill or resolution requested pursuant to this Rule the phrase "EMERGENCY REQUEST OF" and state the title of the person who requested the bill or resolution.*

Rule No. 14.5. Waivers.

1. *At the request of a Legislator or a standing or select committee of the Senate or Assembly, subsection 1 or 2 of Joint Standing Rule No. 14, subsection 1 of Joint Standing Rule No. 14.2 or any of the provisions of Joint Standing Rule No. 14.3, or any combination thereof, may be waived by the Majority Leader of the Senate and the Speaker of the Assembly, acting jointly, at any time during a legislative session. A request for a waiver submitted by a committee must be approved by a majority of all members appointed to the committee before the request is submitted to the Majority Leader and the Speaker.*

2. *A waiver granted pursuant to subsection 1:*

(a) *Must be in writing, executed on a form provided by the Legislative Counsel, and signed by the Majority Leader and the Speaker.*

(b) *Must indicate the date on which the waiver is granted.*

(c) *Must indicate the Legislator or committee on whose behalf the waiver is being granted.*

(d) *Must include the bill number for which the waiver is granted or indicate that the Legislative Counsel is authorized to accept and honor a request for a new bill or resolution.*

(e) *Must indicate the provisions to which the waiver applies.*

(f) *May include the conditions under which the bill for which the waiver is being granted must be introduced and processed.*

3. *The Legislative Counsel shall not honor a request for the drafting of a new bill or resolution for which a waiver is granted pursuant to this Rule unless such information as is required to draft the bill or resolution is submitted to the Legislative Counsel within 2 calendar days after the date on which the waiver is granted.*

4. *Upon the receipt of a written waiver granted pursuant to this Rule, the Legislative Counsel shall transmit a copy of the waiver to the Secretary of the Senate and the Chief Clerk of the Assembly. The notice that a waiver has been granted for an existing bill must be read on the floor and entered in the Journal, and a notation that the waiver was granted must be included as a part of the history of the bill on the next practicable legislative day. A notation that a waiver was granted authorizing a new bill or resolution must be included as a part of the history of the bill or resolution after introduction.*

5. *The Legislative Counsel shall secure the original copy of the waiver to the official cover of the bill or resolution.*

6. *No notice of reconsideration of any final vote on a bill is in order on the last day on which final action is allowed by a waiver.*

Rule No. 14.6. Exemptions.

1. *Upon request of the draft by or referral to the Senate Finance Committee or the Assembly Committee on Ways and Means, a bill which:*

(a) *Contains an appropriation; or*

(b) *Has been determined by the Fiscal Analysis Division to:*

(1) *Authorize the expenditure by a state agency of sums not appropriated from the State General Fund or the State Highway Fund;*

(2) *Create or increase any significant fiscal liability of the State;*

(3) *Implement a budget decision; or*

(4) *Significantly decrease any revenue of the State,*
 ↪ *is exempt from the provisions of subsections 1 and 2 of Joint Standing Rule No. 14, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3. The Fiscal Analysis Division shall give notice to the Legislative Counsel to cause to be printed on the face of the bill the term “exempt” for any bills requested by the Senate Finance Committee or Assembly Committee on Ways and Means that have been determined to be exempt and shall give written notice to the Legislative Counsel, Secretary of the Senate and Chief Clerk of the Assembly of any bill which is determined to be exempt or eligible for exemption after it is printed. When a bill is determined to be exempt or eligible for an exemption after the bill was printed a notation must be included as a part of the history of the bill on the next practicable legislative day. The term “exempt” must be printed on the face of all reprints of the bill after the bill becomes exempt.*

2. *Unless exempt pursuant to paragraph (a) of subsection 1, all of the provisions of Joint Standing Rules Nos. 14, 14.2 and 14.3 apply to a bill until the bill becomes exempt pursuant to subsection 1. A bill that has become exempt does not lose the exemption regardless of subsequent actions taken by the Legislature.*

3. *A cumulative list of all bills determined by the Fiscal Analysis Division pursuant to subsection 1 to be exempt or eligible for exemption after being printed must be maintained and printed in the back of the list of requests for the preparation of legislative measures prepared pursuant to NRS 218.2475.*

4. *The provisions of subsections 1 and 2 of Joint Standing Rule No. 14, subsection 1 of Joint Standing Rule No. 14.2 and Joint Standing Rule No. 14.3 do not apply to:*

(a) *A measure that primarily relates to carrying out the business of the Legislature.*

(b) *A bill returned from enrollment for a technical correction.*

(c) *A bill that was previously enrolled but, upon request of the Legislature, has been returned from the Governor for further consideration.*

Rule No. 14.7. Amendments.

1. *The Legislative Counsel shall not honor a request for the drafting of an amendment to a bill or resolution if the subject matter of the amendment is independent of, and not specifically related and properly connected to, the subject that is expressed in the title of the bill or resolution.*

2. *For the purposes of this Rule, an amendment is independent of, and not specifically related and properly connected to, the subject that is expressed in the title of a bill or resolution if the amendment relates only to the general, single subject that is expressed in that title and not to the specific whole subject matter embraced in the bill or resolution.*

3. *This Rule must be narrowly construed to carry out the purposes for which it was adopted which is to ensure the effectiveness of the limitations set forth in Joint Standing Rules Nos. 14, 14.2 and 14.3.*

CONTINUATION OF LEADERSHIP OF THE SENATE AND ASSEMBLY DURING THE INTERIM BETWEEN SESSIONS

Rule No. 15. Tenure and Performance of Statutory Duties.

1. *Except as otherwise provided in subsections 2 and 3, the tenure of the President Pro Tem, Majority Leader and Minority Leader of the Senate and the Speaker, Speaker Pro Tem, Majority Floor Leader and Minority Floor Leader of the Assembly extends during the interim between regular sessions of the Legislature.*

2. *The Senators designated to be the President Pro Tem, Majority Leader and Minority Leader for the next succeeding regular session shall perform any statutory duty required in the period between the time of their designation after the general election and the organization of the next succeeding regular session of the Legislature if the Senator formerly holding the respective position is no longer a Legislator.*

3. *The Assemblymen designated to be the Speaker, Speaker Pro Tem, Majority Floor Leader and Minority Floor Leader for the next succeeding regular session shall perform any*

statutory duty required in the period between the time of their designation after the general election and the organization of the next succeeding regular session.

Rule No. 16. Reserved.

DATE OF FIRST JOINT BUDGET HEARING

Rule No. 17. Requirement.

The first joint meeting of the Senate Standing Committee on Finance and the Assembly Standing Committee on Ways and Means to consider the budgets of the agencies of the State must be held on or before the 92nd calendar day of the regular session.

CRITERIA FOR REVIEWING BILLS THAT REQUIRE POLICIES OF HEALTH INSURANCE TO PROVIDE COVERAGE FOR CERTAIN TREATMENT OR SERVICES

Rule No. 18. Topics of Consideration.

Any standing committee of the Senate or Assembly to which a bill is referred requiring a policy of health insurance delivered or issued for delivery in this State to provide coverage for any treatment or service shall review the bill giving consideration to:

- 1. The level of public demand for the treatment or service for which coverage is required and the extent to which such coverage is needed in this State;*
- 2. The extent to which coverage for the treatment or service is currently available;*
- 3. The extent to which the required coverage may increase or decrease the cost of the treatment or service;*
- 4. The effect the required coverage will have on the cost of obtaining policies of health insurance in this State;*
- 5. The effect the required coverage will have on the cost of health care provided in this State; and*
- 6. Such other considerations as are necessary to determine the fiscal and social impact of requiring coverage for the treatment or service.*

INTERIM FINDINGS AND RECOMMENDATIONS OF LEGISLATIVE COMMITTEES

Rule No. 19. Date for Reporting.

Each legislative committee that adopted any findings or recommendations during the interim since the last regular session of the Legislature shall, no later than the 14th calendar day of the regular session, inform interested members of the Senate and Assembly of those findings and recommendations.

POLICY AND PROCEDURES REGARDING SEXUAL HARASSMENT

Rule No. 20. Maintenance of Working Environment; Procedure for Filing, Investigating and Taking Remedial Action on Complaints.

1. The Legislature hereby declares its intention to maintain a working environment which is free from sexual harassment. This policy applies to all Legislators and lobbyists. Each member and lobbyist is responsible to conduct himself or herself in a manner which will ensure that others are able to work in such an environment.

2. In accordance with Title VII of the Civil Rights Act, for the purposes of this Rule, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment;*

(b) *Submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting the person; or*

(c) *Such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive working environment.*

3. *Each person subject to these Rules must exercise his own good judgment to avoid engaging in conduct that may be perceived by others as sexual harassment. The following noninclusive list provides illustrations of conduct that the Legislature deems to be inappropriate:*

(a) *Verbal conduct such as epithets, derogatory comments, slurs or unwanted sexual advances, invitations or comments;*

(b) *Visual conduct such as derogatory posters, photography, cartoons, drawings or gestures;*

(c) *Physical conduct such as unwanted touching, blocking normal movement or interfering with the work directed at a person because of his sex;*

(d) *Threats and demands to submit to sexual requests to keep a person's job or avoid some other loss, and offers of employment benefits in return for sexual favors; and*

(e) *Retaliation for opposing, reporting or threatening to report sexual harassment, or for participating in an investigation, proceeding or hearing conducted by the Legislature or the Nevada Equal Rights Commission or the federal Equal Employment Opportunity Commission,*

↳ *when submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or submission to or rejection of such conduct by a person is used as the basis for employment decisions affecting the person or such conduct has the purpose or effect of unreasonably interfering with a person's work performance or creating an intimidating, hostile or offensive working environment.*

4. *A person may have a claim of sexual harassment even if he has not lost a job or some other economic benefit. Conduct that impairs a person's ability to work or his emotional well-being at work constitutes sexual harassment.*

5. *If a Legislator believes he is being sexually harassed on the job, he may file a written complaint with:*

(a) *The Speaker of the Assembly;*

(b) *The Majority Leader of the Senate; or*

(c) *The Director of the Legislative Counsel Bureau, if the complaint involves the conduct of the Speaker of the Assembly or the Majority Leader of the Senate.*

↳ *The complaint must include the details of the incident or incidents, the names of the persons involved and the names of any witnesses.*

6. *Except as otherwise provided in subsection 7, the Speaker of the Assembly or the Majority Leader of the Senate, as appropriate, shall refer a complaint received pursuant to subsection 5 to a committee consisting of Legislators of the same House. A complaint against a lobbyist may be referred to a committee in either House.*

7. *If the complaint involves the conduct of the Speaker of the Assembly or the Majority Leader of the Senate, the Director of the Legislative Counsel Bureau shall refer the complaint to the Committee on Elections, Procedures, Ethics, and Constitutional Amendments of the Assembly or the Committee on Legislative Operations and Elections of the Senate, as appropriate. If the Speaker of the Assembly or the Majority Leader of the Senate is a member of one of these committees, the Speaker or the Majority Leader, as the case may be, shall not participate in the investigation and resolution of the complaint.*

8. *The committee to which the complaint is referred shall immediately conduct a confidential and discreet investigation of the complaint. As a part of the investigation, the committee shall notify the accused of the allegations. The committee shall facilitate a meeting between the complainant and the accused to allow a discussion of the matter, if both agree. If the parties do not agree to such a meeting, the committee shall request statements regarding the complaint from each of the parties. Either party may request a hearing before the committee. The committee shall make its determination and inform the complainant and the accused of its determination as soon as practicable after it has completed its investigation.*

9. *If the investigation reveals that sexual harassment has occurred, the Legislature will take appropriate disciplinary or remedial action, or both. The committee shall inform the complainant of any action taken. The Legislature will also take any action necessary to deter any future harassment.*

10. *The Legislature will not retaliate against a person who files a complaint and will not knowingly permit any retaliation by the person's supervisors or coworkers.*

11. *The Legislature encourages a person to report any incident of sexual harassment immediately so that the complaint can be quickly and fairly resolved.*

12. *Action taken by a complainant pursuant to this Rule does not prohibit the complainant from also filing a complaint of sexual harassment with the Nevada Equal Rights Commission or the federal Equal Employment Opportunity Commission.*

13. *All Legislators and lobbyists are responsible for adhering to the provisions of this policy. The prohibitions against engaging in sexual harassment and the protections against becoming a victim of sexual harassment set forth in this policy apply to employees, Legislators, lobbyists, vendors, contractors, customers and visitors to the Legislature.*

14. *This policy does not create any enforceable legal rights in any person.*

VOTE ON GENERAL APPROPRIATION BILL

Rule No. 21. Waiting Period Between Introduction and Final Passage.

A period of at least 24 hours must elapse between the introduction of the general appropriation bill and a vote on its final passage by its House of origin.

