

THE THIRTY-EIGHTH DAY

CARSON CITY (Wednesday), March 11, 2009

Assembly called to order at 11:12 a.m.

Madam Speaker presiding.

Roll called.

All present.

Prayer by the Chaplain, Brother Christian Funk.

Our Father in Heaven, we come before You this day to thank Thee for the opportunity we have to live in this beautiful land. We thank Thee for these men and women who work to help ensure the blessings of liberty to all. We are thankful for the moisture that we have recently received. We are grateful for Thy guidance. We ask Thee to bless all of us that we may live worthy to receive the blessing of liberty. Bless these men and women that they will be inspired to do those things that will best help our community. Bless all the leaders of our nation and state with health and wisdom to perform their duties in a manner which is pleasing to Thee. Please continue to bless our area with the moisture that we need. We give thanks for all that we have. In the name of Jesus Christ.

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

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515-2802

February 24, 2009

ASSEMBLYWOMAN BARBARA BUCKLEY, Nevada State Assembly, Legislative Building, 401 S. Carson Street, Carson City, NV 89701-4747

DEAR ASSEMBLYWOMAN BUCKLEY:

This letter serves as a formal request to address the joint session of the Nevada Legislature on Tuesday, April 14, 2009, at 1 p.m. It is my understanding that this date and time are available.

Should you have any questions or comments, please contact my district director, Verita Black Prothro at 775-686-5760.

I thank you in advance for this august opportunity.

Sincerely,
DEAN HELLER
Member of Congress

MESSAGES FROM THE SENATE

SENATE CHAMBER, Carson City, March 10, 2009

To the Honorable the Assembly:

I have the honor to inform your honorable body that the Senate on this day passed Initiative Petition No. 1.

Also, I have the honor to inform your honorable body that the Senate on this day adopted Assembly Concurrent Resolution No. 14.

Also, I have the honor to inform your honorable body that the Senate on this day passed Senate Bill No. 34.

SHERRY L. RODRIGUEZ
Assistant Secretary of the Senate

MOTIONS, RESOLUTIONS AND NOTICES

By Assemblymen Mortenson, Ohrenschall, Horne, Kihuen, and Segerblom:

Assembly Joint Resolution No. 5—Proposing to amend the Nevada Constitution to limit the duration of special sessions of the Legislature to 20 days, limit matters which may be considered during a special session and provide that a special session may be convened by a petition signed by two-thirds of the Legislators of each house.

Under the Nevada Constitution, only the Governor may convene a special session of the Nevada Legislature. (Nev. Const. Art. 5 § 9) This resolution proposes to amend the Nevada Constitution to authorize the Legislature to convene a special session by signed petition of two-thirds of the members of each House of the Legislature. The resolution also provides that the bills introduced during the special session must relate to the purpose of the session, except that bills necessary to provide for the expenses of the session may also be introduced. Finally, the resolution limits the duration of any special session of the Legislature to 20 calendar days.

If this proposed resolution is passed by the 2009 Legislature, it must also be passed by the next Legislature and then approved and ratified by the people in an election, before the proposed amendments to the Nevada Constitution become effective.

WHEREAS, There are currently 32 state legislatures that have the ability to call a special legislative session when deemed necessary; and

WHEREAS, The Nevada Legislature is 1 of only 18 state legislative bodies in the nation that may not call a special session, and 1 of only 11 Legislatures that may not determine any of the subject matter to be considered at a special session; and

WHEREAS, The Nevada Constitution is grounded on the principle of three equal branches of State Government, with the ultimate authority and responsibility to enact necessary legislation being vested in the Legislative Branch, subject to final approval by the Governor; and

WHEREAS, Nevada's current constitutional language, which allows only the Governor to call the Legislature into special session, impedes and is contrary to the constitutional provision that vests the legislative authority of the State of Nevada in its elected Legislature; and

WHEREAS, The Nevada Legislature should be authorized to operate with a reasonable degree of independence from the Executive and Judicial Branches as is consistent with the separation of powers principle, and should be empowered to identify those topics that may require the Legislature to call a limited special session deemed in the best interest of the people of the State of Nevada; now, therefore, be it

