

THE THIRD DAY

CARSON CITY (Wednesday), February 4, 2009

Assembly called to order at 11:17 a.m.

Mr. Speaker pro Tempore presiding.

Roll called.

All present except Assemblyman Segerblom, who was excused.

Prayer by the Chaplain, Reverend Bruce Henderson.

Father, Wednesday's child may be full of woe, but we ask to be filled with joy and hope. May the problems around us be solvable. We ask for Your wisdom. We ask for Your presence. We pray confidently in the name of the One who said, "I am with you always."

AMEN.

Pledge of allegiance to the Flag.

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

Motion carried.

COMMUNICATIONS

UNITED STATES SENATE
WASHINGTON, D.C. 20510-7012

January 29, 2009

THE HONORABLE BARBARA BUCKLEY, *Speaker*, State of Nevada Assembly, Legislative Building, 401 South Carson Street, Carson City, Nevada 89701-4747

DEAR SPEAKER BUCKLEY:

I am writing to request the honor of speaking before both houses of the Nevada State Legislature at 12 noon on Wednesday, February 18, 2009.

My Reno office will be coordinating the details of my visit. Please call Mary Conelly at 775-686-5750 if you have any questions.

Thank you for your kind consideration.

With all best wishes,

Sincerely,
HARRY REID
Majority Leader
United States Senate

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Ocegüera moved that CITYLIFE: Stephen A. Sebelius; LAS VEGAS SUN: John (Sam) Morris, Cy Ryan; NEVADA APPEAL: David Frank; NEVADA PRESS ASSOCIATION: Kevin Clifford; NEWS CARSONCITY.COM/18 NEWS: CARSON CITY: David D. Morgan; RENO GAZETTE-JOURNAL: Lisa Tolda; UNIVISION CHANNEL 41: Anya J. Arechiga, Martha Torres be accepted as accredited press representatives, that they be assigned space at the press table in the Assembly Chambers and that they be allowed use of appropriate broadcasting facilities.

Motion carried.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Conklin, Anderson, Ocegüera, Dondero Loop, Grady, Horne, Kirkpatrick, Mortenson, Ohrenschall and Parnell:

Assembly Bill No. 129—AN ACT relating to common-interest communities; providing that the provisions governing common-interest communities do not modify the tariffs, rules and standards of a public utility; requiring the governing documents of an association to be consistent with the tariffs, rules and standards of a public utility; prohibiting an association from restricting the parking of certain utility service vehicles, law enforcement vehicles and emergency services vehicles; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Conklin, Kirkpatrick and Ocegüera:

Assembly Bill No. 130—AN ACT relating to labor; revising provisions governing the approval by a metropolitan police department of negotiated agreements under the Local Government Employee-Management Relations Act; 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. 131—AN ACT relating to contractors; specifying certain agreements to which provisions relating to payments to contractors do not apply; authorizing a higher-tiered contractor to use money due a lower-tiered subcontractor to offset a debt in certain circumstances; revising the time within which a contractor must perform certain actions after receiving a payment; prohibiting an owner from conditioning payment to a prime contractor on receiving certain lien releases; revising certain time periods relating to a request for a change order; revising provisions relating to the payment of a prime contractor after a work of improvement is available for use or occupancy; revising provisions relating to certain notices by contractors; prohibiting a higher-tiered contractor from conditioning payment to a lower-tiered subcontractor on receiving certain lien releases; prohibiting lower-tiered subcontractors from recovering against higher-tiered contractors in certain circumstances; allowing interest to accrue on retention amounts in certain circumstances; 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 Assemblymen Conklin, Anderson, Kirkpatrick and Ocegüera:

Assembly Bill No. 132—AN ACT relating to property; revising certain provisions relating to an award of damages in an action for forcible or unlawful entry or detention of real property; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Conklin, Dondero Loop, Anderson, Grady, Mortenson, Ocegüera, Ohrenschall and Parnell:

Assembly Bill No. 133—AN ACT relating to escrows; establishing provisions concerning the disbursement of escrow money; 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. 134—AN ACT relating to education; making an appropriation to the Greater Las Vegas After-School All-Stars for the implementation and operation of certain after-school programs; 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 Ways and Means:

Assembly Bill No. 135—AN ACT relating to state obligations; requiring the State Treasurer to review and the State Board of Finance to approve certain state financial obligations before the obligations are issued or incurred; and providing other matters properly relating thereto.

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

Motion carried.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

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

On request of Assemblyman Hambrick, the privilege of the floor of the Assembly Chamber for this day was extended to Heather Kydd.

Assemblyman Ocegüera moved that the Assembly adjourn until Friday, February 6, 2009, at 11 a.m.

Motion carried.

Assembly adjourned at 11:30 a.m.

Approved:

BARBARA E. BUCKLEY
Speaker of the Assembly

Attest: SUSAN FURLONG REIL
Chief Clerk of the Assembly