USE OF LOCK BOXES BY STATE AGENCIES

Rule No. 22. Duties of Senate Standing Committee on Finance and Assembly Standing Committee on Ways and Means.

To expedite the deposit of state revenue, the Senate Standing Committee on Finance and the Assembly Standing Committee on Ways and Means shall, when reviewing the proposed budget of a state agency which collects state revenue, require if practicable, the agency to deposit revenue that it has received within 24 hours after receipt. The Committees shall allow such agencies to deposit the revenue directly or contract with a service to deposit the revenue within the specified period.

Assemblyman Ocegüera moved the adoption of the resolution.

Resolution adopted.

Assemblyman Ocegüera moved that all rules be suspended and that Assembly Concurrent Resolution No. 1 be immediately transmitted to the Senate.

Motion carried.

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

Assembly Resolution No. 1—Adopting the Standing Rules of the Assembly for the 75th Session of the Legislature.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That the Assembly Standing Rules are hereby adopted for the 75th Session of the Legislature as follows:

I. OFFICERS AND EMPLOYEES*Duties of Officers***Rule No. 1. Speaker of the Assembly.**

1. All officers of the Assembly are subordinate to the Speaker in all that relates to the prompt, efficient and correct discharge of their official duties under the Speaker's supervision.

2. Possessing the powers and performing the duties described in this Rule, the Speaker shall:

(a) Take the chair at the hour to which the Assembly stands adjourned, call the members to order, and upon the appearance of a quorum, proceed to business.

(b) Preserve order and decorum and have general direction of the Chamber of the Assembly and the approaches thereto. In the event of any disturbance or disorderly conduct therein, order the same to be cleared.

(c) Decide all questions of order, subject to a member's right to appeal to the Assembly. On appeal from such decisions, the Speaker has the right, in the Speaker's place, to assign the reason for the decision.

(d) Have the right to name any member to perform the duties of the Chair, but such substitution must not extend beyond one legislative day.

(e) Have the power to accredit the persons who act as representatives of the news media and assign them seats.

(f) Sign all bills and resolutions passed by the Legislature as provided by law.

(g) Sign all subpoenas issued by the Assembly.

(h) Receive all messages and communications from other departments of the government and announce them to the Assembly.

(i) Represent the Assembly, declare its will and in all things obey its commands.

(j) Vote on final passage of a bill or resolution, but the Speaker shall not be required to vote in ordinary legislative proceedings except where the Speaker's vote would be decisive. In all yea and nay votes, the Speaker's name must be called last.

3. If a vacancy occurs in the office of Speaker, through death, resignation or disability of the Speaker, the Speaker Pro Tempore shall temporarily and for the period of vacancy or disability conduct the necessary business of the Assembly.

4. If a permanent vacancy occurs in the office of Speaker, the Assembly shall select a new Speaker.

Rule No. 2. Reserved.

Rule No. 3. Chief Clerk.

1. The Chief Clerk is elected by the Assembly and is responsible to the Speaker.

2. The Chief Clerk shall recruit, select, train and supervise all attaches employed to assist with the work of the Assembly.

3. The Chief Clerk shall administer the daily business of the Assembly.

4. The Chief Clerk shall adopt such administrative policies as she deems necessary to carry out the business of the Assembly.

Rule No. 4. Reserved.

Rule No. 5. Reserved.

Rule No. 6. Reserved.

The next rule is 10.

II. SESSIONS AND MEETINGS

Rule No. 10. Time of Meeting.

The Assembly shall meet each day at 11 a.m., unless the Assembly adjourns to some other hour.

Rule No. 11. Open Meetings.

All meetings of the Assembly and its committees must be open to the public.

Rule No. 12. Reserved.

The next rule is 20.

III. DECORUM AND DEBATE

Rule No. 20. Points of Order.

If any member, in speaking or otherwise, transgresses the rules of the Assembly, the Speaker shall, or any member may, call to order, in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the presiding officer, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the presiding officer shall be subject to an appeal to the House; but no discussion of the question of order shall be allowed unless an appeal be taken from the decision of the presiding officer.

Rule No. 21. Portable Electronic Communication Devices.

1. A person who is within the Assembly Chambers or within an Assembly committee room shall not engage in a telephone conversation via the use of a portable telephone.

2. Before entering the Assembly Chambers or an Assembly committee room, any person who possesses a portable electronic communication device, such as a pager or telephone, that emits an audible alert, such as a ringing or beeping sound, to signal an incoming message or call, shall turn the audible alert off. A device that contains a nonaudible alert, such as a silent vibration, may be operated in a nonaudible manner within the Assembly Chambers or within an Assembly committee room.

*Rule No. 22. Reserved.**Rule No. 23. Select Committee on Ethics; Legislative Ethics.*

1. The Select Committee on Ethics consists of:

(a) Two members of the Assembly appointed by the Speaker from the majority political party;

(b) One member of the Assembly appointed by the Minority Leader from the minority political party; and

(c) Three qualified electors of the State, two of whom are appointed by the Speaker and one who is appointed by the Minority Leader, and none of whom is a present member of the Legislature or employed by the State of Nevada.

2. The Speaker shall appoint the Chairman and Vice Chairman of the Committee. The Vice Chairman shall serve as the acting Chairman if the Chairman is unable to serve for any reason during the consideration of a specific question.

3. The Speaker shall appoint an alternate member with the qualifications set forth in paragraph (a) of subsection 1 and an alternate member with the qualifications set forth in paragraph (c) of subsection 1. The Minority Leader shall appoint an alternate member with the qualifications set forth in paragraph (b) of subsection 1 and an alternate member with the qualifications set forth in paragraph (c) of subsection 1. If a member of the Committee is unable to serve for any reason during the consideration of a specific question, the alternate

appointed with the qualifications from the same paragraph in subsection 1 shall serve as a member of the Committee during the consideration of the specific question.

4. A member of the Committee is disqualified to serve during the consideration of a specific question if:

(a) The member is the requester of advice concerning the question of ethics or conflict of interest, or the member is the subject of the complaint concerning the specific question; or

(b) A reasonable person in the member's situation could not exercise independent judgment on the matter in question.

5. The Committee:

(a) May hear requests brought by members of the Assembly for advice on specific questions of potential breaches of ethics and conflicts of interest; and

(b) Shall hear complaints brought by members of the Assembly and others on specific questions of alleged breaches of ethics and conflicts of interest.

6. All proceedings held to consider the character, alleged misconduct, professional competence or physical or mental health of any person by the Committee on matters of ethics or conflicts of interest are confidential unless a Legislator:

(a) Against whom a complaint is brought requests a public hearing;

(b) Discloses the content of an opinion of the Committee at any time after his hearing; or

(c) Discloses the content of an advisory opinion issued to him by the Committee.

7. A complaint which alleges a breach of ethics or a conflict of interest must be:

(a) Made in writing on a form provided by the Chief Clerk of the Assembly;

(b) Signed and verified under penalty of perjury by the person making the allegation; and

(c) Filed with the Chairman of the Committee or, if the Chairman is the subject of the complaint, with the Vice Chairman. The Chairman or Vice Chairman, as appropriate, shall send a copy of the complaint, within 24 hours after receiving it, to the Legislator against whom the complaint is brought.

8. In determining whether a Legislator has a conflict of interest, the Legislator should consider whether the independence of judgment of a reasonable person in his position upon the matter in question would be materially affected by:

(a) His acceptance of a gift or loan;

(b) His private economic interest; or

(c) His commitment to a member of his household or his immediate family.

9. Except as otherwise provided in subsection 10, if a Legislator knows he has a conflict of interest pursuant to subsection 8, the Legislator shall make a general disclosure of the conflict of interest on the record in a meeting of a committee or on the floor of the Assembly, as applicable. Such a disclosure must be entered:

(a) If the Legislator makes the disclosure in a meeting of a committee, in the minutes for that meeting.

(b) If the Legislator makes the disclosure on the floor of the Assembly, in the Journal.

10. If, on one or more prior occasions during the current session of the Legislature, a Legislator has made a general disclosure of a conflict of interest on the record in a meeting of a committee or on the floor of the Assembly, the Legislator is not required to make that general disclosure at length again regarding the same conflict of interest if, when the matter in question arises on subsequent occasions, the Legislator makes a reference on the record to the previous disclosure.

11. In determining whether to abstain from voting upon, advocating or opposing a matter concerning which a Legislator has a conflict of interest pursuant to subsection 8, the Legislator should consider whether:

(a) The conflict impedes his independence of judgment; and

(b) His interest is greater than the interests of an entire class of persons similarly situated.

12. The provisions of this Rule do not under any circumstances and regardless of any conflict of interest:

(a) Prohibit a Legislator from requesting or introducing a legislative measure; or

(b) Require a Legislator to take any particular action before or while requesting or introducing a legislative measure.

13. *If a Legislator who is a member of a committee declares on the record when a vote is to be taken by the committee that he will abstain from voting because of the requirements of this Rule, the necessary quorum to act upon and the number of votes necessary to act upon the matter is reduced as though the Legislator abstaining were not a member of the committee.*

14. *Except as otherwise provided in the Joint Standing Rules, the standards and procedures set forth in this Rule which govern whether and to what extent a member of the Assembly has a conflict of interest, should disclose a conflict of interest or should abstain from voting upon, advocating or opposing a matter concerning which the member has a conflict of interest pursuant to subsection 8:*

(a) *Are exclusive and are the only standards and procedures that apply to members of the Assembly with regard to such matters; and*

(b) *Supersede and preempt all other standards and procedures with regard to such matters.*

The next rule is 30.

IV. QUORUM, VOTING, ELECTIONS

Rule No. 30. Manner of Voting.

1. *The presiding officer shall declare all votes, but the yeas and nays must be taken when called for by three members present, and the names of those calling for the yeas and nays must be entered in the Journal by the Chief Clerk.*

2. *The presiding officer shall call for yeas and nays by a division or by a roll call, either electronic or oral.*

3. *When taking the yeas and nays on any question, the electronic roll call system may be used, and when so used shall have the force and effect of any roll call under these rules.*

4. *When taking the yeas and nays by oral roll call, the Chief Clerk shall take the names of members alphabetically, except that the Speaker's name must be called last.*

5. *The electronic roll call system may be used to determine the presence of a quorum.*

6. *The yeas and nays must not be taken with the electronic roll call system until all members present are at their desks. The presiding officer may vote at the rostrum.*

7. *Only a member who:*

(a) *Has been certified by the Committee on Elections, Procedures, Ethics, and Constitutional Amendments or a special committee of the Assembly; and*

(b) *Is physically present within the Assembly Chambers,*

may cast a vote in the Assembly.

8. *A member shall not vote for another member on any roll call, either electronic or oral. Any member who votes for another member may be punished in any manner deemed appropriate by the Assembly.*

Rule No. 31. Reserved.

Rule No. 32. Announcement of the Vote.

1. *A member may change his vote at any time before the announcement of the vote if the voting is by voice, or at any time before the votes are electronically recorded if the voting is conducted electronically.*

2. *The announcement of the result of any vote shall not be postponed.*

Rule No. 33. Voting by Division.

Upon a division and count of the Assembly on any question, no person without the bar shall be counted.

The next rule is 40.

V. LEGISLATIVE BODIES

Rule No. 40. Standing Committees.

The standing committees of the Assembly are as follows:

- 1. Ways and Means, fourteen members.*
- 2. Judiciary, fourteen members.*
- 3. Taxation, thirteen members.*
- 4. Education, eleven members.*
- 5. Elections, Procedures, Ethics, and Constitutional Amendments, thirteen members.*
- 6. Natural Resources, Agriculture, and Mining, eleven members.*
- 7. Transportation, eleven members.*
- 8. Commerce and Labor, fourteen members.*
- 9. Health and Human Services, eleven members.*
- 10. Government Affairs, fourteen members.*
- 11. Corrections, Parole, and Probation, fourteen members.*

Rule No. 41. Appointment of Committees.

1. Except as otherwise provided in Assembly Standing Rule No. 23, all committees must be appointed by the Speaker, unless otherwise directed by the Assembly. The Speaker shall designate the chairman and vice chairman of each committee.

2. To facilitate the full participation of the members during an adjournment called pursuant to Joint Standing Rule No. 9 of the Senate and Assembly, the Speaker may temporarily appoint a member to a standing committee that is scheduled to meet during the adjournment if none of the committees to which the member is regularly assigned will be meeting during the adjournment.

Rule No. 42. Committee Action.

1. The committee shall have regular meetings scheduled by the Assembly leadership. A quorum of the committee is a majority of its members and may transact business except as limited by this Rule.