RESOLVED BY THE ASSEMBLY AND SENATE OF THE STATE OF NEVADA, JOINTLY, That a new section, designated Section 2A, be added to Article 4 of the Nevada Constitution to read as follows:

Sec. 2A. 1. The Legislature may be convened, on extraordinary occasions, upon petition signed by two-thirds of the members of each House of the Legislature. A petition must specify the business to be transacted during the special session, indicate a date on or before which the Legislature is to convene and be transmitted to the Secretary of State. Upon receipt

of one or more substantially similar petitions signed, in the aggregate, by the required number of members, calling for a special session, the Secretary of State shall notify all members of the Legislature and the Governor that a special session will be convened pursuant to this section.

2. No bills, except those related to the business specified in the petition and those necessary to provide for the expenses of the session, may be introduced at a special session convened pursuant to this section.

3. A special session convened pursuant to this section takes precedence over a special session called by the Governor pursuant to Section 9 of Article 5 of this Constitution, unless otherwise provided in the petition calling for the special session.

4. The Legislature may provide by law for the procedure for convening a special session pursuant to this section.

5. The Legislature shall adjourn sine die a special session convened pursuant to this section not later than midnight Pacific standard time of the 20th calendar day of that session. Any legislative action taken after midnight Pacific standard time on the 20th calendar day is void.

And be it further

RESOLVED, That Section 2 of Article 4 of the Nevada Constitution be amended to read as follows:

Sec. 2. 1. The sessions of the Legislature shall be biennial, and shall commence on the 1st Monday of February following the election of members of the Assembly, unless the Governor of the State *or the members of the Legislature* shall, in the interim, convene the Legislature by proclamation ~~or~~ *or petition.*

2. The Legislature shall adjourn sine die each regular session not later than midnight Pacific standard time 120 calendar days following its commencement. Any legislative action taken after midnight Pacific standard time on the 120th calendar day is void, unless the legislative action is conducted during a special session. ~~convened by the Governor.~~

3. The Governor shall submit the proposed executive budget to the Legislature not later than 14 calendar days before the commencement of each regular session.

And be it further

RESOLVED, That Section 33 of Article 4 of the Nevada Constitution be amended to read as follows:

Sec. ~~33~~ 33. The members of the Legislature shall receive for their services ~~the~~ a compensation to be fixed by law and paid out of the public treasury, for not to exceed 60 days during any regular session of the legislature and not to exceed 20 days during any special session ; ~~convened by the governor;~~ but no increase of such compensation shall take effect during the term for which the members of either house shall have been elected Provided, that an appropriation may be made for the payment of such actual expenses as members of the Legislature may incur for postage, express charges, newspapers and stationery not exceeding the sum of Sixty dollars for any general or special session to each member; and Furthermore Provided, that the Speaker of the Assembly, and Lieutenant Governor, as President of the Senate, shall each, during the time of their actual attendance as such presiding officers receive an additional allowance of two dollars per diem.

And be it further

RESOLVED, That Section 9 of Article 5 of the Nevada Constitution be amended to read as follows:

~~Sec. 9. The~~ *Sec. 9. 1. Except as otherwise provided in Section 2A of Article 4 of this Constitution, the Governor may , on extraordinary occasions, convene the Legislature by Proclamation and shall state to both houses when organized, the purpose for which they have been convened . [, and the Legislature shall transact no legislative business, except that for which they were specially convened, or such other legislative business as the Governor may call to the attention of the Legislature while in Session.]*

2. No bills, except those related to the purpose for which the Legislature has been specially convened and those necessary to provide for the expenses of the session, may be introduced at a special session convened pursuant to this section.

3. The Legislature shall adjourn sine die a special session convened pursuant to this section not later than midnight Pacific standard time of the 20th calendar day of that session.

Any legislative action taken after midnight Pacific standard time on the 20th calendar day is void.

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

Motion carried.

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

Assembly Resolution No. 4—Providing for the appointment of an additional attaché for the Assembly.