2. Except as limited by this Rule, a simple majority of those present may move, second and pass a motion by voice vote.

3. Definite action on a bill or resolution will require a majority of the entire committee.

4. A two-thirds majority of the entire committee is required to reconsider action on a bill or resolution.

5. Committee introduction of legislative measures which are not prefiled requires concurrence of a majority of the entire committee and does not imply commitment to support final passage.

6. The chairman must be present when the committee votes to take any final action regarding bills or resolutions, but the chairman is not required to vote.

7. No member of the committee may vote by proxy under any circumstances.

8. A committee shall not take a vote on the question of whether to exercise its statutory authority to issue a legislative subpoena unless the chairman has informed the Speaker of the intention of the committee to consider such a question.

Rule No. 43. Subcommittees.

Subcommittees made up of committee members may be appointed by the chairman to consider and report back on specific subjects or bills.

Rule No. 44. Committee on Elections, Procedures, Ethics, and Constitutional Amendments.

The Committee on Elections, Procedures, Ethics, and Constitutional Amendments has jurisdiction over matters relating to personnel. It shall recommend by resolution the appointment of all attaches and employees of the Assembly not otherwise provided for by law. It shall function as the Committee on Rules and as the Committee on Credentials of the Assembly.

Rule No. 44.5. Committee of the Whole.

If a Committee of the Whole is convened:

1. *The Speaker shall preside as Chair of the Committee or name a Chair to preside.*
2. *A member of the Committee may speak not more than twice during the consideration of any one question, on the same day, and at the same stage of proceedings, without leave. Members who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of others who have not spoken.*
3. *The Chair may require any vote of the Committee to be recorded in the manner designated by the Chair.*
4. *All amendments proposed by the Committee:*
 - (a) *Must first be approved by the Committee.*
 - (b) *Must be reported by the Chair to the Assembly.*

Rule No. 45. Procedure for Election Contests.

1. *Upon receipt of a statement of contest from the Secretary of State pursuant to NRS 293.427, the Speaker shall, as soon as practicable, appoint a special committee to hear the contest or refer the contest to the Standing Committee on Elections, Procedures, Ethics, and Constitutional Amendments. The committee shall conduct a hearing to consider the contest. The committee shall keep written minutes of the hearing. The contestant has the burden of proving that any irregularities shown were of such a nature as to establish that the result of the election was changed thereby.*

2. *The contest must be submitted so far as may be possible upon depositions or by written or oral arguments as the Assembly may order. Any party to a contest may take the deposition of any witness at any time after the statement of contest is filed with the Secretary of State and before the contest is finally decided. At least 3 days' notice must be given to the prospective deponent and to the other party. If oral statements are made at any hearing before the Assembly or a committee thereof which purport to establish matters of fact, they must be made under oath. Strict rules of evidence do not apply.*

3. *The committee shall, not later than 5 calendar days after the contest was referred to the committee, report to the Assembly its findings on whether the contestant has met the burden of proving that any irregularities shown were of such a nature as to establish that the result of the election was changed thereby. The committee shall then report to the Assembly its recommendation on which person should be declared elected or report that it has no recommendation. The Assembly shall, as soon as practicable thereafter but not later than 7 calendar days after the Speaker received the statement of contest, vote whether to accept or reject the committee's recommendation without amendment, if a recommendation is made. If the recommendation is accepted, the Speaker shall declare the recommended person elected. If the recommendation is rejected or the committee did not make a recommendation, the Assembly shall consider immediately which person should be declared elected. The Speaker shall not adjourn the Assembly until it has declared a person to be elected.*

4. *If a person other than the person initially seated as a member of the Assembly pursuant to subsection 2 of NRS 293.427 is declared to be elected by the Assembly as a result of the contest, the Speaker shall inform the Governor of the identity of the person declared to be elected by the Assembly.*

Rule No. 46. Committee Action.

Every committee vote on a matter pertaining to a bill or resolution must be recorded. The vote may be taken by roll call at the discretion of the chairman.

Rule No. 47. Committee Records.

The chairman of each committee shall keep, or cause to be kept, a complete record of the committee proceedings in which there must be entered:

1. *The time and place of each meeting;*
2. *The attendance and absence of members;*
3. *The names of all persons appearing before the committee, with the names of persons, firms, corporations or associations in whose behalf such appearance is made; and*

4. *The subjects or measures considered and action taken.*

Rule No. 48. Disposition of Committee Records.

All minutes, records and documents in the possession of committees and their chairmen must be filed in the offices of the Legislative Counsel Bureau upon their completion.

Rule No. 49. Committee Hearings.

1. The presence of a quorum of the committee is desirable but not required to conduct a public hearing. At the discretion of the chairman, members of the committee may attend, participate in and, if applicable, vote during the hearing via simultaneous telephone or video conference.

2. Public hearings are opened by the chairman who announces the subject under consideration and provides for those wishing to address the committee to be heard. These persons shall rise in an order determined by the chairman, address the chair and furnish their names, addresses and firms or other organizations represented. Committee members may address the chairman for permission to question the witness.

Rule No. 50. Reserved.

Rule No. 51. Reserved.

Rule No. 52. Concurrent Referrals.

When a bill or resolution is referred to two committees, the bill or resolution must go to the first committee named. If the first committee votes to amend the bill or resolution, it must be reprinted with amendments and then returned to the first committee or sent immediately to the next committee. If there is no amendment proposed by the first committee, or if the first committee acts upon the bill or resolution after amendment, the bill or resolution must be sent with the committee recommendation to the Chief Clerk for transmittal to the second committee.

The next rule is 60.

VI. RULES GOVERNING MOTIONS

Rule No. 60. Entertaining.

No motion may be debated until it is distinctly announced by the presiding officer. The presiding officer, upon his own motion or at the request of a member, may direct that the motion be reduced to writing and be read by the Chief Clerk before the motion is debated. A motion may be withdrawn by the maker at any time before amendment or before the motion is put to vote.

Rule No. 61. Reserved.

Rule No. 62. Reserved.

Particular Motions

Rule No. 63. Reserved.

Rule No. 64. Reserved.

Rule No. 65. Indefinite Postponement.

When a question is postponed indefinitely, the same question must not be considered again during the session and the question is not subject to a motion for reconsideration.

Rule No. 66. To Strike Enacting Clause.

A motion to strike out the enacting clause of a bill or resolution does not take precedence over any other subsidiary motion. If the motion is carried, it shall be considered equivalent to the rejection of such bill or resolution.

Rule No. 67. Division of Question.

Any member may call for a division of the question, which shall be divided, if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly. A motion to strike out being lost shall preclude neither amendment nor a motion to strike out and insert. A motion to strike out and insert shall be deemed indivisible.

Rule No. 68. To Reconsider—Precedence of.

A motion to reconsider shall have precedence over every other motion, except a motion to adjourn, or to fix the time to which to adjourn; and when the Assembly adjourns, while a motion to reconsider is pending, or before passing the order of business of Motions, Resolutions and Notices, the right to move a reconsideration shall continue to the next day of sitting. No notice of reconsideration of any final vote shall be in order on the:

1. *Last day on which final action is allowed; or*
2. *Day preceding the last day of the session.*

The next rule is 80.

VII. DEBATE

Rule No. 80. Speaking on Question.

No member shall speak more than twice during the consideration of any one question, on the same day, and at the same stage of proceedings, without leave. Members who have once spoken shall not again be entitled to the floor (except for explanation) to the exclusion of others who have not spoken.

Rule No. 81. Previous Question.

The previous question shall be put only when demanded by three members. The previous question shall not be moved by the member last speaking on the question.

Rule No. 82. Privilege of Closing Debate.

The author of a bill, a resolution or a main question shall have the privilege of closing the debate, unless the previous question has been sustained.

The next rule is 91.

VIII. CONDUCT OF BUSINESS

A. Rules and Procedure

Rule No. 91. Rescission, Change or Suspension of Rule.

No standing rule or order of the Assembly shall be rescinded or changed without a vote of two-thirds of the members elected, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-thirds of the members present.

Rule No. 92. Notices of Bills, Topics and Public Hearings.

1. Except as otherwise provided in subsection 3, all committees shall provide adequate notice of public hearings on bills, resolutions or other topics which are to come before the committees. The notice must include the date, time, place and agenda to be covered. The notice must be posted conspicuously in the legislative building, appear in the Daily History and be made available to the news media. The Daily History must include the most current version of the notice that is available at the time the Daily History is created and an

informational statement informing the public where more current information, if any, regarding such notices may be found.

2. The noticing requirements of this Rule may be suspended for emergency situations but only after approval by a majority vote of a committee.

3. Subsection 1 does not apply to:

- (a) Committee meetings held on the floor of the Assembly during a recess; or*
- (b) Conference committee meetings.*

Rule No. 93. Reserved.

Rule No. 94. Privilege of the Floor and Lobbying.

No person, except Senators, former Assemblymen and state officers, may be admitted at the bar of the Assembly, except by special invitation on the part of some member; but a majority may authorize the Speaker to have the Assembly cleared of all such persons. No person may do any lobbying upon the floor of the Assembly at any time, and it is the duty of the Sergeant at Arms to remove any person violating any of the provisions of this Rule.

Rule No. 95. Material Placed on Legislators' Desks.

All papers, letters, notes, pamphlets and other written material placed upon an Assemblyman's desk shall contain the signature of the Legislator requesting the placement of such material on the desk or shall contain a designation of the origin of such material. This Rule does not apply to books containing the legislative bills and resolutions, the legislative Daily Histories, the legislative Daily Journals or Legislative Counsel Bureau material.

Rule No. 96. Peddling, Begging and Soliciting.

1. Peddling, begging and soliciting are strictly forbidden in the Assembly Chambers, and in the lobby, gallery and halls adjacent thereto.

2. No part of the Assembly Chambers may be used for, or occupied by signs or other devices for any kind of advertising.

3. No part of the hallways adjacent to the Assembly Chambers may be used for or occupied by signs or other devices for any kind of advertising for commercial or personal gain. Notices for nonprofit, nonpartisan, civic or special legislative events may be posted in a designated area of the hallways adjacent to the Assembly Chambers with the approval of the Chief Clerk.

Rule No. 97. Petitions and Memorials.

Petitions, memorials and other papers addressed to the Assembly, shall be presented by the Speaker, or by a member in the Speaker's place. A brief statement of the contents thereof shall be made by the introducer. They shall not be debated on the day of their being presented, but shall be on the table, or be referred, as the Assembly shall determine.

Rule No. 98. Request of Purpose.

A member may request the purpose of a bill or joint resolution upon its introduction.

Rule No. 99. Remarks.

It shall be in order for members to make remarks and to have such remarks entered in the Journal.

Rule No. 100. Precedence of Parliamentary Authority.

The precedence of parliamentary authority in the Assembly is:

- 1. The Constitution of the State of Nevada and judicial decisions thereon.*
- 2. The Standing Rules of the Assembly and the Joint Standing Rules of the Senate and Assembly.*
- 3. Custom, usage and precedence.*
- 4. The Statutes of the State of Nevada.*
- 5. Mason's Manual of Legislative Procedure.*

Rule No. 101. Reserved.

Rule No. 102. Privileged Questions.

Privileged questions have precedence over all others in the following order:

- 1. Motions to fix the time to which the Assembly shall adjourn.*
- 2. Motions to adjourn.*
- 3. Questions relating to the rights and privileges of the Assembly or any of its members.*
- 4. A call of the House.*
- 5. Motions for special orders.*

Rule No. 103. Reserved.

B. Bills

Rule No. 104. Reserved.

Rule No. 105. Reserved.

Rule No. 106. Skeleton Bills.

The introduction of skeleton bills is authorized when, in the opinion of the sponsor and the Legislative Counsel, the full drafting of the bill would entail extensive research or be of considerable length. A skeleton bill will be provided for purposes of introduction and committee referral. Such a bill will be a presentation of ideas or statements of purpose, sufficient in style and expression to enable the Legislature and the committee to which the bill may be referred to consider the substantive merits of the legislation proposed.

Rule No. 107. Reserved.

Rule No. 108. Reserved.

Rule No. 109. Reading of Bills.

The presiding officer shall announce at each reading of a bill whether it be the first, second or third reading. The first reading of a bill shall be for information. If there is objection, the question shall be, "Shall the bill be rejected?" If the question to reject fails to receive a majority vote by the members present, or if there is no objection, the bill shall take the proper course. No bill shall be referred to a committee until after the first reading, nor amended until after the second reading.

Rule No. 110. Second Reading and Amendment of Bills.

1. All bills must be read the second time on the first legislative day after which they are reported by committee, unless a different day is designated by motion. Upon second reading, Assembly bills reported without amendments shall be placed on the General File and Senate bills reported without amendments shall be placed on the General File. Committee amendments reported with bills shall be considered upon their second reading or third reading, as appropriate, and such amendments may be adopted by a majority vote of the members present. Any amendment which is numbered, copied and made available to all members must be moved and voted upon by number. Assembly bills so amended must be reprinted, engrossed, and placed on the General File. Senate bills so amended must be reprinted, then engrossed or reengrossed, as applicable, and placed on the General File.

2. Any member may move to amend a bill during its second or third reading, and such a motion to amend may be adopted by a majority vote of the members present. Bills so amended on second reading must be treated the same as bills with committee amendments. Any bill so amended upon the General File must be reprinted and then engrossed or reengrossed, as applicable.

3. *The reprinting of amended bills may be dispensed with only in accordance with the provisions of law.*

Rule No. 111. Consent Calendar.

1. *A standing committee may by unanimous vote of the members present report a bill with the recommendation that it be placed on the Consent Calendar. The question of recommending a bill for the Consent Calendar may be voted upon in committee only after the bill has been recommended for passage and only if no amendment is recommended.*

2. *The Chief Clerk shall maintain a list of bills recommended for the Consent Calendar. The list must be printed in the Daily History and must include the summary of each bill, and the date the bill is scheduled for consideration on final passage.*

3. *At any time before the presiding officer calls for a vote on the passage of the Consent Calendar, a member may give written notice to the Chief Clerk or state orally from the floor of the Assembly in session that he requests the removal of a particular bill from the Consent Calendar. If a member so requests, the Chief Clerk shall remove the bill from the Consent Calendar and transfer it to the Second Reading File. A bill removed from the Consent Calendar may not be restored to that Calendar.*

4. *During floor consideration of the Consent Calendar, members may ask questions and offer explanations relating to the respective bills.*

5. *When the Consent Calendar is brought to a vote, the bills remaining on the Consent Calendar must be read by number and summary and the vote must be taken on their final passage as a group.*

Rule No. 112. Reserved.

Rule No. 113. General File.

All bills reported to the Assembly, by either standing or special committees, after receiving their second readings must be placed upon a General File, to be kept by the Chief Clerk. The Chief Clerk shall post a daily statement of the bills on the General File. The Chief Clerk shall likewise post notices of special orders as made.

Rule No. 114. Reserved.

Rule No. 115. Reconsideration of Vote on Bill.

On the first legislative day that the Assembly is in session succeeding that on which a final vote on any bill or resolution has been taken, a vote may be reconsidered on the motion of any member. Notice of intention to move such reconsideration must be given on the day on which the final vote was taken by a member voting with the prevailing party. It is not in order for any member to move a reconsideration on the day on which the final vote was taken, except by a majority of the members elected. There may be no reconsideration of a vote on a motion to indefinitely postpone. Motions to reconsider a vote upon amendments to any pending question may be made at once.

Rule No. 116. Vetoed Bills.

1. *Bills that have passed both Houses of the Legislature and are transmitted to the Assembly accompanied by a message or statement of the Governor's disapproval or veto of the same must:*

(a) Be taken up and considered immediately upon the coming in of the message transmitting the same; or

(b) Become the subject of a special order.

2. *When the message is received, or if made a special order, when the special order is called, the said message or statement must be read together with the bill or bills so disapproved or vetoed. The message and bill must be read by the Chief Clerk without interruption, consecutively, one following the other, and not upon separate occasions. No such bill or message may be referred to any committee, or otherwise acted upon save as provided by law and custom; that is to say, that immediately following such reading the only*

question, except as hereinafter stated, which may be put by the Speaker is, "Shall the bill pass, notwithstanding the objections of the Governor?" It shall not be in order, at any time, to vote upon such a vetoed bill unless the same shall first have been read, from the first word of its title to and including the last word of its final section. No motion may be entertained after the Speaker has stated the question, save a motion to adjourn or a motion for the previous question, but the merits of the bill itself may be debated. The message or statement containing the objections of the Governor to the bill must be entered in the Journal of the Assembly. The consideration of a vetoed bill, and the objections of the Governor thereto, shall be a privileged question, and shall take precedence over all others.

Rule No. 117. Reserved.

C. Resolutions

Rule No. 118. Treated as Bills—Joint Resolutions.

The procedure of enacting joint resolutions must be identical to that of enacting bills, except that:

- 1. Joint resolutions, upon enrollment, must be delivered to the Secretary of State; and*
- 2. Joint resolutions proposing amendments to the Constitution must be entered in the Journal in their entirety.*

Rule No. 119. Return from the Secretary of State.

An Assembly resolution may be used to request the return from the Secretary of State of an enrolled Assembly resolution for further consideration.

D. Order of Business

Rule No. 120. Order of Business.

The Order of Business must be as follows:

- 1. Call to Order.*
- 2. Reading and Approval of Journal.*
- 3. Presentation of Petitions.*
- 4. Reports of Standing Committees.*
- 5. Reports of Select Committees.*
- 6. Communications.*
- 7. Messages from the Senate.*
- 8. Motions, Resolutions and Notices.*
- 9. Introduction, First Reading and Reference.*
- 10. Consent Calendar.*
- 11. Second Reading and Amendment.*
- 12. General File and Third Reading.*
- 13. Unfinished Business of Preceding Day.*
- 14. Special Orders of the Day.*
- 15. Remarks from the Floor, limited to 10 minutes.*

Rule No. 121. Reserved.

Rule No. 122. Reserved.

Rule No. 123. Reserved.

Rule No. 124. Reserved.

Rule No. 125. Reserved.

Rule No. 126. Reserved.

Rule No. 127. Reserved.

Rule No. 128. Reserved.

The next rule is 140.

IX. LEGISLATIVE INVESTIGATIONS AND MISCELLANEOUS

Rule No. 140. Compensation of Witnesses.

Witnesses summoned to appear before the Assembly or any of its committees must be compensated as provided by law for witnesses required to attend in the courts of the State of Nevada.

Rule No. 141. Use of the Assembly Chamber.

The Assembly Chamber shall not be used for any public or private business other than legislative, except by permission of the Assembly.

Assemblyman Ocegüera moved the adoption of the resolution.

Resolution adopted.

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

Assembly Resolution No. 2—Providing for the appointment of Assembly attaches.

RESOLVED, That the following persons are elected as attaches of the Assembly for the 75th Session of the Legislature of the State of Nevada: Diane Keetch, Lucinda Benjamin, Matthew Baker, Jeanne Douglass, Jason P. Hataway, Christie Peters, Terry Sullivan, Robin L. Bates, Rebecca Harris, Mary A. Matheus, Sharon P. Murphy, Jennifer D. Osheroﬀ, Steven J. Sweeney, Marge Griffin, Sylvia Brown, Jasmine Shackley, Barbara L. Houger, Christina Bailey, Wendy Kameda, Erin Smith, Betty J. Phenix, Laurel Armbrust, Leslie Danihel, Toshiko McIntosh, Alicia C. Taylor, Diane Jackson, Bonnie Borda Hoffeecker, Joyce Hess, Emily M. Persaud, Mark Sprinkle, Jaelyn Kaiser, Kathryn L. Alden, Cynthia Carter, Lona M. Domenici, Judith Fisher, Harle Glover, Millicent Jorgenson, Jackie Valley, Andrew Diss, Katherine Malzahn-Bass, Daniel Peltier, Patti Adams, Connie Davis, Christine Bashaw, Linda Blevins, Anne Bowen, Linda J. Smith, Carol J. Thomsen, Janice Wright, Victoria Kieffer, Theresa Horgan, Patricia A. Blackburn, Judith Coolbaugh, Renee Ekleberry, Karen Fox, Mary Garcia, Robert G. Gonzalez, Christopher Kanowitz, Julie Kellen, Kyle McAfee, Sharon McCallen, Sean McDonald, Earlene M. Miller, Emilie I. Reafs, Darlene A. Rubin, Marlen R. Schultz, Denise M. Sins, Scarlett Smith, Michelle Smothers, Karyn Werner, Cheryl L. Williams, Mary Bean, Jennifer A. Breeden, Bambi Chase, Stephany J. Corral, Dionny Fonseca, Cecilia Hackman, Donna Hancock, Liz Hudson, Patricia J. Hutson, Luanne King, Novella W. Kowallek, Denise A. Larsen, Patricia A. Manning, Ashley Massey, Carolyn J. Maynick, Connie Nellos, Diane O'Connor, Valerie Osgood, Sheree L. Rosevear, Christina L. Salerno, Cindy Southerland, Janet F. Stokes, Linda L. Utt, Brittany J. Walker, Nichole Bailey, Cheryl Higgs McClellan, Olivia M. Lloyd, Sally A. Stoner, Jocelyne Helzer, Carl C. Meier, David E. Moore, Evelyn Moser, Kathryn Moser, Larry Peri, Marcia Peterson, Frank Taylor, Ted Zuend, Deanna Keirstead, Sherwood Howard, June Bennett, Norman Budden, Mary Carel, Diane L. Bacus, Jack W. Cooke, John A. Davis Jr., Mark S. Day, Gail A. Eller, Michael Feticc, Joyce E. Ghiselli, Don W. Hataway, Lois A. Lahair, Robert V. Maynick, Rick Redican, Paul Saucedo, Frank D. Tetz, Daniel D. Webster, Debra A. Williams and Lucille Zuend.

Assemblyman Ocegüera moved the adoption of the resolution.

Resolution adopted.

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

Assembly Resolution No. 3—Providing allowances to the leadership and other members of the Assembly for periodicals, stamps, stationery and communications.

Assemblyman Ocegüera moved the adoption of the resolution.

Resolution adopted.

Assemblyman Ocegüera moved that persons as set forth on the Nevada Legislature's Press Accreditation List of February 2, 2009, be accepted as accredited press representatives, that they may be assigned space at the press table in the Assembly Chamber, that they be allowed the use of appropriate broadcasting facilities, and the list be included in this day's journal:

ASSOCIATED PRESS: Cathy Bussewitz, Brendan Riley; KKO RADIO/CITADEL BROADCASTING CORP.: Ian L. Perry; KLAS-TV: Rich Czarny, Mark Mutchler; KNPB-TV: Michael Hagerty, Elizabeth Welti; KOLO-TV: Edward Barnett, Thomas Goepner; KRN TV: John Barrette, Charles Benn, Jack Brown, Victoria Campbell, Ryan Coleman, Ford Ryan Corl, Jeff Deitch, Roger Du Plessis, Kirk Frosdick, Joe Hart, Elizabeth Heywood, Kenny Holmes, Chuck King, Sherry Kudelka, Adam Randall, Bryan Samudio, Lemor Shlomof, Kimberly Strow, Lawrence Vosper; KTVN-TV: Jeffrey Foss, Darrell McComb, Jay Nobles, Brandon Rittiman; KUNR PUBLIC RADIO: Pam Dupree; LAHONTAN VALLEY NEWS: Christiane Lattin; LAS VEGAS SUN: J. Patrick Coolican, David Schwartz; NEVADA APPEAL: Niki Gladys, Peggy Santoro, Geoff Dornan; NEVADA BROADCASTERS ASSOCIATION: Adrienne Abbott-Gutierrez, Robert D. Fisher; RENO GAZETTE-JOURNAL: Guy Clifton, Anjeanette Damon; REYNOLDS SCHOOL OF JOURNALISM (UNR): Jessica Estepa; SENIOR SPECTRUM NEWSPAPER: Connie McMullen; SIERRA NEVADA MEDIA GROUP: Scott McElhaney; TASMAN PACIFIC MEDIA GROUP: Peter J. Hutchinson; TRUCKEE MEADOWS COMMUNITY COLLEGE (JOURNALISM): Timothy Carlton III; THE VOICEBOX/THE COLLEGE RADIO SHOW: Donnell Pike-Anuken; WE THE PEOPLE: Shayne Del Cohen.

Motion carried.

Madam Speaker announced the following standing committees, the first-named member of each committee being the chair, the second-named being the vice chair:

COMMERCE AND LABOR—

Conklin, Atkinson, Anderson, Arberry, Buckley, Horne, Kirkpatrick, Manendo, McClain, Ocegüera, Christensen, Gansert, Goedhart, Settlemeyer.

CORRECTIONS, PAROLE, AND PROBATION—

Horne, Segerblom, Anderson, Dondero Loop, Kihuen, Manendo, Mortenson, Ohrenschall, Parnell, Carpenter, Cobb, Gustavson, Hambrick, McArthur.

EDUCATION—

Parnell, Denis, Bobzien, Dondero Loop, Kihuen, Mastroluca, Munford, Hardy, McArthur, Stewart, Woodbury.