RESOLVED BY THE ASSEMBLY OF THE STATE OF NEVADA, That Steven Sisneros is elected as an additional attaché of the Assembly for the 75th Session of the Nevada Legislature.

Assemblyman Ocegüera moved the adoption of the resolution.

Remarks by Assemblyman Ocegüera.

Resolution adopted.

INTRODUCTION, FIRST READING AND REFERENCE

By Assemblymen Mortenson, Ohrenschall, Aizley, Arberry, Bobzien, Christensen, Claborn, Conklin, Goedhart, Goicoechea, Gustavson, Hambrick, Hardy, Kihuen, Koivisto, McArthur, Munford, Ocegüera, Segerblom, and Settelmeyer:

Assembly Bill No. 288—AN ACT relating to the use of force; revising the provisions governing justifiable homicide; revising the provisions governing civil liability in actions involving the use of force; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Mortenson and Claborn:

Assembly Bill No. 289—AN ACT relating to paleontology; requiring the Division of State Parks of the State Department of Conservation and Natural Resources to administer certain paleontological sites; authorizing a public entity, in consultation with an Indian tribe, to enter into a cooperative agreement concerning a paleontological site under certain circumstances; providing other protections for paleontological sites; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Spiegel, Koivisto, Aizley, Atkinson, Bobzien, Conklin, Hambrick, Hogan, Kihuen, Kirkpatrick, Manendo, McClain, Munford, Ohrenschall, and Stewart; Senator Copenig:

Assembly Bill No. 290—AN ACT relating to vehicles; revising provisions governing the applicability of the implied warranty of merchantability to the

sale of a used vehicle by a used vehicle dealer; prohibiting a used vehicle dealer from excluding, modifying, negating or limiting the implied warranty of merchantability; providing remedies for a purchaser if a used vehicle does not conform with the implied warranty of merchantability; providing that a purchaser of a used vehicle may waive the implied warranty of merchantability under certain circumstances; requiring a contract for the sale of a used vehicle by a used vehicle dealer to contain certain statements; providing a penalty; and providing other matters properly relating thereto.

Assemblywoman Spiegel moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen Spiegel, Koivisto, Bobzien, McClain, Aizley, Atkinson, Christensen, Conklin, Dondero Loop, Hambrick, Hogan, Kihuen, Manendo, Munford, Ohrenschall, Parnell, Pierce, and Settlemeyer; Senator Parks:

Assembly Bill No. 291—AN ACT relating to motor vehicles; revising penalties for failure to register certain motor vehicles; authorizing constables to enforce certain provisions relating to registration of motor vehicles; and providing other matters properly relating thereto.

Assemblywoman Spiegel moved that the bill be referred to the Committee on Transportation.

Motion carried.

By Assemblymen McArthur and Smith:

Assembly Bill No. 292—AN ACT relating to the State Legislature; revising provisions governing the Legislative Commission; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Anderson, Bobzien, Kirkpatrick, Smith, Conklin, Aizley, Arberry, Atkinson, Christensen, Dondero Loop, Gansert, Hogan, Horne, Kihuen, Koivisto, Leslie, Manendo, McClain, Mortenson, Ocegueda, Ohrenschall, Parnell, Pierce, Segerblom, Settlemeyer, Spiegel, and Stewart:

Assembly Bill No. 293—AN ACT relating to appointments; creating the Legislative Committee on Appointments; providing that appointments by the Governor to certain offices or positions within the Executive Branch of State Government are effective for only 90 days unless they are confirmed by the Committee; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Kirkpatrick, Anderson, Arberry, Atkinson, Christensen, Claborn, Conklin, Gansert, Kihuen, Mortenson, Munford, Parnell, Pierce, Segerblom, Smith, Spiegel, and Stewart:

Assembly Bill No. 294—AN ACT relating to group homes; directing the Legislative Commission to conduct an interim study concerning group homes; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Settlemeyer, McClain, Christensen, Anderson, Bobzien, Carpenter, Cobb, Conklin, Gansert, Goedhart, Goicoechea, Grady, Gustavson, Hambrick, Hardy, Horne, Kihuen, Kirkpatrick, Koivisto, Manendo, Mortenson, Ocegüera, Segerblom, Spiegel, Stewart, and Woodbury; Senators Amodei, Cegavske, Hardy, Lee, Parks, and Woodhouse:

Assembly Bill No. 295—AN ACT relating to taxation; allowing a person who qualifies as both a veteran and the surviving spouse of a veteran to claim both veterans' exemptions from property taxes and governmental services taxes; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 296—AN ACT relating to motor carriers; revising the conditions for a nonprofit carrier of elderly persons or persons with disabilities to qualify for an exemption from the requirement to obtain a certificate of public convenience and necessity; and providing other matters properly relating thereto.

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

Motion carried.

By the Committee on Transportation:

Assembly Bill No. 297—AN ACT relating to insurers; prohibiting an insurer from owning or acquiring an interest in a body shop; providing an exception to the prohibition; setting forth the circumstances under which an insurer may use a favored facility agreement; requiring an insurer to post a certain notice in each tied body shop of the insurer; authorizing a person to bring and maintain an action against an insurer for injunctive and other appropriate relief for certain violations; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Gansert, Hardy, Carpenter, Christensen, Cobb, Goedhart, Goicoechea, Grady, Gustavson, Hambrick, McArthur, Settlemeyer, Stewart, and Woodbury; Senators Cegavske, Amodei, Copening, and McGinness:

Assembly Bill No. 298—AN ACT relating to public works; revising provisions relating to the payment of prevailing wages on public works; clarifying the definition of an “offense”; clarifying that the Labor Commissioner may impose an administrative penalty against a person for the commission of an offense; revising provisions relating to the temporary disqualification of certain contractors from being awarded contracts for public works; requiring the Labor Commissioner to adopt certain regulations; revising provisions relating to capital improvements constructed by or on behalf of the Nevada System of Higher Education; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Gustavson, Cobb, Anderson, Carpenter, Christensen, Dondero Loop, Goedhart, Goicoechea, Hambrick, Hardy, Hogan, Kihuen, Kirkpatrick, Manendo, McArthur, Mortenson, Munford, Ohrenschall, Segerblom, Settlemeyer, Stewart, and Woodbury; Senators Breeden, Hardy, Lee, McGinness, Washington, and Woodhouse:

Assembly Bill No. 299—AN ACT relating to motor vehicles; providing for the issuance of special license plates indicating support for the rights guaranteed pursuant to the Second Amendment to the Constitution of the United States; imposing a fee for the issuance and renewal of such license plates; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Gustavson, Carpenter, Cobb, Goedhart, Goicoechea, Hambrick, McArthur, Mortenson, Munford, Ohrenschall, and Settlemeyer; Senators Amodei, Lee, and Washington:

Assembly Bill No. 300—AN ACT relating to motorcycles; revising provisions governing the wearing of protective headgear when operating motorcycles under certain circumstances; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblymen Kihuen, Denis, Munford, Anderson, Arberry, Bobzien, Buckley, Christensen, Claborn, Kirkpatrick, Leslie, McClain, Mortenson, Ocegüera, Parnell, Pierce, Segerblom, Smith, and Spiegel:

Assembly Bill No. 301—AN ACT relating to days of observance; requiring the Governor annually to proclaim March 31 to be “Cesar Chavez Day”; and providing other matters properly relating thereto.

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

Motion carried.

By Assemblyman Claborn:

Assembly Bill No. 302—AN ACT relating to apprenticeships; creating the Office of Apprenticeship within the Office of the Labor Commissioner; providing for funding for the State Apprenticeship Council and the State Director of Apprenticeship; requiring the adoption of regulations establishing registration fees and annual assessments for apprenticeship programs; and providing other matters properly relating thereto.

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

Motion carried.

Senate Bill No. 34.

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

Motion carried.

SECOND READING AND AMENDMENT

Assembly Bill No. 216.