ELECTIONS, PROCEDURES, ETHICS, AND CONSTITUTIONAL AMENDMENTS—

Koivisto (Co-Chair, Co-Vice Chair) Mortenson (Co-Chair, Co-Vice Chair), Conklin, Horne, Kihuen, Munford, Ohrenschall, Segerblom, Smith, Cobb, Gansert, Hambrick, Settlemeyer.

GOVERNMENT AFFAIRS—

Kirkpatrick, Bobzien, Aizley, Atkinson, Claborn, Mastroluca, Munford, Pierce, Spiegel, Christensen, Goedhart, Settlemeyer, Stewart, Woodbury.

HEALTH AND HUMAN SERVICES—

Smith, Pierce, Denis, Leslie, Mastroluca, Parnell, Spiegel, Cobb, Hambrick, Hardy, Stewart.

JUDICIARY—

Anderson, Segerblom, Dondero Loop, Horne, Kihuen, Manendo, Mortenson, Ohrenschall, Parnell, Carpenter, Cobb, Gustavson, Hambrick, McArthur.

NATURAL RESOURCES, AGRICULTURE, AND MINING—

Claborn, Hogan, Aizley, Bobzien, Munford, Ohrenschall, Segerblom, Carpenter, Goicoechea, Grady, Gustavson.

TAXATION—

McClain, Kirkpatrick, Aizley, Anderson, Arberry, Koivisto, Leslie, Mortenson, Pierce, Goedhart, Grady, Gustavson, McArthur.

TRANSPORTATION—

Atkinson, Manendo, Claborn, Dondero Loop, Hogan, Kihuen, Spiegel, Carpenter, Christensen, Goicoechea, Woodbury.

WAYS AND MEANS—

Arberry, Leslie, Buckley, Conklin, Denis, Hogan, Koivisto, McClain, Oceguela, Smith, Gansert, Goicoechea, Grady, Hardy.

SELECT COMMITTEE ON ETHICS—

Oceguela, Koivisto, Hardy, Joseph Dini, Kimberly Morgan, Lynn Hettrick.

MAJORITY FLOOR LEADER—

John Oceguela.

ASSISTANT MAJORITY FLOOR LEADER—

Marcus Conklin.

MAJORITY WHIP—

Sheila Leslie.

ASSISTANT MAJORITY WHIP—

Debbie Smith.

ASSISTANT MAJORITY WHIP—

William C. Horne.

MINORITY FLOOR LEADER—

Heidi S. Gansert.

ASSISTANT MINORITY FLOOR LEADER—

Lynn Stewart.

MINORITY WHIP—

Chad Christensen.

MINORITY WHIP—

Pete Goicoechea.

MOTIONS, RESOLUTIONS AND NOTICES

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

Assembly Joint Resolution No. 3 of the 74th Session—Proposing to amend the Nevada Constitution to revise provisions relating to the taking of private property by eminent domain.

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That Section 8 of Article 1 of the Nevada Constitution be amended to read as follows:

Sec. 8. 1. No person shall be tried for a capital or other infamous crime (except in cases of impeachment, and in cases of the militia when in actual service and the land and naval forces

in time of war, or which this State may keep, with the consent of Congress, in time of peace, and in cases of petit larceny, under the regulation of the Legislature) except on presentment or indictment of the grand jury, or upon information duly filed by a district attorney, or Attorney General of the State, and in any trial, in any court whatever, the party accused shall be allowed to appear and defend in person, and with counsel, as in civil actions. No person shall be subject to be twice put in jeopardy for the same offense; nor shall he be compelled, in any criminal case, to be a witness against himself.

2. The Legislature shall provide by law for the rights of victims of crime, personally or through a representative, to be:

(a) Informed, upon written request, of the status or disposition of a criminal proceeding at any stage of the proceeding;

(b) Present at all public hearings involving the critical stages of a criminal proceeding; and

(c) Heard at all proceedings for the sentencing or release of a convicted person after trial.

3. Except as otherwise provided in subsection 4, no person may maintain an action against the State or any public officer or employee for damages or injunctive, declaratory or other legal or equitable relief on behalf of a victim of a crime as a result of a violation of any statute enacted by the Legislature pursuant to subsection 2. No such violation authorizes setting aside a conviction or sentence or continuing or postponing a criminal proceeding.

4. A person may maintain an action to compel a public officer or employee to carry out any duty required by the Legislature pursuant to subsection 2.

5. No person shall be deprived of life, liberty, or property, without due process of law.

6. Private property shall not be taken for public use without just compensation having been first made, or secured, except in cases of war, riot, fire, or great public peril, in which case compensation shall be afterward made.

7. *Except as otherwise provided in paragraphs (a) to (e), inclusive, the public uses for which private property may be taken do not include the direct or indirect transfer of any interest in the property to another private person or entity. A transfer of property taken by the exercise of eminent domain to another private person or entity is a public use in the following circumstances:*

(a) *The entity that took the property transfers the property to a private person or entity and the private person or entity uses the property primarily to benefit a public service, including, without limitation, a utility, railroad, public transportation project, pipeline, road, bridge, airport or facility that is owned by a governmental entity.*

(b) *The entity that took the property leases the property to a private person or entity that occupies an incidental part of an airport or a facility that is owned by a governmental entity and, before leasing the property:*

(1) *Uses its best efforts to notify the person from whom the property was taken that the property will be leased to a private person or entity that will occupy an incidental part of an airport or a facility that is owned by a governmental entity; and*

(2) *Provides the person from whom the property was taken with an opportunity to bid or propose on any such lease.*

(c) *The entity:*

(1) *Took the property in order to acquire property that was abandoned by the owner, abate an immediate threat to the safety of the public or remediate hazardous waste; and*

(2) *Grants a right of first refusal to the person from whom the property was taken that allows that person to reacquire the property on the same terms and conditions that are offered to the other private person or entity.*

(d) *The entity that took the property exchanges it for other property acquired or being acquired by eminent domain or under the threat of eminent domain for roadway or highway purposes, to relocate public or private structures or to avoid payment of excessive compensation or damages.*

(e) *The person from whom the property is taken consents to the taking.*

8. *In all actions in eminent domain:*

(a) *Before the entity that is taking property obtains possession of the property, the entity shall give to the owner of the property a copy of all appraisals of the property obtained by the entity.*

(b) *At the occupancy hearing, the owner of the property that is the subject of the action is entitled, at the property owner's election, to a separate and distinct determination as to whether the property is being taken for a public use.*

(c) *The entity that is taking property has the burden of proving that the taking is for a public use.*

(d) *Except as otherwise provided in this paragraph, neither the entity that is taking property nor the owner of the property is liable for the attorney's fees of the other party. This paragraph does not apply in an inverse condemnation action if the owner of the property that is the subject of the action makes a request for attorney's fees from the other party to the action.*

9. *Except as otherwise provided in this subsection, if a court determines that a taking of property is for public use, the taken or damaged property must be valued at its highest and best use without considering any future dedication requirements imposed by the entity that is taking the property. If property is taken primarily for a profit-making purpose, the property must be valued at the use to which the entity that is taking the property intends to put the property, if such use results in a higher value for the property.*

10. *In all actions in eminent domain, fair market value is the highest price, on the date of valuation, that would be agreed to by a seller, who is willing to sell on the open market and has reasonable time to find a purchaser, and a buyer, who is ready, willing and able to buy, if both the seller and the buyer had full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.*

11. *In all actions in eminent domain, just compensation is that sum of money necessary to place the property owner in the same position monetarily as if the property had never been taken, excluding any governmental offsets except special benefits. Special benefits may only offset severance damages and may not offset the value for the property. Just compensation for the property taken by the exercise of eminent domain must include, without limitation, interest and reasonable costs and expenses, except attorney's fees, incurred by the owner of the property that is the subject of the action. The district court shall determine, in a posttrial hearing, the award of interest and award as interest the amount of money which will put the person from whom the property is taken in as good a position monetarily as if the property had not been taken. The district court shall enter an order concerning:*

(a) *The date on which the computation of interest will commence;*

(b) *The rate of interest to be used to compute the award of interest, which must not be less than the prime rate of interest plus 2 percent; and*

(c) *Whether the interest will be compounded annually.*

12. *Property taken by the exercise of eminent domain must be offered to and reverts to the person from whom the property was taken upon repayment of the original purchase price if, within 15 years after obtaining possession of the property, the entity that took the property:*

(a) *Fails to use the property for the public use for which the property was taken or for any public use reasonably related to the public use for which the property was taken; or*

(b) *Seeks to convey any right, title or interest in all or part of the property to any other person and the conveyance is not occurring pursuant to subsection 7.*

↪ *The entity that has taken the property does not fail to use the property under paragraph (a) if the entity has begun active planning for or design of the public use, the assembling of land in furtherance of planning for or design of the public use or construction related to the public use.*

13. *If any provision of subsections 7 to 12, inclusive, or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the provisions or application of subsections 7 to 12, inclusive, which can be given effect without the invalid provision or application, and to this end the provisions of subsections 7 to 12, inclusive, are declared to be severable.*

14. *The provisions of subsections 7 to 12, inclusive, apply to an action in eminent domain that is filed on or after January 1, 2011.*

And be it further

RESOLVED, That Section 22 of Article 1 of the Nevada Constitution, commonly known as the "People's Initiative to Stop the Taking of Our Land," if that section is approved and ratified by the voters at the 2008 General Election, is hereby repealed.

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

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

PREFILED BILLS

By Assemblyman Stewart:

Assembly Bill No. 1—AN ACT relating to crimes against the public peace; prohibiting a person from engaging in a demonstration within a certain distance of the location where a funeral, memorial service or ceremony is being held; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Carpenter:

Assembly Bill No. 2—AN ACT relating to public safety; requiring each officer of the Nevada Highway Patrol to complete certain training in the proper installation of a child restraint system; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Manendo and Senator Hardy:

Assembly Bill No. 3—AN ACT relating to veterans' cemeteries; requiring the area immediately surrounding each plot in each veterans' cemetery in this State to be landscaped with turf grass; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman McClain:

Assembly Bill No. 4—AN ACT relating to older persons; creating the Statewide Alert System for the Safe Return of Missing Older Persons; creating the Committee for the Statewide Alert System for the Safe Return of Missing Older Persons; prescribing the circumstances under which a law enforcement agency may activate the System; providing for immunity from civil liability for a broadcaster who broadcasts certain information pursuant to a notification of activation of the System; providing for immunity from

civil liability for certain persons who enter into agreements with the Committee to establish or maintain a website for the System; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Education:

Assembly Bill No. 5—AN ACT relating to education; revising provisions governing safe and respectful learning environments in public schools to include a prohibition on bullying; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 6—AN ACT relating to mental health; requiring the immediate release of certain persons admitted to mental health facilities or hospitals under the procedures for emergency admission; revising provisions relating to the process for emergency admissions of persons alleged to be persons with mental illness to certain mental health facilities; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 7—AN ACT relating to public health; making an appropriation to the Legislative Committee on Health Care for a study of certain services available for persons in the criminal justice system; making appropriations to the Division of Health Care Financing and Policy of the Department of Health and Human Services for certain programs for persons with disabilities; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 8—AN ACT relating to older persons; establishing the Statewide Central Registry for the Collection of Information Concerning the Abuse, Neglect, Exploitation or Isolation of Older Persons; requiring the Aging Services Division of the Department of Health and Human Services to maintain the Central Registry; providing for the release of certain information from the Central Registry to an employer or prospective employer under certain circumstances; providing immunity from civil and

criminal liability under certain circumstances for persons who release information from the Central Registry; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly Bill No. 9—AN ACT relating to legislative affairs; creating the Legislative Committee on Senior Citizens, Veterans and Adults With Special Needs; prescribing the powers and duties of the Committee; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 10—AN ACT relating to health care; prohibiting certain retaliation or discrimination against registered nurses, licensed practical nurses and nursing assistants who report certain information, refuse to engage in certain conduct or participate in certain investigations or proceedings relating to the safety of patients; providing civil remedies and civil penalties for violations; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblyman Settlemeyer:

Assembly Bill No. 11—AN ACT relating to education; revising provisions governing the Governor Guinn Millennium Scholarship Program; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Gansert:

Assembly Bill No. 12—AN ACT relating to elections; revising the date of the primary election to the first Tuesday in September in each even-numbered year; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 13—AN ACT relating to education; authorizing the board of trustees of a school district to request a waiver from the required minimum expenditure for textbooks, instructional supplies and instructional hardware during an economic hardship; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 14—AN ACT relating to education; requiring the Department of Education to adopt a model which measures the achievement of pupils from year to year; revising provisions governing the alternative criteria for receipt of a high school diploma; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Manendo:

Assembly Bill No. 15—AN ACT relating to animals; requiring notice of any sterilization requirements for dogs and cats required by local ordinance to be posted in a public park and the office of each licensed veterinarian; requiring a retailer or dealer who sells a dog or cat to disclose to the purchaser any sterilization requirements for the animal required by local ordinance; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 16—AN ACT relating to emergency medical services; providing for the disclosure of certain information to an emergency response employee concerning possible exposure to an infectious disease; requiring certain notifications concerning such an exposure; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblywoman Koivisto:

Assembly Bill No. 17—AN ACT relating to crimes; increasing the penalty for stealing parts of streetlights and traffic-control devices under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 18—AN ACT relating to the Lake Tahoe Basin; authorizing the issuance of general obligation bonds to carry out a program for the protection of the Lake Tahoe Basin; extending the period for the issuance of certain bonds to carry out the program; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 19—AN ACT relating to education; revising provisions governing the Commission on Educational Technology and the allocation of money by the Commission to school districts; making appropriations for certain educational programs and educational personnel; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 20—AN ACT relating to care facilities; requiring a licensee or applicant for a license to operate a home for individual residential care to comply with certain provisions concerning the criminal history of the licensee or applicant and any employee or independent contractor of the home; revising provisions concerning crimes which constitute grounds for the revocation, denial or suspension of a license to operate such a home or certain other agencies and facilities or the termination of their employees or independent contractors; requiring such a home to file a surety bond with the Administrator of the Health Division of the Department of Health and Human Services or deposit with a bank or trust company certain obligations as a substitute for the surety bond; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 21—AN ACT relating to motor vehicle insurance; revising provisions governing the verification of motor vehicle liability insurance policies by the Department of Motor Vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 22—AN ACT relating to trade practices; providing that certain persons who do not register with the Consumer Affairs Division of the Department of Business and Industry are engaged in a deceptive trade practice; authorizing the Commissioner of Consumer Affairs to impose a fine on persons who engage in such a deceptive trade practice; 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 Taxation:

Assembly Bill No. 23—AN ACT relating to state financial administration; revising provisions governing the crediting and refunding of overpayments of certain taxes and fees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 24—AN ACT relating to industrial insurance; revising provisions relating to the duty of an insurer to accept or deny a claim for compensation; revising provisions relating to the selection of a physician or chiropractor by an injured employee; revising provisions relating to the denial of compensation due to discharge from employment for misconduct; revising provisions relating to the reopening of a claim; repealing provisions requiring the reduction of compensation by the amount of federal disability insurance benefits received by an injured employee; 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 Transportation:

Assembly Bill No. 25—AN ACT relating to motor vehicles; removing the restriction on the authority of the Department of Motor Vehicles to waive certain examinations of applicants for a Nevada driver's license who are licensed in another jurisdiction but have not attained 25 years of age; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 26—AN ACT relating to charter schools; revising the deadline for submission of an application for renewal of a written charter; revising provisions governing the exemption from annual performance audits for certain charter schools; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 27—AN ACT relating to crimes; revising the provisions governing the application of victims of identity theft for an identity theft passport; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 28—AN ACT relating to administrative hearings; revising provisions governing hearings conducted by the Department of Motor Vehicles; authorizing the taking of testimony in such hearings by telephone, videoconference or other electronic means; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly Bill No. 29—AN ACT relating to agriculture; authorizing the Director of the State Department of Agriculture to provide grants to nonprofit organizations from the Account for License Plates for the Promotion of Agriculture Within This State; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 30—AN ACT relating to taxation; revising provisions governing the granting by the Commission on Economic Development of a partial abatement of certain taxes on a new or expanded business in this State; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 31—AN ACT relating to counties; authorizing boards of county commissioners to adopt procedures to sell the rights to name parks and other recreational and cultural centers owned by the county; requiring boards of county commissioners that sell such naming rights to create an enterprise fund for the park or recreational or cultural center; authorizing a board of county commissioners to provide for the imposition of a civil penalty in lieu of a criminal penalty for the violation of an ordinance concerning the licensing or regulation of businesses unless state law provides a criminal penalty for the same act or omission; revising provisions relating to the removal of graffiti from residential property; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 32—AN ACT relating to subsurface installations; providing that no government, governmental agency or political subdivision of a government may be required to identify or mark the approximate location of certain sewer service laterals; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 33—AN ACT relating to crimes; providing a specific penalty for certain subsequent convictions of battery which constitutes domestic violence without regard to the period between such convictions; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Corrections, Parole, and Probation:

Assembly Bill No. 34—AN ACT relating to prisons; authorizing a prisoner in an institution or facility of the Department of Corrections to use certain electronic communication devices under certain circumstances; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 35—AN ACT relating to offenders; revising the procedures for determining whether to grant a petition by an offender for release from lifetime supervision; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

By the Committee on Corrections, Parole, and Probation:

Assembly Bill No. 36—AN ACT relating to sex offenders; revising provisions pertaining to lifetime supervision of sex offenders; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 37—AN ACT relating to state business licenses; authorizing the Department of Taxation to relieve a person from paying all or part of the penalty for the late payment of the annual fee for a state business license under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Corrections, Parole, and Probation:

Assembly Bill No. 38—AN ACT relating to sex offenders; providing that a sex offender who is under lifetime supervision must not have his civil rights automatically restored; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 39—AN ACT relating to the City of North Las Vegas; revising the provisions governing primary municipal elections; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 40—AN ACT relating to school facilities; revising provisions governing the review and approval of plans for the construction or

alteration of school buildings in certain school districts; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly Bill No. 41—AN ACT relating to elections; making various changes concerning voter registration and voting procedures for certain members of the Armed Forces of the United States and their family members and certain other voters who reside outside the United States; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 42—AN ACT relating to the Office of the Attorney General; authorizing, under certain circumstances, certain officers of the Medical Fraud Control Unit within the Office of the Attorney General to issue a subpoena to obtain certain records and materials; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 43—AN ACT relating to civil actions; revising provisions prohibiting discrimination in employment, housing and public accommodations; tolling certain actions if a complaint alleging a violation of certain provisions relating to real property is filed with the Nevada Equal Rights Commission; providing a penalty; 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 Ways and Means:

Assembly Bill No. 44—AN ACT relating to local financial administration; revising the conditions under which a local government may use the money in a fund that it has established to stabilize the operation of the local government; increasing the maximum balance that a local government may keep in the fund; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 45—AN ACT relating to public defenders; authorizing the creation and discontinuation of county public defender offices; requiring the State to reimburse counties for expenditures made in providing defense services to indigent persons; requiring the State Public Defender to establish branch offices in counties that do not have a county public defender office; requiring, under certain circumstances, that the State Public Defender provide defense services to indigent persons in counties with a county public defender office; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 46—AN ACT relating to firearms; requiring a court to transmit certain records of adjudication concerning a person's mental health to the Central Repository for Nevada Records of Criminal History for certain purposes relating to the purchase or possession of a firearm; establishing procedures for those persons to petition a court to regain certain rights relating to the purchase or possession of a firearm; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Corrections, Parole, and Probation:

Assembly Bill No. 47—AN ACT relating to specialty courts; revising provisions relating to programs for the treatment of mental illness or mental retardation; revising provisions relating to programs of treatment for the abuse of alcohol or drugs; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 48—AN ACT relating to public works; allowing a public body to resolve a dispute arising between the public body and the contractor engaged on a public work by way of processes other than arbitration; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 49—AN ACT relating to counties; authorizing a board of county commissioners to provide for the imposition of a civil penalty in lieu of a criminal penalty for the violation of an ordinance concerning the licensing or regulation of businesses unless state law provides a criminal penalty for the same act or omission; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 50—AN ACT relating to crimes against the public peace; prohibiting a person from engaging in a demonstration within a certain distance of the location where a funeral, memorial service or ceremony is being held; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 51—AN ACT relating to county government; authorizing a board of county commissioners to adopt an ordinance to impose a fee for the conduct of certain activities that disrupt vehicular or pedestrian traffic on or within public roads, median strips, sidewalks and rights-of-way; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 52—AN ACT relating to health care; requiring hospitals in certain larger counties to provide certain types of emergency services and care; providing an exception if a hospital has entered into a written agreement with another hospital for the transfer and treatment of patients; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 53—AN ACT relating to automotive repairs; prohibiting a body shop or garageman from paying or offering to pay the operator of a tow car compensation of any kind for towing a motor vehicle to the body shop or garage or inducing a person to have his motor vehicle towed to the body shop or garage; providing penalties; 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 Government Affairs:

Assembly Bill No. 54—AN ACT relating to counties; authorizing certain counties to require that certain owners and occupants of property connect to a public water or sewer system; authorizing a board of county commissioners in such a county to establish a program to provide financial assistance to such persons; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 55—AN ACT relating to education; creating the Public Education Stabilization Fund; prescribing the circumstances under which money may be allocated from the Fund; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 56—AN ACT relating to education; revising provisions governing the use of physical restraint and mechanical restraint on pupils with disabilities; revising provisions relating to reports of the use of restraints and reports of violations; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 57—AN ACT relating to insurance; creating restrictions on access to certain law enforcement reports; prohibiting payments for the solicitation of an accident victim on behalf of a legal or health care practitioner to obtain the proceeds of an insurance claim; providing penalties; 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 Assemblywoman Koivisto:

Assembly Bill No. 58—AN ACT relating to real property; requiring a landlord to provide certain information to a tenant concerning charges by the landlord for services provided by a public utility; 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 Judiciary:

Assembly Bill No. 59—AN ACT relating to child custody; creating a rebuttable presumption against an award of custody or unsupervised visitation for a person who has committed an act of abduction against a child; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 60—AN ACT relating to public financial administration; eliminating certain requirements pertaining to the sale and liquidation of certain securities; authorizing the State Treasurer to deposit state money in out-of-state financial institutions under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 61—AN ACT relating to criminal procedure; requiring the Administrator of the Division of Mental Health and Developmental Services of the Department of Health and Human Services or his designee to notify certain victims of crime of the discharge, conditional release or escape of certain persons from the custody of the Administrator; requiring courts to inform certain persons of their right to such notification; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 62—AN ACT relating to do-not-resuscitate orders; requiring the State Board of Health to prescribe the form and content of a do-not-resuscitate order for each county whose population is less than 400,000; requiring the district board of health to prescribe the form and content of a do-not-resuscitate order for a county whose population is 400,000 or more; providing that a do-not-resuscitate order issued by a physician in this State is valid only if the order is on a form approved by the State Board of Health or the district board of health; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 63—AN ACT relating to justice courts; authorizing the appointment of masters in justice courts under certain circumstances; revising provisions relating to the use of referees in justice courts; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 64—AN ACT relating to courts; increasing the number of district judges in the Second and Eighth Judicial Districts; increasing the number of district judges in the Eighth Judicial District who must be judges of the family court; making an appropriation; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 65—AN ACT relating to courts; providing for the collection and disposition of additional court fees; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 66—AN ACT relating to cities; authorizing the governing body of a city to adopt an ordinance requiring that the owner of a vacant dwelling or building register with the city, post signs and maintain

liability insurance; authorizing the governing body to impose a fee for such registration; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 67—AN ACT relating to the financial administration of counties; authorizing boards of county commissioners to levy an ad valorem tax to pay the costs of public safety, health and welfare services; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Concurrent Committees on Government Affairs and Taxation.

Motion carried.

By Assemblyman Stewart:

Assembly Bill No. 68—AN ACT relating to vital statistics; providing for the issuance of a certificate of birth resulting in stillbirth upon the request of a parent of a stillborn child; prohibiting the use of a certificate of birth resulting in stillbirth for certain purposes; authorizing the State Board of Health to adopt regulations concerning a certificate of birth resulting in stillbirth; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

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

Assembly Bill No. 69—AN ACT relating to nursery stock; requiring a person who engages in the commercial supplying of nursery stock to obtain a license from the Director of the State Department of Agriculture; exempting a retail florist or other person who sells cut flowers but does not sell nursery stock from the requirement to obtain such a license; providing a penalty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Stewart:

Assembly Bill No. 70—AN ACT relating to governmental administration; pledging the support of the Legislature to ensure that English is preserved as the common language of this State; designating English as the official language of the State of Nevada; requiring that certain proceedings and records of this State be in English; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 71—AN ACT relating to real property; requiring the Real Estate Division of the Department of Business and Industry to keep confidential certain records and information obtained by the Division in regulating the sale of subdivided land; 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 Taxation:

Assembly Bill No. 72—AN ACT relating to alcoholic beverage awareness programs; eliminating the Alcoholic Beverage Awareness Program Account; providing that all money collected from the imposition of certain fines must be deposited with the State Treasurer for credit to the Fund for the Compensation of Victims of Crime; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly Bill No. 73—AN ACT relating to watercraft; revising the requirements for the operation of a vessel towing a person; deleting provisions governing certain equipment required on certain motorboats; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 74—AN ACT relating to land use planning; revising provisions governing the presentation of a final map of certain subdivisions of land; and providing other matters properly relating thereto.