Bill read second time and ordered to third reading.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Arberry moved that Assembly Bill No. 69 be taken from the General File and rereferred to the Committee on Ways and Means.

Motion carried.

Assemblywoman Kirkpatrick moved that Assembly Bill No. 60 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

Assemblyman Claborn moved that Assembly Bill No. 73 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 29.

Bill read third time.

Remarks by Assemblyman Claborn.

Roll call on Assembly Bill No. 29:

YEAS—42.

NAYS—None.

Assembly Bill No. 29 having received a constitutional majority,
Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 39.

Bill read third time.

Remarks by Assemblyman Atkinson.

Roll call on Assembly Bill No. 39:

YEAS—42.

NAYS—None.

Assembly Bill No. 39 having received a constitutional majority,
Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 133.

Bill read third time.

Remarks by Assemblyman Conklin.

Roll call on Assembly Bill No. 133:

YEAS—42.

NAYS—None.

Assembly Bill No. 133 having received a constitutional majority,
Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 136.

Bill read third time.

Remarks by Assemblywoman Parnell.

Roll call on Assembly Bill No. 136:

YEAS—42.

NAYS—None.

Assembly Bill No. 136 having received a constitutional majority,
Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 154.

Bill read third time.

Remarks by Assemblyman Munford.

Roll call on Assembly Bill No. 154:

YEAS—42.

NAYS—None.

Assembly Bill No. 154 having received a constitutional majority,
Madam Speaker declared it passed.

Bill ordered transmitted to the Senate.

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

Assembly in recess at 11:42 a.m.

ASSEMBLY IN SESSION

At 11:43 a.m.

Mr. Speaker pro Tempore presiding.

Quorum present.

Assembly Bill No. 165.

Bill read third time.

Remarks by Assemblywomen Buckley and Gansert.

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

ASSEMBLYWOMAN BUCKLEY:

Last year, I had the opportunity to offer a counterpoint to the Governor's address on the state of our state. I thought long and hard about what I would say, and I decided to stick to the basics—and that is, as a state, we can do better. Let's look at our rankings.

- K-12, forty-seventh in the nation in per-pupil spending.
- Forty-fifth in fourth grade reading proficiency.
- Forty-fourth in fourth grade math proficiency.
- Forty-ninth in per capita state and local spending for higher education.
- Public health, forty-sixth in the nation in number of physicians per 100,000.
- Forty-ninth in the nation for nurses per 100,000.
- Thirty-fifth in the nation for those lacking access to primary health care.
- Third in the nation of children without health insurance.
- First in the nation for women not receiving prenatal care.
- Fiftieth in the number of eligible children covered by Medicaid.
- Fiftieth in the number of infants and toddlers fully immunized.
- Fiftieth for the number of children who see a doctor or a dentist once a year.
- First in suicide rate for our elderly, age 65 and above.
- Fortieth in per capita spending for mental health.

Then let's look at our financial structure. Ninety-three percent of our funds go three places: education, health and human services, and public safety. More than 60 percent of our revenue is received from sales and gaming taxes, so when times are tough and discretionary income goes down, we have a financial crisis. We do not have a rainy day fund that works when times are tough. We need to take a look at how we are operating as a state and change the way we operate.

I decided to travel around the state and ask for input. Spending priorities—how do we, as a state, improve in critical areas? How do we get out of last place in so many rankings? How do we stabilize and diversify our revenue? How do we create a business portal so folks aren't skating by while most Nevada businesses pay their fair share in what they owe? Should we re-examine tax breaks? How do we stop relying so heavily on gaming and sales taxes when we clearly know now that gaming is not recession-proof? Finally, how do we stop our boom-and-bust cycle, which causes us to build programs in good times only to destroy them when times are bad? In this budget alone, the Governor is proposing:

- Closing the teachers' training center, which was identified as crucial in meeting No Child Left Behind and training our teachers—we need this center.
 - Closing almost every rural mental health clinic after we finally spent a decade building up the infrastructure.
 - Starting an autism treatment program last session, only to stop in the middle of the children receiving treatment now.
 - Closing facilities for juvenile delinquents when we finally established some capacity.
- Juvenile crime—the kids are still going to be committing crimes.

It makes no sense to build programs in good times only to destroy them when times are bad if you still need the services. And we do this every ten years.

Assembly Bill 165 addresses this by revamping the way we run our Rainy Day Fund. Right now, our Rainy Day Fund relies chiefly on voluntary appropriations. At the outset, let us be clear—we are experiencing the Great Recession. No rainy day fund is going to insulate us from times like these, but we are so unprepared compared to any other state. Our Rainy Day Fund does not do the job in a small economic downturn, much less give us any cushion in times like these, so while this memory is fresh in our minds, we can take a step to change the way we do business. Assembly Bill 165 operates like this: first, it lets our Rainy Day Fund accumulate to 20 percent of our annual General Fund budget, the largest in the country as a percentage of our annual General Fund revenue. The next highest is Massachusetts at 15 percent. Why so large? Again, right now 61 percent of our revenue comes from discretionary dollars—gaming and sales. As soon as there is a general economic downturn in the country people stop traveling. It is pretty elementary. How does the Rainy Day Fund work? There are two parts. First is a front-end contribution—1 percent of projected General Fund revenue. On the back end, there is 40 percent of all of the year-end General Fund surplus over 7 percent. Why 7 percent? Five percent has to go to the mandatory ending fund balance. Two percent is to give us some cushion because we will have bills incurred not yet payable.

The Rainy Day Fund will start us down the road towards fiscal responsibility and reduce the number of priority cuts that are required during an economic downturn. During my many town hall meetings on the Nevada 2020 endeavor, I asked for input, and I was amazed at how many people wanted to talk about the state of our state—who are committed to making our state a better place and better prepared to move up in the rankings and to be better prepared for economic downturns. Working together, we could achieve that. Assembly Bill 165 is one step towards achieving just that. I urge your support.

ASSEMBLYWOMAN GANSERT:

Thank you, Mr. Speaker pro Tempore. I rise in support of A.B. 165. I think we all agree that we need to save more money. While we may not agree on budget and policies all the time, we do agree that we have not put enough into our savings account for hard times like this. I appreciate the efforts of the Speaker and also of the Assemblyman from Boulder City, who has worked on this effort for quite some time. I urge support of this legislation.

Roll call on Assembly Bill No. 165:

YEAS—42.

NAYS—None.

Assembly Bill No. 165 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed, as amended.

Bill ordered transmitted to the Senate.

MOTIONS, RESOLUTIONS AND NOTICES

Assemblyman Atkinson moved that Assembly Bill No. 169 be taken from the General File and placed on the Chief Clerk's desk.

Motion carried.

GENERAL FILE AND THIRD READING

Assembly Bill No. 173.

Bill read third time.

Remarks by Assemblywoman Mastroluca.

Potential conflict of interest declared by Assemblymen Ocegüera and Spiegel.

Roll call on Assembly Bill No. 173:

YEAS—42.

NAYS—None.

Assembly Bill No. 173 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Bill No. 174.

Bill read third time.

Remarks by Assemblyman Claborn.

Roll call on Assembly Bill No. 174:

YEAS—42.

NAYS—None.

Assembly Bill No. 174 having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 3 of the 74th Session.

Resolution read third time.

Remarks by Assemblymen Mortenson and Hardy.

Roll call on Assembly Joint Resolution No. 3 of the 74th Session:

YEAS—42.

NAYS—None.

Assembly Joint Resolution No. 3 of the 74th Session having received a constitutional majority, Mr. Speaker pro Tempore declared it passed.

Resolution ordered transmitted to the Senate.

UNFINISHED BUSINESS

SIGNING OF BILLS AND RESOLUTIONS

There being no objections, the Speaker and Chief Clerk signed Initiative Petition No. 1; Assembly Bill No. 78; Senate Concurrent Resolution No. 14.

GUESTS EXTENDED PRIVILEGE OF ASSEMBLY FLOOR

On request of Assemblyman Anderson, the privilege of the floor of the Assembly Chamber for this day was extended to Justin Anderson.