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

Motion carried.

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

Assembly Bill No. 75—AN ACT relating to forestry; requiring the State Forester Firewarden to submit an annual report concerning fire prevention and forest health in the Nevada portion of the Lake Tahoe Basin to the Governor, the Legislature, the Nevada Congressional Delegation and the

Tahoe Regional Planning Agency; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 76—AN ACT relating to the protection of children; exempting certain relatives from licensure as foster care providers as a condition to placing a child in their custody in certain circumstances; revising provisions governing the background check required for obtaining a license as a foster care provider and for placing a child who is in the custody of an agency which provides child welfare services in a home in an emergency situation; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

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

Assembly Bill No. 77—AN ACT relating to wildlife; making it unlawful to possess any wildlife that is taken, possessed or sold in violation of a law or regulation of another state or territory or of the United States, an Indian tribe or a foreign country; increasing the civil penalties for unlawfully killing or possessing certain big game mammals or for allowing a game bird, game mammal or game fish to go to waste in the field; amending certain other civil penalties relating to wildlife; authorizing the revocation of permits and privileges for the violation of certain provisions; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Corrections, Parole, and Probation:

Assembly Bill No. 78—AN ACT relating to offenders; requiring the State Forester Firewarden to establish and carry out a program for operating conservation camps which use offenders; authorizing the State Forester Firewarden to enter into contracts and cooperative agreements to carry out the program; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

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

Assembly Bill No. 79—AN ACT relating to city elections; authorizing the governing body of a city to conduct a city election in which all ballots must

be cast by mail under certain circumstances; providing that a candidate who receives a majority of votes cast in a city primary election must be declared elected; revising provisions concerning requests for an absent ballot; requiring that the voting results of a city election be posted on the Internet under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 80—AN ACT relating to excavations; setting forth the duties of an operator of a sewer main with respect to a sewer service lateral connected to that sewer main; revising provisions relating to the operators of subsurface installations; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Corrections, Parole, and Probation:

Assembly Bill No. 81—AN ACT relating to public safety; revising provisions relating to the information the Central Repository for Nevada Records of Criminal History is required to disseminate to a licensing agency and to a prospective or current employer and the purposes for which such information may be considered; repealing the provisions requiring the Director of the Department of Public Safety to establish a program to compile and analyze data concerning the recidivism of offenders who commit sexual offenses; repealing the provisions creating the Repository for Information Concerning Missing Persons within the Central Repository; making various other changes relating to the powers and duties of the Central Repository; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

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

Assembly Bill No. 82—AN ACT relating to elections; making various changes relating to the administration and conduct of elections; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 83—AN ACT relating to the protection of children; making various changes concerning the reporting and investigation of allegations of child abuse and neglect; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 84—AN ACT relating to unemployment compensation; establishing provisions for the collection of benefits required to be repaid to the Employment Security Division of the Department of Employment, Training and Rehabilitation; establishing a penalty for fraudulently obtaining unemployment benefits under certain circumstances; revising provisions relating to the authorized use of money in the Employment Security Fund by the Administrator of the Division; providing penalties; 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 Corrections, Parole, and Probation:

Assembly Bill No. 85—AN ACT relating to public safety; revising the applicability of certain restrictions regarding residency imposed on a person who is convicted of a sexual offense; revising certain definitions relating to sex offenders; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 86—AN ACT relating to local government financial administration; providing general authority for a local government to impose a new tax or fee or increase an existing tax or fee for any purpose upon voter approval; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 87—AN ACT relating to state administration; revising the provisions governing the collection of certain debts owed to state agencies; revising certain provisions relating to the applicability of certain statutes of limitation to actions brought by or on behalf of the State; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 88—AN ACT relating to sexual offenses; establishing a civil remedy for a person who was a victim of a sexual offense which was used to promote child pornography; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 89—AN ACT relating to the protection of children; making various changes concerning the investigation of applicants for a license to operate a child care facility, licensees and others over whom applicants or licensees exercise some control; requiring applicants and licensees to terminate certain employees and remove certain residents and participants in outdoor youth programs who have been convicted of certain crimes or who have had a substantiated report of child abuse or neglect made against them; expanding the grounds for denying a license and for taking other disciplinary action against a licensee; authorizing the imposition of administrative fines for violations of certain laws and regulations concerning licensure of child care facilities; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 90—AN ACT relating to deceptive trade practices; requiring that information obtained in the course of certain investigations and proceedings be kept confidential in certain circumstances; authorizing the Attorney General to share such information, and otherwise cooperate with, officials of the Federal Government and other states; allowing the Attorney General to bring a civil action against a person engaging in certain deceptive trade practices; revising definitions relating to telecommunication services; 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 Government Affairs:

Assembly Bill No. 91—AN ACT relating to the State Treasurer; revising the authority of the State Treasurer to invest money held in certain trust funds; authorizing the State Treasurer to create a nonprofit corporation to purchase and collect tobacco proceeds; defining the term “tobacco proceeds”; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Ways and Means:

Assembly Bill No. 92—AN ACT relating to the judiciary; revising the provisions governing the benefits of a retired justice or judge; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 93—AN ACT relating to crimes; revising the definition of the crime of assault; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 94—AN ACT relating to redevelopment; eliminating the prohibition on the creation of certain tourism improvement districts; extending the maximum duration of certain redevelopment plans adopted with respect to larger cities in certain counties; clarifying that a redevelopment agency has the authority to make certain loans; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 95—AN ACT relating to unfair trade practices; revising the conduct to which the Nevada Unfair Trade Practice Act applies; revising the relief that the Attorney General may seek for violations of the Nevada Unfair Trade Practice Act; requiring that information received or shared in cooperation with the Federal Government or other states be kept confidential in certain circumstances; permitting the Attorney General to bring a civil action for violation of the Nevada Unfair Trade Practice Act or federal antitrust statutes on behalf of the State, its agencies, political subdivisions, districts or municipal corporations; increasing the amount of

money that may be kept in the Attorney General's Special Fund; 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 Education:

Assembly Bill No. 96—AN ACT relating to education; clarifying eligibility for and the administration of Millennium Scholarships for students who are enrolled in more than one eligible institution; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Government Affairs:

Assembly Bill No. 97—AN ACT relating to governmental financial administration; requiring the establishment by regulation of procedures for transferring governmental functions between and among local governments; requiring the establishment by regulation of procedures for transferring governmental functions between and among local governments and state agencies; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Taxation:

Assembly Bill No. 98—AN ACT relating to counties; requiring certain county fair and recreation boards to remit unobligated room tax revenues attributable to new transient lodging to the city within which the new units of lodging are located; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 99—AN ACT relating to public safety; providing for an increased penalty for crimes committed against participants in the legal process; prohibiting a person from making public certain restricted information concerning a participant in the legal process or his immediate family under certain circumstances; prohibiting a person from filing a false lien against the real or personal property of a participant in the legal process; revising provisions prohibiting threats or intimidation addressed at certain persons to include a participant in the legal process; providing that murder committed to avoid or prevent the lawful execution of the official duties of a participant in the legal process is murder in the first degree; making murder

committed with the intent to intimidate or retaliate against a participant in the legal process an aggravating circumstance for purposes of the death penalty; authorizing judges to obtain fictitious addresses for certain public purposes; making various other changes relating to participants in the legal process; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Education:

Assembly Bill No. 100—AN ACT relating to education; revising the duties of the Deputy Superintendent for Administrative and Fiscal Services in the Department of Education relating to charter schools; revising provisions governing charter schools and university schools for profoundly gifted pupils; revising provisions governing the annual reports of school districts and charter schools; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 101—AN ACT relating to the support of children; requiring certain counties to participate fully in the Program for the Enforcement of Child Support; authorizing other counties to participate in the Program; requiring each county that participates in the Program to pay the cost of the Program in that county; revising certain provisions governing the administration and enforcement of the Program; deleting provisions relating to the placement and confidentiality of certain records concerning the support of a dependent child; requiring a district court to review, on the record, certain recommendations of a master; revising provisions governing the failure of an employer to deliver money that is withheld from the income of an employee for child support; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 102—AN ACT relating to public health; authorizing a court to establish a program of treatment for problem gambling and to assign a person to the program; authorizing a problem gambler to elect to be assigned to such a program under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Leslie:

Assembly Bill No. 103—AN ACT relating to children; requiring the Legislative Auditor to conduct performance audits of governmental facilities for children as directed by the Legislative Commission; requiring the Legislative Auditor or his designee to inspect, review and survey governmental facilities for children and private facilities for children to determine whether such facilities adequately protect the health, safety and welfare of the children in the facilities; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Parnell:

Assembly Bill No. 104—AN ACT relating to bail; revising the provisions governing the failure to appear in court for the commission of certain misdemeanor traffic offenses; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Gansert:

Assembly Bill No. 105—AN ACT relating to criminal procedure; providing that a defendant convicted of certain offenses must submit a specimen for genetic marker testing without a court ordering him to do so; authorizing a board of county commissioners to accept gifts, grants and donations for the county's fund for genetic marker testing; revising the purposes for which a forensic laboratory that receives money from a fund for genetic marker testing may use the money; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 106—AN ACT relating to nursing; providing for the certification by the State Board of Nursing of nursing assistants as certified medication aides; authorizing a certified medication aide to possess and administer certain drugs and medications to patients in certain medical facilities; authorizing the Board to establish certain fees and charges; prohibiting certain acts relating to certified medication aides; providing a penalty; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblyman Ocegüera:

Assembly Bill No. 107—AN ACT relating to public health; creating the Advisory Committee for the Prevention and Treatment of Stroke within the Health Division of the Department of Health and Human Services; prescribing the duties of the Committee; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Commerce and Labor:

Assembly Bill No. 108—AN ACT relating to common-interest communities; requiring the executive board of an association for a common-interest community to include certain information in the budget for the daily operation of the association; establishing certain standards for management agreements; establishing the duties, responsibilities and standards of practice for community managers; making various other changes pertaining to community managers; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 109—AN ACT relating to motor vehicles; authorizing the Department of Motor Vehicles to issue certain special license plates for use on motorcycles; prescribing the fees for special license plates for use on vehicles other than passenger cars and light commercial vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 110—AN ACT relating to the Commission on Special License Plates; providing for the payment of certain compensation to members of the Commission; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 111—AN ACT relating to public health; requiring a licensed facility for the dependent, medical facility or home for individual residential care to obtain an endorsement on the license if the facility or home offers housing for independent living; prohibiting certain residential

facilities for groups and homes for individual residential care from providing accommodations to certain persons; providing penalties; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 112—AN ACT relating to public health; requiring the Governor to declare a public health emergency if there is an immediate threat to the health and safety of the public; creating the Committee on Public Health Emergencies; prescribing the powers and duties of the Committee; establishing provisions for responding to and resolving public health emergencies; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblyman Hogan:

Assembly Bill No. 113—AN ACT relating to prescription drugs; revising provisions relating to the information specified on the label of the container for a prescription drug; 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 Judiciary:

Assembly Bill No. 114—AN ACT relating to victims of crime; extending the time to appeal the denial of a claim for compensation to a victim of crime; providing for balances to remain within the Fund for the Compensation of Victims of Crime; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Cobb:

Assembly Bill No. 115—AN ACT relating to trade regulations and practices; revising provisions governing the State's system for the registration and protection of trademarks, trade names and service marks; making various changes regarding administration of the system by the Secretary of State; authorizing the Secretary of State to prescribe certain fees; prohibiting certain misleading and deceptive practices; providing remedies and penalties; 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 Assemblyman Carpenter:

Assembly Bill No. 116—AN ACT relating to crimes; requiring a law enforcement agency and juvenile court to provide certain requested investigative and police reports within a specific period; excluding contributory conduct of a victim of domestic violence or sexual assault from consideration in certain determinations of compensation to the victim; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Corrections, Parole, and Probation:

Assembly Bill No. 117—AN ACT relating to convicted persons; providing that certain persons participating in a hearing concerning clemency or parole who speak a language other than English and do not know the English language are entitled to the services of an interpreter at public expense; revising provisions governing the mandatory parole of certain prisoners; making various other changes relating to parole hearings; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

By Assemblyman Carpenter:

Assembly Bill No. 118—AN ACT relating to associations of self-insured employers; revising the type of financial statement that proposed members of an association must provide with an application for certification; 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 Assemblywoman Leslie:

Assembly Bill No. 119—AN ACT relating to planning; requiring the comprehensive regional plan in certain counties to include provisions concerning the identification and sustainability of certain supplies of water; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Judiciary:

Assembly Bill No. 120—AN ACT relating to protective orders; authorizing a victim of a sexual assault to seek a protective order against the person who allegedly committed the sexual assault; establishing procedures for obtaining such orders; providing penalties; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblywoman Koivisto:

Assembly Bill No. 121—AN ACT relating to health care facilities; requiring certain health care facilities that employ nurses to establish a staffing plan and to provide adequate staffing; requiring the maintenance of certain records concerning statistics relating to patients and staffing; requiring such a health care facility to establish policies pursuant to which a direct care nurse may refuse a work assignment; requiring public disclosure of certain information relating to a staffing plan; providing administrative and criminal penalties; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 122—AN ACT relating to the Office for Consumer Health Assistance; expanding the definition of “consumer” to include more situations in which assistance may be rendered; expanding the authority of the Director of the Office for Consumer Health Assistance to adopt necessary regulations; making various other changes relating to the Office for Consumer Health Assistance; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By the Committee on Health and Human Services:

Assembly Bill No. 123—AN ACT relating to public health; requiring offices of physicians and related facilities to obtain a permit and national accreditation before providing certain services involving anesthesia and sedation; requiring surgical centers for ambulatory patients to obtain national accreditation; requiring annual inspections of such offices, facilities and surgical centers; requiring that copies of reports relating to the use of anesthesia and sedation by physicians be submitted to the Health Division of the Department of Health and Human Services; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblyman Grady:

Assembly Bill No. 124—AN ACT relating to unemployment compensation; revising provisions relating to certain agricultural labor as employment; 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 Assemblywoman Gansert:

Assembly Bill No. 125—AN ACT relating to public health; requiring surgical centers for ambulatory patients to obtain accreditation by a nationally recognized accrediting organization approved by the State Board of Health; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Health and Human Services.