On request of Assemblyman Arberry, the privilege of the floor of the Assembly Chamber for this day was extended to John Edmund .

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

On request of Assemblyman Denis, the privilege of the floor of the Assembly Chamber for this day was extended to Maritza Denis and Jeanie Leete.

On request of Assemblywoman Dondero Loop, the privilege of the floor of the Assembly Chamber for this day was extended to Michael Ashe and Sam Genzone.

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

On request of Assemblyman Grady, the privilege of the floor of the Assembly Chamber for this day was extended to the following students from Silver Stage High School: Lani Angell, Alexis Balch, Lindy Cartwright, Cori Colatuono, Cheyenne Lawrence, Kaytlyn Weaver, Puran Bashir, Milly Dayanghirang, Kayla Dixon, Carissa Oberman, Andrea Pato, Michelle Jean Senour, Ronald Vaughn Stafford, Jessie L. Bader, Hannah Rowley, Kerrena Sandidge, Delmae Smith, Lindsey Lepire, Jason Ryan McGill, Jared Roberts, and Troy Valiska; teacher Michael Seal.

On request of Assemblyman Ocegüera, the privilege of the floor of the Assembly Chamber for this day was extended to the following members of the Farmers Insurance Group: Michael Achilli, Emmanuel Alonzo, Karen Alsum, Kyle Archuleta, Robin Archuleta, Michael Ashe, John Barsanti, Mark Binder, Jeff Blichfeldt, James Bowen, David Bowers, Dustin Broadus, Jeff Brooks, Stephanie Brooks, Stephen Brown, William Burgess, Georgana Cepeda, Lauren Chamberlain, Eric Chandler, Julia Clarke-Spataro, Bren Coffman, Robert Compan, Toni De La Fuente, Jim DeGraffenreid, Michael Dolan, Chris Drake, John Drakulich, Lou Durano, Jaudaun Eldridge, Jacqueline Emerson, David Ensley, Casey Estep, Jeff Fey, Greg Flanigan, Scott Fulwider, Greg Galli, Burt Garavaglia, Sam Genzone, Beverly Geyer, Pamela Goerke, Nancy Gonzales, Steve Guinn, Wynn Guinn, Joe Haas, Joseph Haas, Stacey Haggin, Diane Hamilton, Beverly Hanson, Cassie Hanson, Cassie Hanson, Justin Hanson, Matt Heifner, Scott Held, Daryn Henry, James Henry, Jeff Heyer, Allan Hu, Mike Idehara, Shannon Idehara, Robert Jaramillo, Fred Jones, Samantha Kam, Bryce Kerr, Stacy Kleiner, Mary Jane Lake, Jason Lentz, Mindy Lim, Jack Love, Maryann Mangan, Miguel Martir, Hortencia Mckinnon, Michael McOsker, Julie Merrill, Robert Meyers, Mark Miller, Edward Montague, Julie Nelson, Melissa Nicholas, Paul Niemeier, Eric Odle, Eric Olivas, Alex Park, Scott Pick, Chris Porter, Lorraine Porter, Kenneth Price, Ken Purdy, David Riddle, Steven Schiebel, Julie Shaked, Donald Sim, Wyatt Sines, Karl Smith, Roy Smith, Steve Steele, Elizabeth Stella, Nick Stosic, Christopher Sutter, Toshi Suzuki, Annette Teixeira, Bradley Thiele, Marion Townes, Jeff Venuto, Shawn Ward, Gary Welte, Will Wilson, Cherie Wood, Martin Zukowski, Cindy Yenkowski, Laurie Yakubik, Elizabeth Xavier; Janie Ocegüera and Kim Novie.

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

Assemblyman Ocegüera moved that the Assembly adjourn until Thursday, March 12, 2009, at 11 a.m.

Motion carried.

Assembly adjourned at 12:12 p.m.

Approved:

BARBARA E. BUCKLEY
Speaker of the Assembly

Attest: SUSAN FURLONG REIL
Chief Clerk of the Assembly