Motion carried.

By Assemblyman Grady (by request):

Assembly Bill No. 126—AN ACT relating to crimes; revising provisions relating to the designation of an attendant during certain criminal proceedings; revising provisions relating to the registration of sex offenders and offenders convicted of a crime against a child and the community notification of sex offenders; revising the provisions providing for the confidentiality of records and reports that reveal identity in cases involving certain sexual offenses; revising the provisions relating to the reporting of certain sexual offenses; and providing other matters properly relating thereto.

Assemblyman Ocegüera moved that the bill be referred to the Committee on Corrections, Parole, and Probation.

Motion carried.

By Assemblyman McArthur:

Assembly Bill No. 127—AN ACT relating to motor vehicles; requiring a certain pro rata refund for the cancellation of the registration of a vehicle owned by a member of the Armed Forces of the United States who is assigned to serve abroad on active duty; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Hogan:

Assembly Bill No. 128—AN ACT relating to elections; revising provisions relating to the reporting of campaign contributions and expenditures; and providing other matters properly relating thereto.

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

Motion carried.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ocegüera moved that the action whereby Assembly Bill No. 66 was referred to the Committee on Judiciary be rescinded.

Motion carried.

Assemblyman Ocegüera moved that Assembly Bill No. 66 be referred to the Committee on Government Affairs.

Motion carried.

Assemblyman Ocegüera moved that the action whereby Assembly Bill No. 64 was referred to the Committee on Ways and Means be rescinded.

Motion carried.

Assemblyman Ocegüera moved that Assembly Bill No. 64 be referred to the Concurrent Committees on Judiciary and Ways and Means.

Motion carried.

Assemblyman Ocegüera moved that the action whereby Assembly Bill No. 45 was referred to the Committee on Government Affairs be rescinded.

Motion carried.

Assemblyman Ocegüera moved that Assembly Bill No. 45 be referred to the Committee on Judiciary.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, February 2, 2009

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 1.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

INTRODUCTION, FIRST READING AND REFERENCE

Senate Bill No. 1.

Assemblyman Ocegüera moved that all rules be suspended, reading so far had considered second reading, rules further suspended, bill considered engrossed, declared an emergency measure under the Constitution and placed on third reading and final passage.

Remarks by Assemblyman Ocegüera.

Motion carried unanimously.

GENERAL FILE AND THIRD READING

Senate Bill No. 1.

Bill read third time.

Remarks by Assemblyman Ocegüera.

Roll call on Senate Bill No. 1:

YEAS—42.

NAYS—None.

Senate Bill No. 1 having received a constitutional majority, Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Aizley, the privilege of the floor of the Assembly Chamber for this day was extended to Mary Phillips, Malia Taylor Elliott, Holly Nicole Phillips, Spencer Raymond Elliott, Brooke Noel Phillips, Janice Banta, and Roger Banta.

On request of Assemblyman Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Ed Anderson, Lani Anderson, Eddie Anderson, Kelly Gardner, Rick Gardner, Michael Gardner, Whitney Gardner, Nancy Gardner, Clyda Anderson, Natha Clyde Anderson, Connor Eric Lindloff, Teague Richard Lindloff, and Cairn Lindloff.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to Jim Beasley, Juan Devarreau, Virgie Vincent, and Fabian Vincent.

On request of Assemblyman Atkinson, the privilege of the floor of the Assembly Chamber for this day was extended to Haley Atkinson, Bernice Atkinson, Kay Atkinson, Godist Corhn, Sherwood Howard, Taydra Heath, Julious Heath, and De-sha Hill.

On request of Assemblyman Bobzien, the privilege of the floor of the Assembly Chamber for this day was extended to Taylor Anderson, Ashley Massey, and Matt Dickson.

On request of Assemblywoman Buckley, the privilege of the floor of the Assembly Chamber for this day was extended to Aiden Kendrick, Edith Buckley, Tina Prieta, Julian Prieta, and Candace Ruisi.

On request of Assemblyman Carpenter, the privilege of the floor of the Assembly Chamber for this day was extended to Sherry LaGier and Deacon Craig LaGier.

On request of Assemblyman Christensen, the privilege of the floor of the Assembly Chamber for this day was extended to Reed Christensen and Mark Sprinkle.

On request of Assemblyman Claborn, the privilege of the floor of the Assembly Chamber for this day was extended to Carol Claborn and Shelly Hogan.

On request of Assemblyman Cobb, the privilege of the floor of the Assembly Chamber for this day was extended to Dianne O'Conner, Jennifer Baker, Elizabeth Eva Cobb, Suellen Cobb, and Paul Jackson.

On request of Assemblyman Conklin, the privilege of the floor of the Assembly Chamber for this day was extended to Mijanane Conklin, Anita Conklin, Carl Conklin, and Adrian Vaiesque.

On request of Assemblyman Denis, the privilege of the floor of the Assembly Chamber for this day was extended to Diana Gale, Kulle Gale, Armando Denis, David Cook, Susan Denis, Dallin Denis, Denae Denis, Daniel Denis, Diana Gale, and David Cook.

On request of Assemblywoman Dondero Loop, the privilege of the floor of the Assembly Chamber for this day was extended to Mari Germain, Jim Germain, Thomas Pedro, Owen Sherwood, Mike Dondero, Rob Dondero, Judy Habbeshaw, Thalia Dondero, Lindsey Loop, Amy Loop, Rylie Kokoski, Michael Douglas, and Ron Parraguirre.

On request of Assemblywoman Gansert, the privilege of the floor of the Assembly Chamber for this day was extended to Guy Gansert, MacKenzie Gansert, Kirsten Gansert, Glenn Gansert, and Hank Gansert.

On request of Assemblyman Goedhart, the privilege of the floor of the Assembly Chamber for this day was extended to Jonathan Cockroft and Valerie Osgood.

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to Sean Cordes, Taylen Cordes, Cady Cordes, Jace Harmon, Addyson Harmon, Pat Grady, Gary Cordes, Tina Cordes, Paul Harmon, Tami Harmon, Tim Grady, Tanya Grady, Mackie Grady, and Maddie Grady.

On request of Assemblyman Gustavson, the privilege of the floor of the Assembly Chamber for this day was extended to Don V. Gustavson, former Assemblywoman Sharron Angle, Dan Madison, and Diane Madison.

On request of Assemblyman Hambrick, the privilege of the floor of the Assembly Chamber for this day was extended to Nancy Hambrick, Laura Sullivan, Mark Sullivan, and Ted Weiss.

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

On request of Assemblyman Hogan, the privilege of the floor of the Assembly Chamber for this day was extended to Sandy Hogan, Kaye Rosso, and Randy Rosso.

On request of Assemblyman Horne, the privilege of the floor of the Assembly Chamber for this day was extended to Mary Jackson Horne, Chloe Horne, and Henry Horne.

On request of Assemblyman Kihuen, the privilege of the floor of the Assembly Chamber for this day was extended to Claritssa Sanchez, Blanca Kihuen, Armando Kihuen, and Dionny Fonseca.

On request of Assemblywoman Kirkpatrick, the privilege of the floor of the Assembly Chamber for this day was extended to Sarah Kirkpatrick, Tara Kirkpatrick, Jessica Kirkpatrick, Michael Kirkpatrick, and Jessica Ramirez.

On request of Assemblywoman Koivisto, the privilege of the floor of the Assembly Chamber for this day was extended to Victor Koivisto, Sr., Victor Koivisto, Jr., Kristina Koivisto, Patrick Guinan, Terry Horgan, Jackie Valley, Victor Koivisto III, Evan Fitzpatrick, Madeline Koivisto, Kenneth Fitzpatrick, Emily Fitzpatrick, and Kristi Koivisto.

On request of Assemblyman Manendo, the privilege of the floor of the Assembly Chamber for this day was extended to Robin Reddle.

On request of Assemblywoman Mastroluca, the privilege of the floor of the Assembly Chamber for this day was extended to Dan Mastroluca, Kelsey Mastroluca, Nicholas Mastroluca, Debra Fritz, Stacey Wedding, Jeff Wedding, and Heather Szczepanski.

On request of Assemblyman McArthur, the privilege of the floor of the Assembly Chamber for this day was extended to Trish McArthur, Bob McArthur, Susie McArthur, Betty Anne McArthur, and Nancy Illig.

On request of Assemblywoman McClain, the privilege of the floor of the Assembly Chamber for this day was extended to Elliott Anderson, Justin Katz, and Rebecca Katz.

On request of Assemblyman Mortenson, the privilege of the floor of the Assembly Chamber for this day was extended to Helen Mortenson and Judie Fisher.

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

On request of Assemblyman Ocegueda, the privilege of the floor of the Assembly Chamber for this day was extended to Eileen Montgomery, Chris Hansen, Karen Hansen, and Nancy M. Saitta.

On request of Assemblyman Ohrenschall, the privilege of the floor of the Assembly Chamber for this day was extended to Frank Daykin, former Assemblywoman Genie Ohrenschall, Michael DeLee, and Ashleigh Kreider.

On request of Assemblywoman Parnell, the privilege of the floor of the Assembly Chamber for this day was extended to Konnie McGruder, Dee Rose, and Helaine Jesse.

On request of Assemblyman Segerblom, the privilege of the floor of the Assembly Chamber for this day was extended to former Assemblywoman Gene Segerblom, Eva Segerblom, Mary Clare Day, and Madeleine Day.

On request of Assemblyman Settlemeyer, the privilege of the floor of the Assembly Chamber for this day was extended to Sherese Settlemeyer and Caitlyn Settlemeyer.

On request of Assemblywoman Smith, the privilege of the floor of the Assembly Chamber for this day was extended to Christopher Beucherie, Bruce Bilbrey, Brad Stone, Xiomara Rodriguez, Alice Drengsen, Olivia Bouch, Aanika Bouch, Laureen Garcia, Emma Bouch, Anetta Wood, Greg Smith, Louise Smith, David Bilbrey, and Ann Marie Bilbrey.

On request of Assemblywoman Spiegel, the privilege of the floor of the Assembly Chamber for this day was extended to William Spiegel, Roslyn Barre, Elizabeth Trospen, and Cindy Southerland.

On request of Assemblyman Stewart, the privilege of the floor of the Assembly Chamber for this day was extended to Dianne Stewart, Diane Jackson, Jessica Truman, Leo Seevers, and Diane Seevers.

On request of Assemblywoman Woodbury, the privilege of the floor of the Assembly Chamber for this day was extended to Ashley Peel, Jordan Peel, Bruce Woodbury, Rose Woodbury, and Chris Salerno.

Assemblyman Ocegüera moved that the Assembly adjourn until Tuesday, February 3, 2009, at 11 a.m.

Motion carried.

Assembly adjourned at 3:17 p.m.

Approved:

BARBARA E. BUCKLEY
Speaker of the Assembly

Attest: SUSAN FURLONG REIL

Chief Clerk of the Assembly